



# The Palgrave Handbook of Critical Music Industry Studies

*Edited by*  
David Arditi · Ryan Nolan

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Industry Studies

David Arditi • Ryan Nolan  
Editors

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## ACKNOWLEDGMENTS FROM RYAN NOLAN

I would like to dedicate this book to my grandfather, Garfield Truscott, who passed away in October 2022. He never quite understood exactly what it is that I do, but he always enjoyed reading whatever I had written, even though I suspect he thought it was all highly curious. I'd also like to thank my family for their unwavering support. My mother and sister are prime examples of keeping your head down and getting on with life, despite the inevitable setbacks we'll all face from time to time. They are truly inspirational. Finally, to Becky, without the love and weirdness of you and Ralph, none of it would be possible. Thank you!

## ACKNOWLEDGMENTS FROM DAVID ARDITI

Every time I write about music, my thoughts turn toward the musicians I've played with and learned from. This time as the project neared its end, I lost my band director, drum teacher, mentor, and friend, Everett Collins. As a former drummer for the Isley Brothers, keyboard player in Surface, and Grammy Award winning artist, Everett developed a wealth of experience in the music industry that he decided to take and impart to kids as a band director at Toano Middle School in Williamsburg, Virginia. It was in these formative years that I learned what it means to be a musician. When I was in high school, Everett would take me and several other former students to Amityville, NY, to play in a fire department drum corps called "Drummers With Attitudes" (DWA after NWA). These trips were great musical experiences, but I will always cherish them for the drives to New York when Everett and I would chat about life, music, and the relationship between the two. We stayed in touch over the years, and most recently he had hoped to put together a DWA reunion in his new home of Atlanta during the Martin Luther King, Jr. Day Parade. Thank you Everett Collins for all you have given me and so many others.

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# Introduction: Why We Need Critical Music Industry Studies

*David Arditi and Ryan Nolan*

In 2022, the International Federation of Phonographic Industries (IFPI) reported US\$25 billion of revenue for recorded music<sup>1</sup> alongside US\$132.6 billion in live performance revenue in the year prior to the pandemic.<sup>2</sup> Furthermore, global music publishing is projected to surge over the next decade.<sup>3</sup> Music is a big business. But as a business, it also exploits. Most recording artists never receive money from their recordings, tours regularly lose money for artists, and racism and patriarchy perpetuate systems of domination on those musicians. At the same time, music industry studies programs train students to go work in the music business with the express goal of getting students jobs in the industry. To do so, they teach students how the business works and how to fit themselves in it. The *Handbook of Critical Music Industry Studies* aims to fill this gap by providing students with the means to think about

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<sup>1</sup> IFPI, “Global Music Report 2022 - State of the Industry.”

<sup>2</sup> Brooks, “Live Music Biz Generated \$132.6B in Economic Activity in 2019, Study Finds.”

<sup>3</sup> Precision Reports 2022, “The global Music Publishing market size will reach USD 9420.3 million in 2028, growing at a CAGR of 6.3% over the analysis period.” <http://www.precisionreports.co/global-music-publishing-market-19886103>.

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how the performance, recording, distribution, and publishing of music could be if we do things differently.

This handbook marks an important step in the development of Music Industry Studies as a field of study, bringing together industry professionals and academics from a diverse set of disciplinary perspectives. As Music Industry Studies explodes with new and growing departments worldwide, it is time to revisit the field as an academic mode of inquiry. Too often, faculty in these programs of study emphasize getting students jobs and hiring faculty with “real world experience.” As such, the field diverges from other scholarly projects (especially those with “studies” in their title). These programs tend to resemble trade schools that emphasize working within the system at the expense of re-envisioning the system. By narrowly focusing on getting students jobs, these programs end up re-enforcing structures of domination within the music business. In this book, we bring together scholars from various disciplines to intervene in the field and provide teachers with a text to teach music industry students the problems, potential, and promises of performing music.

The status quo in the music industry has gone on too long. People crave a more equitable music performance and recording system. The industry exudes patriarchy, white supremacy, cultural imperialism, ableism, and worker exploitation. In the context of gendered (e.g., #MeToo and #TimesUp) and racialized (e.g., Black Lives Matter) inequity, rampant precarity and casualization, and modes of musical dissemination that are changing faster than policymakers and regulatory bodies can keep up with, the timing for assembling such an interdisciplinary collection could not be more appropriate. Nowhere is this more visible than the Grammy Awards in the United States. It seems like every year the Grammys foment conflict about the music industry: from the Grammy’s perennial failure to award Black musicians<sup>4</sup> to former president of the Recording Academy, Neil Portnow’s quip that “women need to step up” in response to criticisms over the Academy’s inability to award female artists.<sup>5</sup> The problems in the music industry stem from systemic failures of people within the industry to think about systems of power.

Essays in this handbook tackle power structures at their root in the music industry and the academic study of the field. The way to fix power imbalances in the music industry begins with teachers willing to emphasize these problems, so the next leaders in popular music do not make the same mistakes.

## MUSIC AS A COMMODITY

When we talk about a music industry, a key implication is that music is a commodity. With regard to rock music, Simon Frith states, “industrialization of music cannot be understood as something which happens *to* music, since it

<sup>4</sup>Alcorn, “The Grammys Rarely Award Chart-Topping Black Artists with Top Honors, New Study Finds | CNN Business.”

<sup>5</sup>Angermiller, “Grammys So Male?”



describes a process in which music itself is made.”<sup>6</sup> Popular music is always already a commodity as an industrial product. We can expect that from a rock scholar, of course. But it is also the industry’s own view. In *The Music Business Contract Library*, Greg Forest writes, “It may be a cruel way to view the music industry but that song, that performance, that work of art is a commodity... If you are a performing artist, you are the product being marketed. If you are a songwriter, the song is the commodity.”<sup>7</sup> Musicians, recordings, and compositions are all commodities. A commodity is anything that satisfies human needs that someone obtains through exchange. By emphasizing monetary exchange, the recorded music commodity places the interest of people with spending power over those without money.

Why does it matter if music is a commodity? When monetary exchange is emphasized, it means that those people with money have an outsized say in determining what gets produced. The problem is that this model of exchange reproduces systems of inequality by amplifying the demands of wealthy white cisgender males. Culture is the process through which people make symbolic meaning out of everyday things. But when culture is produced as a commodity, it means that those with money and power in society have greater power in producing cultural meaning.

Commodified music means that what sells counts more than what people listen to. This was the case with physical media. Take hip-hop for example. Hip-hop started long before it was recorded. While Sugarhill Gang’s “Rapper’s Delight” is credited as the first recorded rap song to be played on the radio in 1979, but we celebrate 1973 as the founding of hip-hop. That means hip-hop music circulated for at least six years without any commercial interest; it was not a commodity. Fast forward to 1991, the year Billboard implemented SoundScan. In this year, the recording industry recognized that far more hip-hop albums sold than previously imagined. However, they also found that the money to be made was by selling hip-hop albums to white kids in suburbia because they had expendable cash to spend on music.<sup>8</sup> Since rap music circulated the hip-hop community via mixtapes,<sup>9</sup> the uncommodified form played backseat to the commodity. As we moved into streaming, the industry put a premium on counting paid streams over ad-supported streams. We could take a longer view of the commodification of music as Jacques Attali does in *Noise: The Political Economy of Music*<sup>10</sup> and see that the process is a very recent phenomenon.

Music as a commodity also assumes that music creators only work in the interest of making money. Former Recording Academy president, Neil Portnow, made this point at the 2015 Grammys by claiming, “What if we’re all

<sup>6</sup>Frith, “The Industrialization of Music,” 231.

<sup>7</sup>Forest, *The Music Business Contract Library*, ix–x.

<sup>8</sup>Watkins, *Hip Hop Matters: Politics, Pop Culture, and the Struggle for the Soul of a Movement*.

<sup>9</sup>Harrison, “‘Cheaper than a CD, plus We Really Mean It’: Bay Area Underground Hip Hop Tapes as Subcultural Artifacts.”

<sup>10</sup>Attali, *Noise: The Political Economy of Music*.

watching the Grammys a few years from now and there's no Best New Artist award because there aren't enough talented artists and songwriters who are actually able to make a living from their craft?"<sup>11</sup> Portnow and others made this point to say platforms underpay recording artists. They called this the "value gap"—i.e., the gap between what artists make on some platforms versus what they make on other platforms.<sup>12</sup> The Recording Academy, IFPI, and the Recording Industry Association of America (RIAA) unironically employ this term even though value gap is a phrase used by Karl Marx to identify the rate of exploitation—i.e., the gap between the value created by workers and the amount they are paid. Marx aside, Portnow's logic assumes that songwriters and performers only exist in a world where they must make money from their craft. In fact, most performers make very little money, if any, from writing and performing music.<sup>13</sup>

Furthermore, music has only been associated with money for a very brief period of time. Arguably, the first time European musicians made money to perform was in the Middle Ages with music patronage systems where the aristocracy paid musicians to hold residencies in their courts. In the Enlightenment period this resulted in such famous classical composers as Mozart, Bach, and Beethoven. These composers had their craft supported through the feudal system. These were servants who assured the power of the court.<sup>14</sup> Patrons supported music (and the arts more generally) for two reasons. First, they allowed composers to write songs for street musicians (or jesters) to go out and play for the populace. This insured jesters played music that worked for the aristocracy instead of against it.<sup>15</sup> Second, composers provided music for the court itself. Having talented composers creating entertainment for the aristocracy was an exercise in power itself.

Things changed in the nineteenth century as the burgeoning bourgeoisie attempted to demonstrate their power through orchestra performances. Concert halls and opera houses became sites of power for the bourgeoisie because the high price of admittance gave these sites exclusivity. In the HBO television show *The Gilded Age* this becomes apparent as the bourgeoisie of New York City compete over the representational politics of having the best box seats at an opera house. The entire second season of the show revolves around a rift between new money and old money having access to the best boxes at the New York Metropolitan Opera. The size of orchestras, usually 100 members, required expensive ticket prices to pay performers. Being able to afford tickets to concerts creates power for those who can afford it over those who cannot pay for admission. In those nineteenth-century orchestras, musicians commanded decent pay. This remains the case today as the oboe player

<sup>11</sup> Flanagan, "Grammys 2015."

<sup>12</sup> Blake, "Services like YouTube Largely Blamed for the Music 'value Gap' in New Report."

<sup>13</sup> Osborne, "'I Am a One in Ten': Success Ratios in the Recording Industry."

<sup>14</sup> Attali, *Noise: The Political Economy of Music*.

<sup>15</sup> Attali.

for the Boston Symphony Orchestra recently reported earning \$200,000 per year.<sup>16</sup>

However, when recording industry professionals discuss the need to pay popular musicians, they don't have such labor relations in mind as orchestral musicians. The proposition that musicians should be paid stems not from the fundamental idea that they should be paid a wage, but rather their pay should arise directly from the value of what they produce. This is an absurd idea, but it is where copyright enters the conversation. Copyright encapsulates the concept that ideas have value. These ideas have values that exist outside a physical thing (i.e., vinyl record, compact disc, etc.). In terms of music, this means the concept of a song is copyrighted. The copyright of a song or piece of music is most clearly represented by the musical score or sheet music. Notation represents music without sound. The second copyright is associated with a specific performance of a song—this would be the sound one hears and could be live or recorded sound. In both cases, the artist isn't paid for the work they put into the song (i.e. a wage for producing it), but on the usage of their work. David Arditi wrestles with this idea in Chap. 6 on the details of a record contract. If we look at the emergence of copyright, it becomes clear why this was not about paying anyone for their work.

While we tend to think about the constantly changing recorded commodity as the primary commodity of music, a longer history shows recorded music hasn't been the main commodity. The first real music commodity was the music score. There is still a significant market for sheet music. This is most visible in school bands from elementary through university. Purchasing music becomes a significant portion of a school's music budget. Copying sheet music would be the most budget friendly response, but it is discouraged through rhetoric about piracy. Not being able to copy and share sheet music is the result of the ideas behind the Statute of Anne—i.e., publishers need to be paid. In order to regulate the performance of songs, publishers demand royalties for every copy of sheet music.

Even though gramophone records became commercially available in the 1880s, recordings did not become the dominant music commodity until the 1940s. In 1920, the first commercial radio stations brought music to a wide range of audiences and for the next 20 years, radio performances were the dominant music commodities. The dominance of radio made it the primary stakeholder in copyright negotiations.<sup>17</sup> As a result, radio ensured recording artists do not receive performance royalties for terrestrial radio in the United States, unlike in other countries. Before the popularization of records, the primary performance of music on radio was through live performance. Radio stations didn't want to pay a new royalty to record labels to play their music. Since record labels wanted radio stations to play records on air, they were willing to negotiate with radio stations.

<sup>16</sup> Edgers, "The Star Flutist Was Paid \$70,000 Less than the Oboe Player. So She Sued."

<sup>17</sup> Litman, *Digital Copyright*.

With increased gramophone penetration, cheaper records, and higher fidelity records, recordings became the primary music commodity. In 1952, the Recording Industry Association of America (RIAA) was founded to create standards for the production of records. With standardization and consecration, the consumption of records exploded. The advent of rock and roll further popularized the recorded commodity. Now we think of recorded music as the primary commodity of music and record labels have developed ways to get consumers to consistently spend more on recorded music. Each new mediation from 78 rpm records to stereo 33 $\frac{1}{3}$  records, 8-track cassettes to mp3s provided new opportunities for record labels to profit from their catalogs. A catalog is any recording older than 18 months. At each moment, consumers repurchased music they already owned to be able to listen to it in a new format—this is known as the album replacement cycle.<sup>18</sup> The result is a windfall of profits for major record labels and publishers every time a new media format is developed.

But with digital mediation, the rules changed again. Suddenly people could distribute music for free over the Internet. Record labels worried that this would not only provide new music to listeners, but also they would lose the ability to profit from the album replacement cycle. They developed the piracy panic narrative to scare the public into changing their behaviors. Since digital companies were new to the copyright negotiation table, they lacked power to negotiate effectively. Record labels forced digital distributors to play by their rules. Eventually, they landed on a goldmine with Apple's iTunes.<sup>19</sup> Some legacy acts, especially The Beatles, withheld their music from iTunes creating a frenzy for their catalog when they finally released it<sup>20</sup>—a technique mastered by others, such as Taylor Swift, during the streaming era.<sup>21</sup> And with streaming, the commodity has changed again. Now the commodity is the service and we subscribe to streaming services to obtain access. We pay these fees even to listen to music we own in other formats.

Napster demonstrated that music could be distributed among friends and fans for free, but this irritated copyright holders. Digital music showed that music could be de-commodified, but the music industry changed the rules to support their profits. We don't have a robust peer-to-peer internet service where music is distributed for free because music industry stakeholders would rather we pay for music. They do so under the rhetoric of paying artists,<sup>22</sup> but the industry is rarely concerned with actually paying musicians. These are the legacies of thinking about music as a commodity without paying the workers. The logic of these legacies is the product of how we train future music industry workers.

<sup>18</sup> Arditi, *iTake-Over*.

<sup>19</sup> Arditi, "iTunes."

<sup>20</sup> Bruno, "Beatles Catalog Finally Coming to iTunes, Apple Announces."

<sup>21</sup> Grady, "Taylor Swift Puts All Her Music Back on Streaming, Continues to Be a PR Genius."

<sup>22</sup> Arditi, "Downloading Is Killing Music"; Arditi, *iTake-Over*.

## WHAT COULD MUSIC INDUSTRY STUDIES BE?

Ideally, universities are transformative places. Students learn about the way the world works: the good and the bad. The goal of education is not to maintain the status quo, but rather to change the world. At their best, academic disciplines teach students the contradictions of the world and the problems with their own field. At their worst, academic disciplines teach students to maintain the status quo. Criticism is improvement. Our goal in this volume is to push music industry studies students, faculty, and practitioners to transform the music industry.

The neoliberal university emphasizes getting students jobs. This demand is placed on universities from governments and politicians who desire to change the direction of workforces. For instance, the push for STEM (science, technology, engineering, and math) fields in the United States is associated with a desire to bring good jobs to the United States. What is often missed in this discussion is the push to increase supply of graduates in these fields to lower wages (wages are the price of the labor commodity). More degrees in computer science means more computer scientists looking for work, which leads to lower wages. Businesses want cheaper labor, so they push for more graduates in these fields.

Students come to university with different intentions than politicians. At working-class regional universities in the United States, first-generation non-traditional college students seek out majors they feel will get them a job. These fields are often professional degrees where earning a degree means working in a specific field. Nursing students major in nursing because they want to be nurses. The same is true for social work, criminal justice, and education. Students in professional fields have direct career goals and they see a material connection between their major and a future career. At more prestigious public universities, students want to find themselves. And at elite private schools, many students want to run the world. Social class is a predictor of these sentiments, but it changes the educational mission of universities.

Parents want to see a return on investment for their child's education. This return on investment may be in the form of majoring in a STEM field or a professional degree program. But it may also include fields like business management as most parents can see that their children would receive an education and become the manager of a business (no matter the fact that any number of majors could lead to business management). The degrees that seem less tangible are in the arts, humanities, social sciences, and even the hard sciences (e.g., biology). I hear the questions and derision all the time: "What do you do with a sociology degree?" "Don't artists end up struggling in poverty?" "English degrees are fine if you want to be a teacher, but what else can you do?"

The answer is that they will be the next leaders in the world. Thinkers from Plato<sup>23</sup> to Thomas Jefferson and W.E.B. Du Bois<sup>24</sup> to Antonio Gramsci<sup>25</sup> contend that to be the next leaders of the world, people need to be educated. Education is an important part of citizenship in a democracy.<sup>26</sup> When we look at the leaders of democracies, they primarily study the behavioral and social sciences and humanities (see the US House of Representatives where most of the congresspersons major in the social sciences).<sup>27</sup> In order for a democracy to function, a government requires an educated citizenry with a broad liberal arts education.

In the liberal arts, faculty don't usually think so much about the connection between fields of study and jobs. And this is a shortcoming of many faculty in the liberal arts. Universities change, society changes, and students change. Faculty need to change the way they think about the role of an education, but to do so, they must not lose their own critical edge.

Music Industry Studies is a unique discipline for two reasons. First, it is one of the only specialty "industry studies" geared toward placing graduates in a specific industry. We don't talk about auto industry studies or fossil fuel industry studies for students hoping to work at Ford or Exxon, respectively. These students get either a business management degree or degrees in mining and mineral engineering or mechanical engineering. Second, music industry studies programs usually fall within music departments where most faculty have no experience studying the field. A majority of music faculty come from classical instrument backgrounds in performance, composition, musicology, and education. As a result, they largely look to practitioners to teach classes who may or may not have a terminal degree. These two features of music industry studies degrees create a further distinction from many degrees in the liberal arts tradition. They become professional oriented degrees resistant to critical approaches to the industry.

A music industry studies degree often places students as workers looking to find jobs. As such, these programs are highly effective. Placement rates are high for graduates in music industry studies programs, especially in music cities. But what are these students missing? They miss the broad education required in a democracy, yes, but more importantly, their degrees prepare them for business as usual—a perspective the contributions collected in this *Handbook* seek to critique, stretch, and challenge from a number of perspectives.

<sup>23</sup> Plato, *The Republic*.

<sup>24</sup> Bois, *The Souls of Black Folk*.

<sup>25</sup> Gramsci, *Selections from the Prison Notebooks of Antonio Gramsci*.

<sup>26</sup> Habermas, *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society*; Baker, *Media Concentration and Democracy: Why Ownership Matters*; Dahl, *Democracy and Its Critics*; James, "Every Cook Can Govern: A Study of Democracy in Ancient Greece - Its Meaning for Today."

<sup>27</sup> Nietzel, "The College Profile Of The New Members In The 117th Congress."

## NAVIGATING THE *HANDBOOK*

It will always be difficult to pin down and categorize contributions as diverse as those presented in this *Handbook* in a neat and orderly manner. Indeed, the critical project itself presents a challenge to notions of rationalization. Nevertheless, we have organized the book in four parts. Chapters 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11 constitute Part 1, Music, Labor, and Exploitation. This section focuses on some perennial problems of music industry studies, including record contracts, intellectual property, the labor of live music, gender inequality, as well as the mounting crisis of musicians' mental health. Part 2, Music and Technology: From Radio to Algorithmic Gatekeepers, is comprised of Chaps. 12, 13, 14, 15, 16, and 17. Here, topics range from the data- and metrics-driven logic of digital technologies to the lasting utility of genre in an era defined by algorithmic categorization, while also raising critical questions about the performative effects of things like radio programming and the history of surveillance in the music industry. In Part 3, Cultural Production and Consumption, which runs from Chaps. 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26, questions turn to the industrial and organizational dimensions of specific music cultures and genres such as dance music, hip-hop, and K-Pop. It also takes some deep dives into areas of the music industry typically discussed in operational terms, such as the role of music PR and the emerging phenomena of music back catalogs as an asset class. Finally, Chaps. 27, 28, 29, 30, 31, 32, 33, 34, 35 make up Part 4, Alternatives through Cultural Policy. In this section, authors engage with a range of issues spanning cultural policy across several national contexts, comment on the development of political campaigns while highlighting their significance for the broader industry, highlight the critical function of music education, and generally imagine how the music business might be imagined otherwise.

### *Part 1 Music, Labor and Exploitation*

Lydia Warren (Chap. 2) examines the disconnect between tourist expectations and the reality of Beale Street in Memphis, Tennessee, known as the Official Home of the Blues. Warren recounts her initial surprise upon discovering that the music played there did not align with her preconceived notions of blues, but rather encompassed a mix of genres catering to tourist tastes. Critiques of Beale as inauthentic or commercialized overlook the working conditions of musicians and their choices. Warren shifts the focus away from debates on authenticity, delving into the tension between touristic expectations and the lived experiences of Beale Street musicians. She highlights the significant yet overlooked aspects of blues tropes and the tip culture prevalent on Beale Street, proposing solutions for a more equitable future in tourism-based music economies.

Richard Osborne (Chap. 3) addresses copyright in sound recordings, commonly referred to as "master rights." The first section examines the evolution

of devices recognized as containing the master recording and subsequently protected by copyright law, from disc and cylinder masters to digital masters. The chapter then explores legislation surrounding master recordings, which has historically favored record companies in terms of ownership. However, there's been a notable shift toward artists claiming these rights, leading to economic benefits through increased control.

In their chapter, Chris Anderton and James Hannam (Chap. 4) provide an overview of the music industry's transformation from the early 2000s to the present. They explore the impact of unauthorized file-sharing on recorded music revenues, the subsequent rise of digital streaming, and the challenges faced by artists in securing a fair share of this growth. Legislative responses and stakeholder advocacy are discussed, shedding light on the complexities of revenue systems and debates around equitable remuneration for performers.

David Cashman (Chap. 5) focuses on musicians working within the cruise ship industry. The abundance of music on cruise ships translates into employment opportunities for musicians, attracting individuals dedicated to honing their craft. The chapter explores the reality of this career path, highlighting the allure of making music on the open seas juxtaposed with the challenges and potential disillusionment musicians may face. Cashman argues that cruise musicians, often skilled professionals, find themselves caught in an industry that seeks to diminish their skills. The chapter examines the phenomenon of deskilling within the music industry and the choices musicians face between unpredictable opportunities on land and the cruise ship circuit.

Lifting the veil on the often-overlooked power dynamics inherent in record contracts within the music industry, David Arditi (Chap. 6) argues that contracts serve as tools for exploiting musicians, contrary to the commonly portrayed image in music industry textbooks. Arditi begins by examining the role of copyright in the commodification of culture and then explores how recording artists are effectively workers who face exploitation by record labels. This chapter explains the mechanisms of advances and recoupment that further exploit recording artists and highlights the ideology surrounding getting signed as a social construct that convinces musicians to sign unfavorable contracts, concluding with a discussion of the worsening conditions for musicians as major labels adopt 360 record deals.

Clare K. Duffin (Chap. 7) explores the challenges faced by women in the music industry, particularly regarding motherhood and career participation. Drawing from personal experiences and interviews with female independent musicians, Duffin discusses how societal norms and caregiving responsibilities intersect with industry demands, affecting women's representation and creative opportunities. She introduces the concept of "gender gapping" to address disparities in participation and pay, emphasizing the need for equitable solutions.

George Musgrave (Chap. 8) addresses the dual phenomenon of the increasing popularity of music industry courses in higher education and the poor mental health outcomes for individuals pursuing careers in the music industry.



Recognizing the discrepancy between the glamorous perception of the industry and the darker realities of financial precarity, inequalities, abuses of power, and discrimination, the chapter explores the psychological and affective experiences of those entering the music industry. Musgrave emphasizes the need for music business educators to consider the affective dimension of music education, especially in light of the challenges and potential distress that individuals may face in the industry.

In Athena Elafros and Christopher Churchill's contribution (Chap. 9), the authors redefine "care work" within the music industry, encompassing various invisible labor types crucial for sustaining cultural production. They argue that the often unseen efforts by unwaged support networks form the intellectual foundation of cultural fields. Two case studies—one involving interviews with music-makers in the greater Toronto area and another exploring archival research on Albert Camus—illustrate the different scales of cultural production. The chapter proposes a theoretical reframing, highlighting the multifaceted nature of invisible labor, including reproduction, emotions, organization, and invisibility, asserting that all cultural production fields inherently involve elements of cultural maintenance.

Adam Zendel (Chap. 10) examines how corporations in the music industry are gaining power while workers are losing it, particularly due to the exploitation by streaming platforms and technology companies. He draws parallels to historical labor movements and advocates for present-day recording artists to organize and reclaim control over their labor. The chapter discusses the decline of unions like the American Federation of Musicians and the challenges posed by royalty-free library music used by streaming platforms like Spotify.

Christopher Woods and Jack Davis (Chap. 11) critically analyze the effects of algorithmic intermediation on DIY musicianship within the popular music industries. They explore how digital platforms, once seen as democratizing, have evolved into powerful agents serving commercial interests. Their chapter traces this transformation from the Californian Ideology to the present, highlighting the ideological influence of digital platforms on cultural development. They discuss the rise of digital burnout among musicians and propose potential avenues for resistance and subversion to foster "free spaces" for DIY musicianship in the digital age.

### *Part 2 Music and Technology: From Radio to Algorithmic Gatekeepers*

Ravi Krishnaswami (Chap. 12) traces the evolution of advertising music over the past 30 years, delineating three distinct eras: the "jingle" era fading in the late 1980s to early 1990s, the professionalized "underscore" era dominating the mid- to late 1990s and early 2000s, and the "licensing" era from the early 2000s to the present. Each era is characterized by a dominant technique—jingle-writing, underscoring, or licensing—that influences production practices and aesthetics. Krishnaswami employs the history of the Association of Music

Producers, the industry's trade organization, to provide insights into this dynamic intersection of music and advertising production.

Ingrid M. Tolstad (Chap. 13) delves into the evolving role of data and metrics in the music industry, focusing on its impact on decision-making, strategic planning, and power dynamics within music organizations. Drawing on interviews, observations, and industry conferences, Tolstad highlights the shift toward data-driven approaches and the widening scope of competencies required for music professionals. Using the Norwegian music industry as a case study, Tolstad examines how early adoption of streaming services has shaped industry practices and competitive dynamics, shedding light on the implications for organizational structures and power relations.

Examining the complexities of genre categorization within the popular music sector, Simon Poole (Chap. 14) emphasizes the ongoing tension between conformity and resistance among industry stakeholders. Tracing the history of genre classification and its contemporary challenges, Poole examines the shift in ownership of naming conventions from journalists to streaming services, resulting in an overwhelming abundance of genre categories. He critically evaluates the impact of relentless additions to genre categories on music marketing, fandom, and creative processes, prompting reflection on the continued utility of genre classification in the contemporary music industry.

Matthew David (Chap. 15) calls attention to the relationship between live music performance and recorded music within labor and capital frameworks. He argues that live performance represents living labor, while recorded music becomes capital, termed "dead labor." David discusses how online sharing networks disrupted traditional record label models, benefiting artists by redirecting investment toward live performances. Despite attempts to revive recorded works, the COVID-19 pandemic underscored live music's enduring significance to the industry. David warns against prioritizing recorded music over live performance, emphasizing the latter's intrinsic value post-pandemic.

Amy Coddington (Chap. 16) explores the impact of commercial radio programming on listeners' perceptions of race in the United States since the medium's inception in the 1920s. The chapter considers how radio shapes understandings of racial identity. Coddington begins by examining racial portrayals during the network era, highlighting the influence of programs derived from blackface minstrel shows in defining a sonic Black/white binary. Moving to the second half of the twentieth century, the chapter analyzes technological and industrial changes leading to formatted broadcasting. Coddington argues that this format structure contributes to the production and reproduction of racial identity by connecting musical styles and artists to racially defined audiences, showcasing how race becomes a defining quality in the operation of the music industries.

In the final chapter of the section, Eric Drott (Chap. 17) draws out the historical context and recent developments of surveillance in the music industry, particularly focusing on the shift brought about by digitization. Acknowledging the ongoing debate around tech companies engaging in widespread

surveillance, Drott places this trend within a broader historical framework, noting that corporate surveillance is not entirely unprecedented. The chapter contends that the scale of data collection in the present era represents both a quantitative and qualitative shift. Drott highlights the music industry as an early adopter of digitization and a pioneer in monitoring the circulation and use of intellectual property online. The chapter provides an overview of the longer history of surveillance in the music industry, with a focus on the United States and western Europe where dominant forms of copyright enforcement originated. It also explores how online platforms exploit user-listening patterns for surveillance purposes.

### *Part 3 Cultural Production and Consumption*

Gyu Tag Lee (Chap. 18) addresses the industrial and musical dimensions of the K-Pop industry, shedding light on its distinctive features that have propelled its popularity not only in East Asia but also globally. Emphasizing the unique characteristics of K-Pop, Lee highlights its evolution since the late 1990s and its recent surge in international recognition. Unlike conventional music industries, K-Pop is marked by a specific genre blending electronic dance music, hip-hop, and R'n'B, performed by idols managed by entertainment agencies. The chapter aims to unravel the intricacies of the K-Pop industry, showcasing its deviation from traditional norms in popular music studies and offering insights into its global appeal.

In the contemporary digital age of dance music culture, the role of authenticity has become a crucial aspect for DJs, clubs, and clubbers. Danielle Antoinette Hidalgo (Chap. 19) explores the intricate dynamics of building an online presence, emphasizing the necessity for DJs to navigate this digital terrain, engaging in what she terms “authenticity maneuvering.” Hidalgo sheds light on how whiteness and masculinity function within the dance music scene, challenging oppressive tactics used by harassers and predators. The chapter contributes tools for understanding and disrupting problematic interactions and cultural patterns, offering insights into ongoing discussions in dance music, including gender and sexual harassment, celebrity DJ culture, racialization, and racism.

Anthony Kwame Harrison (Chap. 20) discusses the emergence and evolution of underground hip-hop, marking a moment in hip-hop’s history when it sought to return to its imagined roots as a culturally centered and community-grounded artistic movement. Harrison traces the roots of hip-hop, which originated as a local New York City phenomenon in working-class Black and Brown neighborhoods before its mainstream success. Focusing on the mid- to late 1990s, he explores the development of underground hip-hop through local, translocal, and virtual music scenes, considering the social spaces where musicians, fans, and stakeholders shaped its distinct identity.

Ellis Jones and Bethany Klein (Chap. 21) introduce the historical and evolving landscape of music PR, emphasizing its role in shaping the meaning of

popular music texts and constructing narratives that influence audience perception. The chapter highlights the diversity in the structure and culture of music PR over time, examining the various job titles and distinctions between in-house and independent PR firms. Despite variations, music PR generally operates behind the scenes, aiming to create indirect effects through cultural intermediaries rather than directly appealing to the public. Jones and Klein explore the hidden nature of music PR work and discuss the challenges in understanding its realities, drawing attention to the social and cultural implications of this hidden labor on musical diversity, artists' careers, and critical theorization of the popular music industries.

In his contribution, Jabari M. Evans (Chap. 22) underscores the significance of YouTube for Black youth in America, particularly within the context of the Drill rap subgenre. YouTube serves as a dynamic "third space" for Black youth to express themselves authentically and share narratives beyond the gaze of dominant cultures. The chapter delves into the emergence of Drill rap, its impact on the global music scene, and the role of social media, especially YouTube, in amplifying the genre. It highlights how Drillers utilize digital spaces to build reputations for toughness and street credibility, ultimately shaping the global subgenre of gangsta rap.

Steve Collins and Sarah Keith (Chap. 23) examine a trend in major international news outlets around 2020, where articles covered the sale of music artists' back catalogs to investment and publishing companies. The authors explore the public's interest in these transactions, driven partly by the substantial sums involved, and the counterpoint it provides to critiques of the streaming-dominated music industry. They delve into how artists, often well-known or legacy figures, might be reaping significant windfalls from these catalog sales, raising questions about the balance in the music industry. The authors explore the speculative nature of catalog value, the maturation of the streaming ecosystem, and the complexities of music royalties in the current landscape, suggesting that buyers see more value in catalogs than artists.

The concept of "selling out" has been a significant aspect of popular music culture since the 1960s, marking the tension between artistic expression and commercial interests. Bethany Klein (Chap. 24) examines the decline of the phrase selling out in the 2000s, attributing it to the growth of promotional culture and its impact on musicians, their strategies, and the overall music listening experience. The chapter conducts a post-mortem examination of selling out, exploring business practices related to musicians' revenue streams, contracts, and promotion. Klein contends that the absence of the selling out discourse is a loss to discussions about the influence of commerce on culture, emphasizing the continuing significance of the art versus commerce debate in popular music.

Mike D'Errico (Chap. 25) addresses the dynamics of race and class in the history of rap music, particularly concerning young artists of color navigating the early stages of their careers. Grounded in the historical context of the American music industry and its ties to post-reconstruction-era racism, the

chapter explores how rap music reflects and grapples with this troubled legacy. D’Errico examines the perpetuation of common stereotypes of blackness by record label executives and the pressure felt by young artists to conform to these stereotypes for career advancement. Drawing on ethnographic work with student musicians, the chapter highlights insights from interviews and collaborative creative endeavors with student artists. D’Errico argues that constructing character archetypes through storytelling, marketing, and branding offers emerging rappers a platform to challenge problematic racial stereotypes in the industry.

Veronica Skrimsjö (Chap. 26) addresses the music consumption landscape, contrasting streaming’s ascent with vinyl’s revival. It scrutinizes industry narratives, revenue shifts, and the delicate balance between consumer preferences and industry strategies, particularly evident in Record Store Day dynamics. Skrimsjö concludes that, despite initial concerns, revenue patterns challenge notions of industry collapse, while the vinyl revival’s consumer-led action poses both challenges and opportunities for the record industry.

Finally, Matthew Flynn (Chap. 27) explores the complexities of systemic racism within the UK music industry, using the Liverpool City Region as a case study. Despite symbolic representations of Black British culture, the chapter highlights the day-to-day reality of discrimination faced by Black musicians and industry professionals. The chapter explores historical contexts, demographic characteristics, experiences of discrimination, and challenges in accessing industry infrastructures. It also provides recommendations for addressing these challenges, emphasizing the need for improved representation and opportunities for the Black music community in Liverpool to foster a more inclusive and diverse music sector.

#### *Part 4 Alternatives Through Cultural Policy*

Metka Potočnik and Vick Bain (Chap. 28) discuss the UK Parliamentary Women and Equalities Committee’s 2022 inquiry on “Misogyny in Music,” addressing gendered hardships faced by women and gender-diverse artists in the industry. They clarify the distinction between misogyny and sexism, emphasizing misogyny as the enforcement mechanism of sexism, perpetuating the debasing and controlling of women. The chapter explores dimensions of misogyny, including distrust and devaluation of women, linking it to hyper-masculinity, sexual entitlement, revenge, violent beliefs, and physical aggression.

Drawing attention to the peculiarities of independent popular music artists engaging in *action culturelle* projects alongside their creative endeavors, Jacopo Costa (Chap. 29) discusses the clash between artistic and professional values within the French cultural ecosystem, shedding light on the impact of cultural policies and the *intermittence du spectacle* regime. Costa provides key concepts from the French music industry and outlines the development of values within this context, supported by examples of *action culturelle* projects. Drawing on

sociology, cultural studies, and cultural policy research, he offers a critical interpretation of the cultural and professional values at play.

Sam Whiting (Chap. 30) examines the demand for a minimum pay rate for musicians in Australia's live music industry. Despite initial support, resistance emerges from smaller venues and stakeholders, reflecting broader tensions surrounding the value of cultural labor. Whiting explores various facets of this debate, including musicians' bargaining power, governmental intervention, and international policy comparisons. Advocating for a political economy approach, the chapter proposes practical policy recommendations for ensuring fair compensation, envisioning a future where all artists receive adequate payment for their contributions.

Ryan Nolan (Chap. 31) explores how the music industry actors are addressing climate change, drawing out some examples of initiatives from both industry and artist-led projects. Nolan emphasizes the need for scholars, students, and industry professionals to engage with this issue with as much force as other pressing concerns. The chapter begins by highlighting activism within the music community and then discusses several academic perspectives on climate change's impact on live music and recording practices. Nolan also proposes some practical ideas for addressing climate change within the context of critical music industry studies. Overall, the chapter aims to introduce efforts to tackle climate change in the music industry and suggests ways for us all to contribute to this important conversation.

Helen Elizabeth Davies (Chap. 32) explores gender-related experiences and challenges in Popular Music Higher Education and the UK music industry. Focusing on graduates from the Liverpool Institute for Performing Arts, the chapter argues for recognizing and addressing gender issues in both higher education and the music industry. Davies draws on interviews with graduates with music or performing arts management degrees, discussing their gender-related experiences during undergraduate studies and in the industry. The chapter concludes by exploring potential solutions to the identified gender challenges.

Toby Bennett (Chap. 33) challenges the notion of a singular "music industry," advocating instead for a nuanced understanding that acknowledges plurality. It critiques the dominance of a single narrative and explores influential calls for a more diverse perspective. The chapter argues for retaining the term "music industry" to capture both symbolic and material aspects, offering insights into professional communities and value chains. Ultimately, Bennett suggests that embracing both plurality and unity can provide critical insights into the complexity and potential of the music industry.

Centered around their shared experiences teaching at the University of Westminster, London, Sally Anne Gross and Toby Bennett (Chap. 34) share a fascinating critical conversation. Their music industry program, designed as a hub for professional training, critical thinking, and inclusivity, faces challenges and opportunities in the ever-evolving landscape of popular music higher education. The chapter delves into practical initiatives, classroom pedagogy, and

the program's role in professionalizing the workforce. It reflects on the implications of preparing students for an uncertain labor market and considers the shifting relations between academia, industry, and government policy. Overall, Gross and Bennett ignite a broader conversation on the practical use of the university to foster critical thinking and empower music professionals to drive change in a dynamic world.

To close the book, David Hesmondhalgh and Hyojung Sun (Chap. 35) analyze a significant shift in the perception and treatment of musicians' pay and working conditions, challenging the long-standing romanticized notion of the "autonomous artist." Historically, the financial struggles of musicians were often overlooked, and the image of the suffering artist was perpetuated. However, recent years have witnessed a transformation in public awareness, marked by the crisis in the recording industry and the rise of the gig economy. The authors discuss how musicians, once viewed as privileged or different from other workers, are now recognized as facing precarious conditions, prompting activism and public discourse on social justice issues.

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PART I

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Music, Labor and Exploitation



# Tips, Tourists, and Musical Labor on Beale Street

*Lydia Warren*

## WHAT IS BEALE STREET?

I became a full-time musician in 2001 when I graduated high school. My primary musical interest was blues, and in 2011, after a decade of shows throughout my home base of New England, as well as national and international tours, I began going to Beale Street regularly. Beale is a two-block entertainment district in Memphis, Tennessee, that is known as the Official Home of the Blues. It is a brick pedestrian-only street filled with old buildings, bright neon signs advertising cold beer, and bars and restaurants with live bands. My initial experience on Beale was similar to that of many musicians, scholars, and journalists: because Beale is marketed as the Official Home of the Blues, I expected to hear a certain canon of blues songs played by musicians who conformed to my definition of a bluesman. Instead, the majority of the music I heard the first several times there was more like wedding music—the greatest hits of pop, rock, R&B, the occasional present-day top-40 song, and some blues songs, mostly ones covered by classic rock artists. I was also surprised by the musicians' solicitations for tips in the tip bucket on every stage. It didn't feel like the special blues-only enclave I expected.

Because of the disappointment some people feel when they discover that Beale does not meet their preconceived ideas about blues, folks often dismiss venues and musicians as bad or, more often than not, inauthentic. This is

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evident in conversations with blues fans and in reviews of and articles about Beale. Music journalist Robert Gordon (2013) tells readers of the *Guardian* to “[s]kip the tourist clubs on Beale Street and go find Memphis’ authentic music joints.” Journalist Amanda Petrusich (2010) goes further and describes Beale as “big and stupid,” despite the fact that the entertainment district is only two blocks long (26). She is horrified by a Beale Street pianist playing “Marc Cohn’s atrocious ‘Walking in Memphis.’” Sociologist Wanda Rushing (2009) notes (and seems to agree) that critics call Beale “just another theme park in a landscape of consumption” and “Disneyfied” (124). She herself critiques the redevelopment of downtown Memphis as creating a “controlled, policed, and Disneyfied environment” based on fabricated authenticity, then quotes a *Chicago Sun-Times* reporter who calls Beale “a blues Disneyland that offers few authentic experiences” with bands who “couldn’t get work in Chicago” (Rushing 2009, 145). Their critiques obscure any analysis of the working conditions of Beale Street musicians or the reasons why musicians may choose to play non-blues songs.<sup>1</sup>

As I read more about Beale and eventually began playing there myself, I wanted to understand Beale not for what I thought it should be, but for what it is. Sidestepping debates about authenticity, I focused instead on the tension between touristic expectations of Beale and the lived experience of working at Beale’s venues. I found that our collective preconceived ideas about blues and the ubiquitous tip bucket are the most important yet least analyzed aspects of the street. Beale Street musicians are caught between the need to make money from performing and the commonly held belief that blues is played for catharsis, not financial gain. This chapter explores blues tropes and Beale Street tips, analyzes their intersecting impact on musicians, and offers solutions for a more equitable future on Beale and in other tourism-based music economies.

## WHAT WAS BEALE STREET?

In the 2010s I worked my way through several degrees while still touring, visiting Beale, and making friends with Memphis musicians. I researched Beale for class and conference papers and advocacy work. My research included archival digging, years of conversations, and performing on Beale Street. In this chapter, to maintain the safety of the musicians I spoke to and performed with, I generally do not quote or mention them by name.

As I researched, I slowly pieced together Beale’s history: in the mid-1800s Beale and the surrounding area developed into a Black neighborhood. Because blues is popular music created by Black musicians, Beale was historically a blues hotspot, with luminaries like W.C. Handy and B.B. King having ties there. But it was never an all-blues street; music from Beale’s churches, touring vaudeville performers, local jazz bands, and other sounds mingled in the neighborhood.

<sup>1</sup>For more complete analyses on authenticity, race, and gender in blues, see Grazian (2005), Filene (2000), Miller (2010), and McGinley (2014).

It was during its 1966 designation by the National Park Service as a National Historical District that Beale was codified as a blues monolith. The marketing and expectation that authentic Beale is a blues-only enclave is not, and has never been, based in reality.

City-led efforts to use federal urban renewal funding to revitalize Beale started in the 1960s. Aside from a few shops, Beale Street and the neighborhood around it was effectively closed during the 1970s as the city contracted with a string of companies who failed to renovate the dilapidated buildings. Memphis blues could not thrive on Beale, but it continued in lounges and clubs in other historically Black Memphis neighborhoods like Orange Mound.<sup>2</sup> White city leaders continually ignored the needs of Black Beale Street residents and plans created by Black Memphians. Eventually, the city bought most of the buildings on Beale, evicted residents, and razed many businesses and homes, decimating any chance of a neighborhood revitalization. The city left standing a handful of the buildings in the small National Park Service-designated Historic District section of Beale and selected a developer to focus on creating a tourist area there. In the 1980s, Beale reopened as a blues-based attraction.<sup>3</sup>

Today, Beale is marketed by the city with its monolithic Home of the Blues moniker and Historic District status. The main attraction is the live music featured inside the clubs and on outdoor stages. While the city still owns many of the buildings, the venues and stages are run by a handful of for-profit corporations who rent the buildings and hire house bands, or bands who play multiple sets per week at one or more venues. The venues are not responsible for or incentivized by the city or National Park Service to maintain or foster a specific regional or historical musical legacy. City-led marketing and federal recognition do not provide and have never provided local, state, or federal funding to preserve the blues tradition on Beale. Venues are, of course, concerned with making money, which they do by making sure they are appealing to tourists.

Today, the bands on Beale consist of musicians who are primarily men, and slightly more than half are Black. In conversation, Black and non-Black musicians on Beale express the significance of the Black history embedded in the street as well as the importance of preserving local music history by covering songs the way older Beale musicians did and shouting out the names of their biggest influences, like 1980s and 1990s Beale Street musicians Uncle Ben and James Govan. While the music community honors the Black roots of Memphis blues on Beale daily, this can be easily missed. The street is adorned with historical markers about Ida B. Wells and W.C. Handy, but that history seems distant and disconnected from the music and the venues on Beale today. For tourists, the local legacy of Black music and history are overshadowed by expectations based on blues tropes.

<sup>2</sup>To hear Memphis blues from this era, see Highwater Records releases.

<sup>3</sup>For the pre-urban renewal history of Beale, see Lauterbach (2015) and for the urban renewal history of Beale, see Doyle (2006).

## EXPECTATIONS

What tourists, scholars, and journalists expect from Beale, and what I also expected from Beale my first time there, is largely based on our collective understanding of the bluesman trope and the dominant blues canon. Research by English literature scholar Kimberly Mack (2020) reveals the bluesman as an enduring literary figure and pop culture trope. Mack does not describe a person, but instead explains the indicators one might use to assess whether a musician is in congruence with the bluesman myth:

A guitarist playing a song that has a blues form, while wearing a fedora, a dark suit, and sunglasses, will invoke the image of a black, male American blues figure in the minds of many blues fans and critics. Outlaw behaviors (drinking, fighting, sexual promiscuity, lawlessness, a wandering spirit, Godlessness, and transgressions of gender and racial boundaries) and the use of old and worn instruments and low fidelity amplification do the same mythical work. (14)

These visual and sonic blues signifiers are ubiquitous in lyrics, movies, TV shows, and in artwork inside Beale's venues. Tourists arrive on Beale with different levels of understanding about blues, but all are at least somewhat familiar with the bluesman trope.

Mack asserts that white blues writers in the 1940s and beyond took as fact the subversive and lawless embellishments blues musicians inserted into their songs and autobiographical tales, but that this was not the intention of the genre's creators. This disconnect created a body of blues revivalist literature in which white blues revivalists turned myths and embellishments into historical facts. Combined with racial stereotyping, these misunderstandings and misconceptions about blues permeated the dominant narrative and the tropes understood to be associated with the genre. We expect authentic blues musicians to visually and sonically adhere to the archetype, live a blues life, and remain ignorant of or eschew newer sounds and music technology.

The blues revivals of the 1960s and 1980s contributed to this mythos. Historian Grace Hale (2011) argues that the idea of blues as the authentic folk music of Black southern men was embraced by middle class white music fans in the 1960s who understood folk and blues fandom and performance as a way to reject commercialism and modernity.<sup>4</sup> Because of this, we think of blues as a noncommercial genre despite its popularity within the commercial recording industry and a genre played not for money, but for emotional catharsis.

As the blues revival of the 1960s went electric, white blues and rock bands rose to fame covering blues songs by Black artists. In that same decade some Black electric blues musicians became less popular with Black audiences and rebranded themselves to appeal to white audiences by strategically foregrounding their rural roots. For instance, Chess Records released a series of albums

<sup>4</sup> Marybeth Hamilton (2007), Benjamin Filene (2000), Karl Hagstrom-Miller (2010), and Paige McGinley (2014) further analyze this history.

called “The Real Folk Blues” and “More Real Folk Blues” in the mid-1960s to reintroduce Muddy Waters, John Lee Hooker, Howlin’ Wolf, and other Black electric blues musicians as the folk blues ancestors of the revivalists. The popular blues-rock band the Animals covered John Lee Hooker’s “Boom Boom” and “Dimples”; Eric Clapton’s group Cream covered Howlin’ Wolf’s “Spoonful,” and Muddy Waters’ “Rollin’ and Tumblin’.” On Beale, tourists are more likely to expect songs popularized by white rock bands than older Memphis blues, like W.C. Handy, or newer blues-influenced artists with Memphis ties, like Eric Gales.

Sociologist Zandria Robinson (2014) states that in the 1960s and 1970s a “rising white ‘silent majority’ shifted their regional strategy away from virulent racism to a relatively benign imagery designed to maintain white privilege and preserve the Old South.” The South was reconceived as “a repository for real American values, touting the dignity of the working people” (47–48). In this shift, the bluesman trope lived on as an ostensibly uncomplicated rural southern trope of servitude<sup>5</sup>. In the 1980s there was another blues revival but the myth and the canon remained the same, further entrenched in our collective consciousness by movies like *Crossroads* (1986) and the *Blues Brothers* (1980). It was during this 1980s revival revitalized Beale Street opened as a tourist attraction.

There are blues traditions that stray from the dominant trope and canon, many of which are on display on Beale daily, but most tourists and blues fans are unfamiliar with these and do not understand them as blues. For example, Paige McGinley (2014) notes how theatricality and women performers were written out of the dominant narrative by white writers who favored serious and emotional bluesmen, and David Whiteis and Denise LaSalle (2013) analyze how some Black blues artists are considered by white audiences outside of the genre for their embrace of entrepreneurship and new technology. The legibility of blues musicians on Beale depends on their adherence to the blues canon, the embodiment of the appropriate visual and sonic aesthetics, the appearance of living a blues lifestyle, and performing for catharsis and not financial gain. This trope obscures many things on Beale, but most importantly it renders invisible the weight and impact of the tip bucket.<sup>6</sup>

<sup>5</sup> Karen Cox (2013) uses the term “tropes of servitude” to show the insidiousness of southern advertising and tourism tropes like Aunt Jemima. Cox also provides more historical background for the ways in which the south has been marketed to all of America.

<sup>6</sup> Jennifer Ryan argues for the “reconsideration of [Beale Street] musicians as working professionals, an idea at odds with the expectations of the mythical bluesman” (Ryan 475). Her objective is to refute the “pervasive nature of authenticity discourses and their incompatibility with an understanding of music as labor,” and to show instead that blues musicians are professionals by virtue of their middle-class lifestyles that Beale, with its steady, good paying gigs, affords them (474–475). Ryan also states that tourist venues on Beale bring “much-needed money into the black community” because they provide a space for musicians to sell their recorded music, and adds that “critiques around the commodification of the blues and other music for tourists completely disregard this necessity for musicians to make a living from playing music” (496). While some of these points are valid, Ryan omits any consideration of the tip bucket. I know no musicians who have a decent middle-class lifestyle from gigging on Beale, and would not consider a largely tips-based economy to be a boon to any community.

## TIPS

Beale is not the only area marketed as a genre-specific street where musicians get tips. The French Quarter in New Orleans is known for jazz and Nashville's Broadway is associated with country. Unlike Memphis, these areas have venues dedicated to presenting the traditional music that tourists expect. On Beale, and throughout Memphis, there is no equivalent of the Preservation Hall jazz band's nightly French Quarter shows or Lower Broadway's traditional county bands at Robert's Western World. Because there is no all-blues venue, many tourists leave Memphis thinking there is no blues tradition left in the city. In reality, there is no venue that hires bands to play only blues. The tradition of blues cannot sustain itself without funding, so on Beale the preservation of blues is outsourced via tips to tourists with a generally superficial understanding of the genre.

Beale is a collection of for-profit venues as it has always been, and musicians are paid, in full or in part, by tips. But many people do not understand tipping. Tipping is an informal, often unspoken social institution, and people have to know how to do it. While many Americans know the standard 20% tip for wait-staff, there is no norm for tipping bands, and venues do not educate tourists about it. Furthermore, many audience members, especially those who paid a cover charge, sometimes to enter both Beale Street and the venue, have no idea what musicians are paid and that some depend on tips. Researchers Michael Lynn and Jeffery Graves (1996) highlight that regular customers tip better than infrequent ones, but on Beale, there are few regulars because the neighborhood was decimated to create a tourist zone. Income on Beale depends on the audiences' understanding and willingness to tip, and the tipped workers' ability to deduce what the audience will pay for.

## TIPS AND THE CONTROL OF REPERTOIRE

Research on tipping servers in restaurants makes plain the issues in tips-based economies in general. Economists Örn B. Bodvarsson and William Gibson (1997) state that historically tipping is linked to payment for prompt or good service, whether paid before as insurance or paid after as a reward. Bodvarsson and Gibson argue that tipping functions as a way to impart the "illusion of control" to consumers, and to separate the server from the restaurant, so the server "is not simply an agent of the restaurateur, but is, to some extent, a separate entrepreneur." This gives consumers "part of the responsibility for compensating workers" and the restaurant "outsources part of its supervisory work" to consumers. Tipped employees are responsible for meeting the demands of each consumer to earn their compensation as well as the demands of management (189). In America, tips were not customary until race-based discrimination during and after Reconstruction effectively created a large servant class of formerly enslaved African Americans (Azar 2004).

Beale's tips-based economy is particularly egregious given its history as a former Black neighborhood that was decimated by white city leaders to make a tourist zone based on the legacy Black music. This tourist zone should benefit Black Memphians most of all, but the majority of jobs on Beale (both music and restaurant service) are tips-based, and venues are white-owned, making Beale's Black musicians beholden to white bosses and tourists with white-imagined ideas about blues (Neely 2016).

Because of the Home of the Blues marketing campaigns and the Historic District designation, Beale appears to be a cohesive unit, as evidenced by the "Disney" insults quoted earlier. Tourists do not realize that the musicians function as a "separate entity" whom they are expected to reward, because tourists often pay a cover charge to enter the venue (and, during peak season, a charge to enter the street). In my observations, it is often the tourists with the least interest in blues, and the least investment in Beale as a blues enclave, who are the most comfortable tipping. The result is that tips and requests are for the most well-known blues songs and popular songs from other genres. Hearing these songs irks tourists who expect an all-blues, or special Memphis blues, street. But most musicians on Beale are not tipped enough to play Memphis blues or blues deep cuts all night. It is irresponsible for writers denigrating Beale for not living up to a real or imagined ideal to not include the ways in which the tips-based economy and touristic tropes shape the sound of Beale. It is the system, not the musicians, that should be denigrated. The musicians are real people, not theme park actors, working within an impossible system of tropes and tips.

### WORKING ON BEALE

From 2018–2020, my regular weekend afternoon performances at two of the landmark clubs paid a \$100 guarantee per musician plus tips, and another landmark club paid \$60–70 per musician plus tips for weekend and weekday nighttime performances. At another long-established venue I regularly played, the band received 10% of the bar's earnings plus the tips in our bucket (split 4 to 6 ways depending on the band size) for afternoon and nighttime weekend and weekday gigs. This is significantly lower than gigs I played off Beale in other parts of Memphis and in other parts of the country and world: \$100 per person is the bare minimum pay I would have considered agreeing to at blues venues from 2001 until my Beale Street days began in 2018. Tips on Beale per person could be anywhere from \$5 to \$100, making the range of nightly income anywhere from \$30 to \$300 (although it was usually closer to \$75 per night for me).<sup>7</sup>

<sup>7</sup>Memphis musician Robert "Nighthawk" Tooms described similar payment in an editorial (2010). Jennifer Ryan (2011) provided pay information that I could not substantiate but skewed on the high side of what I describe. One venue pays musicians individually, but by and large venues pay the bandleader.



There are no job interviews for Beale Street musicians. Generally, a bandleader develops a relationship with a venue manager or booking agent based on their reputation and agrees to perform for a set fee or percentage per gig, then the bandleader hires sidemen to round out the band. Since Beale is world-famous, bandleaders must maintain a good reputation and be easy to work with, lest they risk being replaced. Bands rarely rehearse, because that requires a rehearsal space and payment for the sidemen by the bandleader. Sidemen are expected to know the blues canon, popular music, the bandleader's original songs or favorite repertoire, and have the skills to learn requests or the bandleader's whims on-the-job without the expense of rehearsing and without written music, which is seldom used in the genre.

Beale gigs have idiosyncrasies that make them more challenging than non-Beale gigs. Gigs are usually four hours long, which is at least an hour longer than most of the blues gigs I have played elsewhere. During my first year on Beale, I learned that some gigs are seasonal—landmark venues may start up or stop a gig depending on the anticipated crowds. House bands get bumped by venues with no compensation for (or inclusion in) street-wide events like the International Blues Challenge. Musicians playing at the tips-heavy venues may struggle to save up or plan for large (but necessary) purchases, like new amplifiers, guitars, drums, or basses. Some venues still allow smoking indoors, which is an obvious health hazard, and none of the venues offer health insurance, paid time off, sick leave, or other benefits to musicians. During my time on Beale I was told several stories by older musicians about them getting banned from playing on Beale for trying to unionize in the 1990s.

The unreliability of gigs and pay makes for a challenging workplace, and my observations are backed up by other sources as well. In 2013, Christian Brothers University Professor Leigh Johnson and student filmmaker Sophie Osella interviewed longtime house band musicians to show the working-class side of Beale Street. Their mini-documentary called *Working in Memphis*—a play on the famous Marc Cohn song—shows that many musicians do not have desirable gigs on Beale: the musicians they interviewed frequently play doubles during peak season (two gigs in one day), many play over 300 dates per year, and, as the narrator of the film states, “very few musicians make barely enough money from the clubs to pay their bills. But for the vast majority of them, the difference between making it and being broke depends on what they collect every night in that two to four gallon-sized piece of plastic—the tip bucket.” This statement is backed up by footage of musicians Ms. Nickki, Patrick Dodd, and other (now former) house band musicians who explain that they work, in whole or in part, for tips on Beale, and the payout is not always appreciable. This is similar to what I observed on Beale from 2018–2020, and what Robert Tooms observed (2010).

One extreme example of the tenuous nature of Beale Street house band work was narrated by former Beale Street and greater Memphis musician Ms. Zeno. In an interview with the Memphis Blues Society in 2019, Ms. Zeno told interviewer Mark Caldwell (2019) that she was fired from her B.B. King's

house band gig without warning or reason in the late 1990s. Soon after, while leading a house band at another venue on Beale, her pay was reduced from a nightly guaranteed amount to a percentage of the bar sales instead. She lost her home and car as a result of this.

Generally, a house band's bandleader is the only person regularly dealing with a venue's booking agent and management. This makes sidemen in the house band vulnerable to the whims of the club and the bandleader: sidemen have no recourse if they are underpaid, harassed, or fired unjustly. But tips-based wages, whether coupled with a steady, decent wage or not, can create a host of issues for the bandleaders on Beale. The lack of a consistent pay amount and the ebb and flow of the tourist season makes it hard for bandleaders with tips-heavy gigs to secure committed musicians for their house bands. As such, bandleaders at the lower paying venues have a difficult time hiring reliable musicians who show up on time, in tune, sober enough to play, and with decent gear. Sideman who "no-show" at the last minute and band member substitutions and replacements are not uncommon, and this limits the music the bandleader can ask the band to play. These challenges do facilitate fun collaborations and learning, but they can also create sloppy sets and difficult performances in which musicians do not perform their best. Tourists who think Beale is a blues Disneyland, implying a regulated and controlled workforce with hourly wages and instructions, have no idea that the guitarist or drummer on stage may have never played with the band before and, perhaps, does not know if they will earn enough to pay for their parking or not. I myself was called up from the audience to play a set with a band with whom I had never played when their regular guitarist could not be located mid-gig. Who knows what tourists thought as I struggled to hear what key the bassist was in!

Unlike in New Orleans, there is almost no way to circumvent the venues in Memphis. According to musicians like Sean "Bad" Apple musicians could once make hundreds of dollars in tips per night busking on Beale in the summer. Busking usually brings to mind solo artists or acoustic duos, but in the early 2000s solo performers and full bands performed on the less-crowded east end of Beale. Apple said the tradition of busking on Beale was drastically reduced by managerial regulations in the early 2000s, because street musicians take crowds away from venues.

In addition to being denigrated by writers and disappointed tourists, Beale Street musicians are not considered stakeholders in improvement plans or safety concerns. A 2011 city-commissioned report titled "A Framework for the Future of Beale"<sup>8</sup> states "what is now offered in Beale Street's clubs may be crowd-pleasing, but it is rarely the 'real thing'" and the report suggests the

<sup>8</sup>In 2009, then-Mayor of Memphis A.C. Wharton commissioned a report to assess the ways in which the city and merchants could improve Beale Street. The report was intended to help steer Beale after the entertainment district's longtime manager, John Elkington, retired. The report was completed in 2011 but was not released to reporters and city council members until March of 2013 due to ongoing litigation.

creation of a place where visitors can experience “authentic blues” (37). The authors of the report sought input from Beale’s venue owners, city council members, and marketing and hospitality professionals, along with several musicians who do not play on Beale. No effort was made to determine why musicians play what they play, what the “real thing” on Beale means, or what type of venue or payment structure would support the “real thing” on Beale.<sup>9</sup> A security report (Ashwin 2018) similarly focused on the needs and concerns of business owners and tourists, but not musicians.

## CONCLUSION

The bluesman trope and marketing creates the expectation of Beale as a blues-only street where musicians carry on a legible slice of the tradition in perpetuity and for their own emotional catharsis, ready and waiting for tourists. The reality is that tips and requests are the major source of support for the blues tradition on Beale. Because asking for tips is antithetical to the bluesman mythos, and there is no standard around tipping musicians, this creates confusion for many tourists. The lack of monetary support for the blues tradition from city, state, and federal organizations, and the lack of a dedicated blues venue, means musicians must depend on and adhere to the whims of all tipping tourists. The workplace conditions on Beale are rendered invisible by touristic expectations and disappointment. Musicians deserve much better than this.

The first step in improving Beale is not opining that there should be more blues, or starting a non-profit to distribute money to musicians, or telling musicians to unionize or quit their jobs, it is to *ask musicians what they want*. During my time on Beale, I learned that parking was a huge expense for some musicians, and I worked with the Downtown Memphis Commission to start a low-cost musicians parking program. Other initiatives, like musician loading zones, were halted by the pandemic, but could be restarted with research and time. Musicians need a safe forum where they can vocalize their workplace and artistic concerns without fear of retribution. They do not need another group of people telling them what they should do.

The second step is forging advocacy pathways. The city and the state of Tennessee benefit from Beale Street being the Home of the Blues, but musicians have little say in how the street is structured, marketed, or run. Musicians must be able to communicate directly with leaders in city council, quasi-governmental organizations like the Downtown Memphis Commission, the police, the Merchants Association, and other groups who make decisions about and for Beale. Creating pathways of communication would enable musicians or a musician representative to advocate for improvements on behalf of the Beale Street community. With a safe forum and an advocacy pathway, musicians can

<sup>9</sup>While there have been several cultural event and museum spaces on Beale, they have never been sustainably funded by the city or by Beale Street Management.

begin to be treated with dignity and respect and have their wants, needs, and grievances taken seriously. They are, after all, the reason people come to Beale.

Another necessary step is education for tourists, but also for scholars, writers, and blues fans. In the absence of venues paying higher wages and removing the tip bucket (a change some musicians do not want and venues have no obligation to do), tourists should be educated on how Beale works. Tipping is not antithetical to the blues tradition, it is (for better or worse) part of it, and tourists can be given information about how to tip and why tipping matters—and tourists should be told that they can simply tip the band and say “play your favorite Memphis blues song” if they want to support the local tradition.

Another form of education that is needed is the broadening of the blues trope on and off Beale. Blues is so much more than a set of songs covered in the 1960s or a fedora-clad guitarist. Oral history initiatives and lecture-performances in which Beale Street musicians are paid well and respected as experts, historical walking tours that showcase the harms of urban renewal, and zines about the musicians on Beale could be made available. Reporters and academics could move past the binary of in/authentic and go beyond focusing on a pop song ruining the blues façade, and they could instead ask a Beale Street musician what blues means to them and how the Beale Street blues tradition is passed on.

When a tourist flies to Memphis, books a hotel, takes an Uber to Beale, enters a club, pays a cover charge, and buys a drink, they may spend \$1000 and not one cent has gone to support the blues tradition on Beale. If nothing else, responsible tourists must tip the band and learn about musicians as people, as workers, as valid bearers of tradition, and as human beings up against decades of tropes, unfair labor practices, and innumerable invisible constraints. It is only through collective understanding and lifting up the voices of workers that systems can be improved.

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# Masters and Slaves: Black Artists and the Ownership of Sound Recording Copyright

*Richard Osborne*

There are two main forms of copyright in a recorded piece of music: the copyright in the musical work (the song or composition) and the copyright in the sound recording ('the fixation of a sounds of a performance or of other sounds') (WPPT 1996: art. 2). They differ in two fundamental ways. First, the original owners of the copyright in a musical work are its creators: the composers of the music. In contrast, it has been rare for sound recording copyright to be owned on creative grounds. Rather than being controlled by recording artists or studio personnel, it has more commonly been claimed by record companies. The second difference is that the copyright in musical works is 'formalist' in nature (Barron 2004: 193). A musical work does not need to be copied exactly for it to be plagiarized; the distinct expressivity of the composition is also protected, hence the large number of disputes that call on musicologists to discern whether compositional styles are alike. In contrast, sound recordings are protected in a 'physicalist' manner (Barron 2004: 193). There is leeway to mimic the performative styles and production techniques that are embedded in a recording. This copyright can only be infringed if you copy the recording itself. Given the nature of this protection, there is a need to identify the moment at which a recording becomes 'fixed' and can serve as the basis for subsequent copies. This 'first fixation' determines the owner of the copyright. It can also set the

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duration of the copyright term. It is known as the *master* recording; hence sound recording copyright has been referred to as the ‘master rights’.

This chapter is about these rights. Its first section explores the successive types of master protected by copyright law: disc and cylinder masters, tape masters, digital masters. The following section looks at the legislation that addresses these fixations: sound recording copyright has repeatedly been oriented so record companies are granted control. The chapter then documents a response to this situation: despite the criteria of sound recording laws it has become increasingly common for artists to claim these rights. This section looks at the rise of artist ownership and the economic benefits that can be gained from having control. The final section addresses the symbolic value of ownership. It focuses on performers of colour, looking at how they have utilized this copyright to highlight inequities. Black artists have reversed the language of master rights to portray themselves as having been the recording industry’s slaves.

## MASTERS

When sound recording was developed at the cusp of the nineteenth and twentieth centuries, the term ‘master’ referred to the recordings that initiated the reproduction process. During this period, there were no editing functions; instead, the live performances of musicians were etched directly onto blank discs or cylinders. It was from these recordings that subsequent copies were made. Over time, this process was refined and with this there has been an evolution in what constitutes the duplicative master. The first citation for ‘master record’ in the *Oxford English Dictionary* (OED) comes from 1904, relating the ‘original disc (or cylinder) with grooves cut by a stylus during recording’ (OED 2023). The OED nevertheless views this usage as ‘obsolete’ (OED 2023). More commonly, this term has referred to the second step in the process, defined as ‘a disc with ridges in place of grooves that is made from the plating of an electroplated original and is used as a stamper or (more usually) to make a “mother”’.

The original disc recording has not been ‘fixed’. Rather, it is an impermanent lacquer that degrades after a few plays. This lacquer is coated with silver, put in a plating tank and plated with nickel to make the ‘master’ that initiates the duplication process. Originally, these masters were used to stamp out records, but by the early 1900s further stages of manufacture had been introduced to help prolong their life. This expanded process has entailed electroforming matrix records onto the nickel masters, which are removed by use of a separating agent. Nickel stampers are then grown onto these matrix discs. These stampers are the final copies from which duplicates are pressed (Osborne 2012: 69). J. F. E. Dennis has noted there are ‘thus four stages, blank, master, matrix and stamper, though all of them are often loosely referred to by any one of these names’ (1947: 17). To complicate matters further, there are other names by which these items are known. The etched grooves of blanks and matrices are referred to as ‘positives’; the reverse, ridged grooves of masters

and stampers are ‘negatives’ (Harris 2015). Masters, matrices and stampers have also been described as ‘fathers’, ‘mothers’ and ‘sons’ (Bartmanski and Woodward 2015: 79).

Stampers wear out. Consequently, if a recording is successful, there is a need to return to the matrices and/or metal master discs and re-institute the reproduction process. Metal masters have therefore been preserved by record companies and pressing plants as the source material for reproduction. These masters provided the basis of ownership in early sound recording copyright legislation. Britain first granted rights to recordings in the Copyright Act 1911, which concentrates ownership on ‘the original plate’ from which copies are ‘derived’ (CA 1911: §19(1)). The subsequent UK Copyright Act of 1956 relates ownership to the production of the ‘first record embodying the recording’ (CA 1956: §12(8)). Attempting to harmonize international law on this topic, the Rome Convention of 1961 locates ownership in the person or legal entity responsible for the first fixation (1961: art. 3(c)).

By 1961, there was another way recordings could be fixed. Disc masters had been accompanied by tape masters. The roots of tape recording go back to 1898, when Valdemar Poulsen introduced the magnetic recorder. However, it took until the mid-twentieth century for its capabilities to be realized. Tape recording was introduced to American recording studios in 1947. The earliest machines could record one ‘track’ of recording information only but by 1954 two-track machines had been introduced, thus facilitating overdubbing and editing processes. Tape recording added a further stage to the duplicative process. Studio personnel could create a final mix of the recorded work. This mix was referred to as the ‘master tape’ and before long it was this master, rather than the disc master, that represented the first ‘fixation’. This made sense on two grounds. On the one hand, the tape master represented the first point at which a recording was finalized. On the other hand, the master disc was no longer the only template from which copies of a recording could be made. This is because vinyl manufacture was being accompanied by other recording formats, including compact cassettes, eight-track cartridges and eventually compact discs.

The tape master therefore became the focus of copyright ownership. This manoeuvre was accomplished within the terms of contemporary laws and treaties. The UK Copyright Act of 1956 could encompass disc masters and tape masters in its definition of recordings as ‘the aggregate of the sounds embodied in, and capable of being reproduced by means of, a record of any description’ (CA 1956: §12(9)). The Rome Convention had sufficient latitude to address both sources with its reference to the ‘fixation of sounds’ (1961: art. 3(b)). When the US introduced master rights in 1972, its legislation similarly described sound recordings as ‘the fixation of a series of musical, spoken, or other sounds’ (Public Law 92-140 1971: 2).

In 1996, the World Intellectual Property Organization (WIPO) published the WIPO Performances and Phonograms Treaty (WPPT), which sought to coalesce international laws in respect of sound recording copyright. It follows



previous agreements in awarding ownership to the person or legal entity behind the first fixation (WPPT 1996: art. 2(d)). In formulating this Treaty, WIPO acknowledged that the identification of the first fixation had changed over time, transitioning from ‘analog phonograms’ to ‘multi-track analog recording’ (WIPO 1993: §20). There was also the ‘spectacular development’ of digital technology, which the WPPT was created to address (WIPO 1993: §20). In addition to revolutionizing musical distribution from physical formats to downloads and streams, this technological transformation shifted recording practice from analogue consoles and tape machines to digital workstations. This leads us to the latest revolution in use of the term ‘master’ and the ownership of sound recording copyright. The first fixation is now commonly a digital master recording.

### RECORD COMPANY OWNERSHIP

In respect of the *object* of sound recording copyright, we witness apparent consistency. Ownership has centred on the master recording, yet the master has transitioned from discs to tapes to digital files. When it comes to the *subject* of ownership, we witness a different phenomenon. The designated owner has changed over time and has varied by territory but these differences mask an ongoing tradition. Legislators have provided various ways for record companies to assume control.

It remains unusual for copyright laws to regard businesses as authors, yet there is a simple reason why this practice emerged. There would have been no sound recording copyright unless record companies had pursued it. This copyright was originally demanded on compensatory grounds. The ‘mechanical’ right was introduced into legislation in the early 1900s, meaning that record companies, having operated in a copyright-free environment, now had to pay for their use of musical works. In return, record companies requested a copyright of their own (Osborne 2023: 36–44).

Having been granted the resultant master rights, record companies have been reluctant to let them go. Securing and maintaining them have not been straightforward, however. There are two main issues. First, it has traditionally been the imperative of copyright laws to preserve ownership for the creators of artistic works. Consequently, it has only been possible to grant ownership to record companies by introducing new conceptions of creativity or by reforming intellectual property laws. Second, the role of record companies has changed over time. As a result, copyright laws have been amended to reflect their transformed working practices.

The issue of creativity has been dealt with in accordance with national laws. There are two main methods of protection: the *authors’ rights* system, which prevails in countries with civil law traditions, including the majority of continental Europe and South America; and the *copyright* system, which is predominant in common law countries, such as the UK and the US. Reflecting its name, the author’s rights system is focused on the rights of creators. Hence,

when Germany created the world's first sound recording copyright legislation in 1910, it could only do so by granting ownership to the principal artistic authors of recordings: the performers. The imperative to grant control to record companies was nevertheless satisfied through case law, which determined that these rights would be transferred to record companies by implied assignment (Ringer [1957] 1961: 40). Some countries with common law were meanwhile facilitating a quicker route. The UK Copyright Act of 1911 recognized recordings as creative works, yet it granted authorship directly to the 'owner' of the 'original plate', which the Act acknowledged could be a 'body corporate' (CA 1911: §19(1)).

Record manufacturers in civil law countries eventually turned against the German method. They witnessed its potential to grant recording artists with 'far-reaching' powers and fretted that assignment from them was not happening 'as a matter of course' (Ulmer and von Rauscher 1989: 434). Therefore, as a means of granting ownership of master rights to record companies without breaking with the creative impulse of civil law, an alternative methodology was developed. The rights of the authors of literary, musical and artistic works would continue to be recognized under *authors' rights*. The rights in sound recordings would meanwhile be regarded as one of the *neighbouring rights*. These rights grant protection to works that are allied to the subject matter of authors' rights but are not viewed as having the same 'human genius' (Porter 1991: 1). Rather than protecting 'intellectual creation', it is 'industrial' and 'technical' factors that are borne in mind (de Sanctis and de Sanctis 1989: 461). The neighbouring rights method of protecting sound recordings was first adopted by Austria in 1936 and then by Italy in 1941. Germany converted to this system in 1965. It also influenced British law. The UK Copyright Act of 1956 did not recognize the artistry in sound recordings. It instead regarded them as 'ancillary' and held that they 'approximate more closely to industrial products than to original literary or musical works' (Gregory Committee 1952: §88, §181). Copyright was awarded to the 'maker' of the sound recording, but not on creative grounds.

The US provided a further means of awarding ownership to record companies. In this country, tape recording had a key influence on legislation. It was the development of home tape recording devices, such as the compact cassette and eight-track cartridge, that prompted the introduction of federal sound recording legislation in 1972. Until this point, US record companies had secured their interests in sound recordings via the laws of unfair competition and common law copyright.<sup>1</sup> They also used the Pushman Doctrine to identify themselves as the owners of the rights. This doctrine holds that ownership of common law copyright is coincidental with physical ownership of the original artistic work. When it came to sound recordings, this meant that the rights

<sup>1</sup> There is a difference between 'common law', which is used in reference to a body of law that is developed through the precedents set down in legal cases, and 'common law copyright', which is a system of copyright that exists in the absence of statutory laws.

would be owned by record companies in most cases. These laws were nevertheless ineffective against the increase in unauthorized manufacture occasioned by home taping. Hence, record companies pressed for and secured federal protection.

Meanwhile, the development of studio tape recording affected the designation of ownership. Most other industrialized countries had created their sound recording laws prior to the artistic transformations occasioned by tape recording. They were formulated when the primary intention of studio work was to capture live performances as faithfully as possible. Tape enabled the art of recording to develop. Recordings could be spliced, layered and reversed, as well as augmented with effects. With these developments, there was a new urge to award copyright on creative rather than industrial grounds, and to accord ownership to studio personnel as well as to performers. The development of this artistry is reflected in the 1972 US legislation, which grants ownership to recording artists for performances that are ‘captured’ and to studio producers and engineers for the capture of these performances, including processing, editing and compiling them into ‘aggregation[s] of sounds’ (SJC 1971: 5). American record companies have nevertheless gained control of the master rights. They have used the ‘work made for hire’ criteria of US legislation to claim ownership on the basis they employ or commission recording artists and studio personnel to make the recordings (Copyright Act 1976: §101). This is the one exception in US law that enables copyright to be owned by ‘the employer or other person for whom the work was prepared’, rather than the creative authors (Copyright Act 1976: §201(b)).

Tape recording prompted legislative updates elsewhere. Until the mid-twentieth century, most record companies were integrated: they recorded their artists in-house and manufactured their own recordings. The industrial nature of record making was reflected in legislation, as witnessed by the copyright laws formulated in Austria, Italy and the UK, which all granted ownership to the manufacturers of discs (Copyright Law 1936: art. 76(1); Legge 1941: §78; CA 1956: §12(4)). These designations could not preserve the interests of all record companies. Studio tape recording fostered compartmentalization: some companies pulled out of manufacture to concentrate on the recording and marketing aspects of the business. The ‘maker’ and ‘manufacturer’ criteria of legislation problematized their control of copyright, providing the possibility that ownership could be given to the pressing plants they hired to manufacture their recordings. Consequently, different terminology was developed to classify the owner of sound recording copyright.

The Rome Convention awards ownership to the ‘producer of phonograms’, defined as ‘the person who, or legal entity which, first fixed the sounds of a performance or other sounds’ (1961: art. 3(c)). The WPPT also awards ownership to ‘producers of phonograms’, but makes it clearer that this term is not being utilized in reference to studio work or to the manufacturers of recordings. It instead refers to ‘the person, or the legal entity, who or which takes the initiative and has the responsibility for the first fixation of the sounds of a

performance or other sounds' (WPPT 1996: art. 2(d)). Ownership resides with the organizers and financiers of recording sessions. The term 'producer' then made its way into many national laws, including an update to the UK's current legislation, the Copyright Designs and Patent Act 1988 (CDPA 1988: §9(2) (aa)). When WIPO was formulating the WPPT it was not interested in locating any creative criteria for ownership of the master rights. It instead said its 'purpose' was 'to have the producer of the sound recording to be the person or legal entity in whom or in which the protection vests' (1992: 39).

### ARTIST OWNERSHIP

Although legislation throughout the world has been structured so record companies can have ownership of sound recording copyright, it has still been possible for recording artists to gain control. To do so, they have cast themselves as businesses or entrepreneurs, attaining ownership as the organizational producers of recordings, the owners of record labels or the employers of other creators.<sup>2</sup>

For many years, only a minority of artists had the authority and financial acumen to attain these positions. In the US, a few performers managed to obtain their master rights prior to the development of federal copyright law. The first to do so was Ray Charles, who contracted with ABC-Paramount Records in 1959 as a 'producer of his own records' rather than as an artist, and utilized this status to demand ownership of his recordings (Lydon 2004: 167, 168). In the following year Frank Sinatra gained ownership of his master rights by setting up his own label, Reprise Records. Sam Cooke pursued a different route, securing an agreement with RCA Victor in 1963 whereby they licensed recordings from his production company for a limited number of years. Contemporaneously, one British artist achieved similar results. In the same year as Cooke's deal, Dave Clark of the Dave Clark Five became the first unsigned artist in the UK to secure ownership of sound recording copyright. As the independent producer of his recordings, he established licensing deals with Columbia in Britain and Epic in the US. By the 1970s, a few more artists were gaining control. Led Zeppelin, the Rolling Stones, Van Morrison and Paul McCartney were among those who set up production companies or record labels and licensed their work to larger record companies. This position nevertheless remained the preserve of an elite. It was only in the 1990s that artist-ownership of master rights became a wider concern. In this period Prince initiated a well-publicized battle for ownership and eventually gained some independence from record company control. Other superstar artists, including

<sup>2</sup> In the US, recording artists have the possibility of claiming the copyright on creative grounds. They have rarely done so, however, instead preferring to cast themselves as employers and claim the copyright under work made for hire rules. It has been suggested that they prefer this methodology because a creative copyright would pluralize claims to ownership, with studio producers, engineers and session musicians all having the possibility of demanding their shares (HJC 2000: 129).

Metallica, Mötley Crüe, REM, Bruce Springsteen, Janet Jackson and Dr Dre, also secured their master rights.

The current century has witnessed greater transformation. Digital recording has enabled artists to make recordings in their own homes; digital distribution has meant they can release these recordings without the help of record labels. This has engendered a vast number of DIY artists, each of whom can be classified as master rights owners, whether via the ‘producer’ criteria of the WPPT or the work made for hire rules of US law. The digital environment has also prompted alternatives to the traditional record label model. Services companies offer deals through which they licence the use of rights, rather than seek outright transfer. In response, record labels have become more competitive. It is now possible for newly signed artists to place limits around the period of copyright transfer. For superstar artists, this level of independence is almost *de rigueur*. Speaking in 2018, a source at a leading company admitted that ‘the idea of a major [owning] a modern star’s rights in perpetuity is pretty much dead’ (Ingham 2018). There are various means by which these artists are obtaining their rights. Some have set up their own companies and entered into licensing agreements with major labels: Drake (in 2009), Beyoncé (in 2011), Kanye West (in 2016), Rihanna (in 2016) and Taylor Swift (in 2019) have all taken this path. Star performers are not always partnering with traditional record companies, however. Roc Nation, a record label set up by Jay-Z in 2009, works with the live entertainment company, Live Nation. Other artists are partnering with online services. In 2016, Frank Ocean set up his own label, Boys Don’t Cry, which is distributed by Apple Music. Chance the Rapper has remained independent of record company involvement, but granted Apple exclusive streaming rights for his 2016 album *Coloring Book*.

There are economic reasons why recording artists have fought against the tendencies of copyright laws and sought the rights in their recordings. In signalling record companies as owners, the legislation has provided these businesses with control of copyright for extensive periods. The Copyright Act of 1911 set the UK term for sound recording copyright at ‘fifty years from the making of the original plate’ (CA 1911: §19(1)). This was expanded in 2013, after a European Union Directive set the term for all member states at seventy years from the sound recording’s publication or communication to the public (EC 2011: art 1(2)(a)). The US set its term at seventy-five years in the Copyright Act of 1976. Work made for hire protection was then expanded to ninety-five years in 1998 (Copyright Act 1976: §302(c)). Unless artists can terminate the corporate control of their rights (as is possible in US law, except for works made for hire) or negotiate for shorter periods of record company ownership, their recordings will be bound by their contractual agreements throughout these long periods.

The consequences have increased over time. In the early years of sound recording, most artists did not have royalty contracts. They received lump-sum payments for their studio work and thus had little direct financial interest in the success of their recordings. It was only in the mid-twentieth century that

royalty contracts became common and the fortunes of artists were tied to record sales. This has presented them with problems in respect of long-term agreements. If their record company owns the master rights, the royalty rates for any records made under their deals can remain in place for the full duration of copyright terms. This is the case even when artists have fulfilled their options to release a certain number of records or have been dropped from record company rosters. It can be punitive in situations where records perform well but royalty rates were negotiated when artists were unknown and their chances of success uncertain. Artists can feel further penalized when a change in formats results in lower costs for their record companies (as has been the case with the transfer from physical sales to digital distribution), yet long-standing royalty rates remain in place. Although there are opportunities to renegotiate recording agreements, the changes achieved are generally limited in scope and secured on a quid pro quo basis (Osborne and Sun 2023).

Recording artists can also regard it as legally just that they should have ownership of rights. During the 1960s and 1970s, a contractual system was introduced whereby they receive advance payments from their record companies but their royalties will be used to recoup these advances until they have been paid off. There are usually two types of advances to be repaid: personal advances cover the artists' living costs; recording advances are for studio budgets. This creates separate issues. On the one hand, given that royalty rates can be low and advances high, many artists fail to recoup and therefore remain permanently in debt to their record companies. On the other hand, if they do manage to recoup it means they have paid the costs of recording, yet they do not gain control of their work. Record contracts rarely allow for this outcome, even in countries that grant ownership of sound recording copyright to the financiers of recordings. In response, recording artists have employed an analogy, complaining that record companies will own their houses even though their mortgages have been repaid (HJC 2000: 169, 269; *The Disruptors* 2016; Love 2000; Napier-Bell 2014: 262).

### SLAVES

Economic benefits provide only one part of this story. There are also symbolic reasons why artists have sought ownership of master rights. As well as demonstrating business acumen, it represents a triumph against corporate oppression. One notable factor about this subject is its importance to artists of colour. Black musicians were pioneers in gaining copyright; they have been vocal in speaking out against record company ownership; and they are at the forefront of the current movement towards autonomy. They have made personal gains from having control of master rights, but there is also a wider sense of addressing racial injustices. Some black artists have been exploited in their recording deals. This was most apparent in the early and mid-twentieth century but it has not been eradicated, as evidenced by the actions of record companies such as BMG, which has recently pledged to 'review all historic contracts' of artists of

colour to address ‘inequities or anomalies’ (Ingham 2020). Black artists have also suffered from legislative biases. The copyright in musical compositions, for example, has been oriented towards aspects of music that can be captured in written form (such as melody and harmony), and neglectful of elements that are emphasized in some genres of black music (such as timbre and groove). Sound recording copyright has enabled black artists to counteract these tendencies. Rather than favouring one style of music over another, it is available to anyone who can claim ownership on business grounds. It also provides a platform for highlighting racial injustices.

In making their cases for control, black musicians have utilized the terminology of recording agreements and copyright laws and turned it against their contractual partners. Prince was a pioneer in this respect. In 1993, he said it was ‘completely abhorrent’ that his record company Warner Bros. owned his recordings even though he had paid off his advances (Newman 2016). In raising his complaints, he used a different analogy to mortgage repayments. Prince said his contractual terms rendered him a ‘slave’ and noted, ‘If you don’t own your masters, your masters own you’ (Newman 2016; Sutcliffe 2016: 63). In response, a member of staff at Warner stated, ‘It felt like getting punched in the solar plexus ... Especially all the racial connotations’ (Newman 2016). Warner Bros. nevertheless kept hold of the recordings made under the terms of the deal. It was only on leaving the label in 1996 that Prince was able to release an album on his own label and maintain control of the master rights. He called it *Emancipation*.

By the end of the century, other performers had joined Prince to make similar claims. This included some white artists. Courtney Love compared record company control of copyright to ‘sharecropping’ (Love 2000). Tom Waits described it as a ‘plantation system’ (D’Alton 2012: 81). It also included the African American rapper Chuck D. After exiting his original recording contract in the late 1990s, he said he felt ‘like a black man in 1866, trying to figure out what the fuck I do with my freedom’ (Gross 2000). Prince’s analogy has been picked up on by contemporary artists of colour. Jay-Z has celebrated his copyright-owning status in rhyme. His recording ‘We Made It’ declares, ‘Hop off the slave ship ... I own my own masters’.<sup>3</sup> The British rapper Little Simz has a services deal. In her track ‘Angel’ she states, ‘I refuse to be on a slave ship. Give me all my masters’.<sup>4</sup> Ray Charles’s pioneering recording agreement has been evoked with reference to the same terms. Susaye Greene of his backing singers the Raelettes recalled, ‘He was the first artist to own his own masters. You are free when you own your own music; if you don’t, then you’re somebody’s slave’ (*Soul America* 2020).

Black artists have been aware of their status as role models. On winning Britain’s Mercury Music Prize for his 2016 album *Konnichiwa*, Skepta said it was his mission to encourage young artists of colour to ‘get out of’ traditional

<sup>3</sup> Jay Electronica ft. Jay-Z, ‘We Made It (Freestyle)’, written by Thedford, Carter and Rowe.

<sup>4</sup> Little Simz, ‘Angel’, written by Nikolic, Cover and Ajikawo.



deals, because ‘DIY is the future’ (Ellis-Peterson 2016). Speaking similarly of his own independent status, Chance the Rapper noted, ‘I have to show a bunch of kids that they could do that shit’ (Joe Budden 2018). Some distributors have tapped into these ideals. Sam Winwood of AWAL utilized Prince’s terminology when advocating his services company, informing artists, ‘you can be masters of your own destiny, you don’t need to give away your rights’ (*The Disrupters* 2016). The master-slave analogy has also been highlighted by Pharrell Williams. Having signed a deal with Sony Music in 2014 that accorded him ownership of his recording rights, he advocated that all artists should be in his position, ‘otherwise you’re just working for someone else. It’s really weird: They own the fields where you and God have laid the seeds; you do the harvesting, but they have the ownership’ (Halperin and Helligar 2020).

Williams also argued that the language of recording contracts should be reformed, suggesting that labels ‘Start with the terminology - like “master” and “slave”. Master being the main recording and the slave being all the copies made’ (Halperin and Helligar 2020). He has not been alone in highlighting this industrial terminology. In his guidebook *All You Need to Know About the Music Business*, Donald Passman stated that the term ‘master recording’ is derived from the ‘controlling entity’ from which copies are made, and that ‘the machines making the copies are slaves - master/slave; get it?’ (2009: 67). Hayleigh Boshier’s *Copyright in the Music Industry* points out, ‘This terminology has discriminatory roots, which should not be tolerated. If your contract uses offensive wording, you can, and more importantly should, ask them to change it’ (2021: 34). This course of action has been endorsed by music industry lawyer Dina LaPolt, who stated that ‘master’ is a ‘point-blank racist term that must be removed from our industry’s vocabulary’ (LaPolt 2022).

Yet Williams, Passman, Boshier and LaPolt are not wholly correct. They are referring to the ‘controlling’ use of the term master, which the OED defines as ‘a system in which one component controls the behaviour of one or more other components’. The controller is the ‘master’; the components are the ‘slaves’. Ron Eglash has traced the earliest such use of these terms to 1904, the same year as the OED’s original citation for master recording. However, rather than describing record production, this example refers the design of a sidereal clock (Eglash 2007: 361). The ‘controlling’ use of ‘master/slave’ terminology has become common in electronics and computing, and it has been used in reference to the linked machines of tape cassette and compact disc duplication. This is not, however, the source of the term ‘master rights’. The record contract use of this term is derived from the tape and digital masters of recording studios, and before that from the disc masters of record production. This production process has been gendered in its use of the terms ‘fathers’, ‘mothers’ and ‘sons’, but there is no evidence of matrices or stampers being referred to as ‘slaves’. Rather than being coupled with servitude in this manner, the term ‘master recording’ has been used in the sense of ‘principal’ or ‘main’.

All uses of the term ‘master’ are nevertheless loaded. According to the OED, the oldest sense of the word relates to ‘A man having control or authority’, the



earliest citation for which comes from the year 1000 (OED 2023). This is followed by ‘master’ used in reference to ‘One who employs another in his service: correlative with *servant*, *man*’, with a first citation from 1362 (OED 2023). These instances of the term are the source of its use as a synonym for ‘controlling’, ‘principal’ and ‘main’. The word ‘master’ has also become more fraught with time. Following the murder of African American George Floyd by a police officer in May 2020, and the subsequent protests led by the Black Lives Matter movement, there has been increased sensitivity in the music industry regarding the use of racial idioms. Some white artists, including the Black Madonna, Joey Negro and Lady Antebellum, have changed their stage names. The word ‘urban’ has been removed from record company parlance and Grammy Award categorizations. Acting in a similar manner, Passman has expunged the master-slave analogy from recent editions of his guidebook. He stated it was ‘inappropriate in the 21<sup>st</sup> century’ and apologized for previously having ‘been tone deaf’ (Halperin and Helligar 2020). These developments also underpin the reaction of Sony Music to Pharrell Williams’s proposal about contractual terms. Julie Swidler, a general counsel and executive vice president at the label, stated that ‘We never realized [the word ‘master’] could be offensive, but if it bothers one person, we’re taking it out’ (Halperin and Helligar 2020). She confirmed that Sony had ‘put an action plan into effect’ and were looking through ‘thousands of contracts, some going back 100 years’ (Halperin and Helligar 2020). LaPolt has meanwhile insisted that all her clients—which include the Universal and Warner Music Groups in addition to Sony—refrain from using the term ‘master’ in their recording contracts (LaPolt 2022).

## CONCLUSION

There are two ways of looking at these developments. For those who believe that creators should have greater control of copyright, there are causes for optimism. It has been argued that copyright operates in the interests of ‘big corporations’ rather than its ‘supposed beneficiaries’, the authors of creative works (Toynbee 2004: 124). Yet there is evidence of sound recording copyright representing the opposite case. Despite having legislative criteria that supports corporate control, it has been possible for recording artists to gain ownership. The master rights counter some other tendencies as well. Music copyright has an alleged racial bias. Legislation for musical works embraces the melodic and harmonic aspects of notation but is not ‘well suited to the protection of Afro-American musicians’ improvisational art or rhythmic skills’ (Frith 1988: 63). However, when it comes to sound recording copyright, it is black artists who have been at the forefront in claiming control. They have in addition prompted record companies to reform their contracts with a degree of sensitivity.

It is also possible to have a pessimistic outlook. The major record companies are only updating their contracts in relation to the language they employ. These companies and most independent labels still have a desire to retain ownership

of copyright. This quest gains legislative support. Although some artists have managed to gain control of these rights, the terminology of copyright laws remains intact. As long as ownership of sound recording copyright is oriented towards ‘producers’ and ‘employers’, many recordings of value will continue to be owned by record companies. It is also possible to view the campaign to reform contractual terminology as being counter-productive. If we suppress use of the term ‘master’, we suppress an opportunity to point out that record companies have treated their artists like slaves.

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# Pressing Reset: Reimagining Performer and Songwriter Revenues in the Contemporary Music Industry

*Chris Anderton and James Hannam*

In the early 2000s, falling revenues from recorded music focused attention on preventing and litigating against unauthorized file-sharing. Such digital piracy was blamed by music industry trade bodies for the downturn in physical record sales, which saw global recorded music revenue fall from US\$ 22.1 billion in 2001 to US\$ 13.1 billion in 2014 (IFPI 2023: 11). Artists were enrolled in campaigns to inform the public of the loss of revenue caused by piracy, yet little was changed in terms of their contractual relations with their recording and publishing companies. Since 2014, revenues from digital streaming have grown markedly—from US\$ 1.8 billion in 2014 to US\$ 17.5 billion in 2022—while revenue from physical sales, downloads and performance rights have remained fairly static, leading to total global revenues from recorded music in 2022 of US\$ 26.2 billion in 2022 (IFPI 2023: 11).

Following the loss of income from live performance during the Coronavirus pandemic of 2020–2021, recording artists and songwriters have grown increasingly vocal in demanding that this return to growth in the recorded music sector should be passed on to them. This is due in part to the way the streaming economy has been constructed, and in part due to copyright laws and recording contract terms that do not necessarily reflect changes in the market. Furthermore, there are numerous online sources which compare per-stream rates for the different streaming platforms even though such calculations are

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highly misleading (Hesmondhalgh 2021: 3599). Such click-bait stories focus attention on the role of the streaming services, rather than on the deals and structures that record companies have negotiated with them, or on the pro rata (rather than per stream) accounting practices that are common to the sector. We will return to these deals and practices later in the chapter.

Since the late 2010s, legislators, companies and artists have sought to address the changes and imbalances wrought by the shift to streaming. For example, the 2018 Music Modernization Act (MMA) in the US introduced (among other things) a mechanical licensing system for digital services so that songwriters/publishers could be paid more effectively. The 2019 Directive on Copyright in the Digital Single Market in the European Union (EU Copyright Directive) laid the groundwork for addressing issues related to the licensing of user-generated content, while in the UK, a government committee (via the Department for Culture, Media and Sport) published the 2021 *Economics of Streaming* report, which called for a ‘complete reset’ of the streaming market (DCMS 2021: 25). Although no immediate legislative action was called for by the report, new committees were subsequently convened by the UK government to investigate the issues that the report had raised, such as performers’ equitable remuneration on digital streams, and transparency and data issues in the streaming market.<sup>1</sup>

During this same time frame, we also saw the different stakeholder groups—representing songwriters/publishers, recording companies, performing artists, copyright collection agencies and streaming platforms—advocating for different kinds of changes that could be beneficial to them. For instance, performers and songwriters seek a more lucrative share of streaming revenues in compensation for their creative labour. Yet, if they are paid more, other rightsholders will have to take less, which puts pressure on the ‘corporate quest for profits [that] drives streaming culture’ (Arditi 2021: 14). The question is, therefore, whether further legislative action is required to make changes happen (as seen through the MMA in the US, or via the EU Copyright Directive), or whether the threat of such action drives innovation and change by the corporate stakeholders involved, in an effort to reinforce their existing positions in the music business ecology.

In this chapter we explore a number of issues related to the current streaming economy. First, we explain how streaming revenue is typically calculated and distributed on a pro rata basis, and consider both the variations to the model that have been proposed, and some of the alternatives that have been suggested. The systems involved are highly complex, while the licensing deals made between the major streaming services and record companies are subject to non-disclosure agreements that prevent artists and their representatives from gaining a true picture of how their revenues are calculated (DCMS 2021;

<sup>1</sup>The UK government would appear hesitant to act while it waits to see how changes in the European Union progress following the translation of the EU Copyright Directive into the national laws of each member state.

CMA 2022). The discussion will, therefore, necessarily be of a general nature, yet it allows us to raise some of the key issues which face the stakeholders involved. Second, we examine the arguments for and against the introduction of performers' equitable remuneration (ER) on digital streaming: a public performance right that is typically sidetracked by the current system by classifying the licensing of the audio content of recorded music as a 'making available' right rather than as a public performance right (Bosher 2022; Osborne 2022). As a result, revenue that could have been paid directly to the performing artist (as it is in the UK when music is played on broadcast radio) may instead be paid to those who own or control the recorded music copyright. Finally, we analyse issues related to data management and the copyright collection agencies including the so-called black boxes of unallocated revenue that exist because data is missing or inaccurate (Ivors Academy 2021).

## THE STREAMING ECONOMY

Interactive music streaming services (those that allow users to choose what will play next) such as Spotify, Apple Music, YouTube Music, Tidal and Tencent, typically make use of pro rata revenue models (also referred to as streamshare). The essential workings of the pro rata model will be discussed in detail below in terms of how streaming revenues are calculated and distributed in relation to master recording rights and to music publishing rights. We will then discuss the changes that were proposed in the fall of 2023 by the streaming companies Deezer and Spotify—changes that have the effect of redistributing income away from those artists whose total stream counts are low: those artists who Chris Anderson (2006) refers to as forming the 'long tail' of streaming. Following this we will examine some of the alternative models that have been proposed for distributing streaming revenue.

### *Pro Rata Revenue Models*

Under the pro rata system, the total number of plays of a recording on a given platform in each accounting month is divided by the total number of plays of all recordings in that month, then multiplied by the total revenue received by the platform in that month. Under such a model, the amount of revenue generated for a recording is therefore dependent on how many times it was streamed, the total number of streams on the platform, and the total revenue received that month. Those recordings that receive the most plays will receive the greatest share—a 'winner-takes-all' market (Hesmondhalgh 2021: 3602).<sup>2</sup>

<sup>2</sup>A pro rata model is also typically employed by copyright collection agencies (such as PRS for Music in the UK and ASCAP and BMI in the US) when allocating revenues for the public performance of songs in shops, bars and restaurants. This is because the agencies charge those outlets set fees and detailed records of the songs played in them are not submitted. As the allocation is based on market share, the major publishers benefit the most from this arrangement.



This is a relatively efficient way of distributing revenues, but does mean that the subscription fee of each and every user is pooled together rather than it being applied to the specific recordings that each user actually listened to (hence less equitable) (Page and Safir 2018).

To complicate matters further, the calculations are also made by use type (ad-funded, standard subscription, family plan etc.) and territory. This means that performers whose works are principally streamed by users on Spotify's ad-funded tier will receive considerably less revenue than if they had been streamed by users paying the standard subscription fee. As Tidal and Apple Music do not have an ad-funded tier, these platforms typically score more highly on the per-stream comparison sites noted earlier.<sup>3</sup> Territory is also important, given that the same streaming service is offered at very different price points around the world, and will be subject to currency fluctuations and locally set copyright licensing rules. For instance, at the time of writing, a monthly subscription to Spotify India costs the equivalent of US\$ 1.56 per month in comparison to US\$ 10.99 per month in the US. A lower subscription rate means a lower ARPU (average revenue per user) which is one reason why streaming sites are seeking to expand their territorial coverage: it is one of the few ways to stimulate further growth in a market that is beginning to reach saturation point in the US and Europe.

The monthly revenue generated and distributed by a streaming platform is split between a number of key rightsholders. According to Juri Muikku (2017: 4; see also Songtrust 2019; Cooke 2020), the platform will typically retain 30–35% to cover its running costs, while 55–60% will be paid directly to the recorded music license holder (or their distributor intermediary). The remaining 10–15% will be claimed by the songwriting license holder via a copyright collection agency. The differential split between the recording and the composition has been criticized for giving songwriters a poor share in relation to their creative labour, and Merck Mercuriadis, founder of song management company Hipgnosis argues that this is in part due to 'the three biggest publishing companies [...] not advocating for songwriters, because they're owned by the three biggest recorded music companies in the world' (quoted in Paine 2021a). The historically higher investments made by record companies in developing talent and releasing/marketing products have in the past been a justification for seeking a greater share of revenue than the publishers, though this argument has weakened in recent years as physical manufacture, marketing and distribution have reduced in importance, and more artists are seeking label service deals rather than full recording contracts, or are self-releasing their work.

Terje Colbjørnsen (2021) suggests that the network power (Castells 2011, 2013) the record companies enjoyed when the streaming platforms were first launched aided in the persistence of this asymmetrical revenue share. This is

<sup>3</sup> It is worth noting that both the Official Chart Company in the UK and Billboard's Hot 100 and Hot 200 charts in the US also treat ad-funded and subscription plays differently, with a greater weighting given to subscription plays.



because the platforms needed access to the audio content provided by the record companies in order to operate, while the record companies were free to demand whatever rates and terms they could achieve in a free market (Gilbertson 2020; Hesmondhalgh 2021). In comparison, music publishers were constrained by compulsory mechanical license rates set by regulatory bodies such as the Copyright Royalty Board (CRB) in the USA, and because Spotify and other platforms chose to launch without properly obtaining mechanical licenses (Paine 2021b; Cohen 2023). It is unlikely that the major record companies will voluntarily reduce their revenue percentage in order that more can be paid to publishers and songwriters, though regulatory pressures are having an effect in this area. For instance, the rates payable for mechanical licensing in the USA were raised by the CRB in 2018 and are likely to be raised again for the next rate period of 2023–2027 (Cohen 2023). If the percentage payable to record companies is not reduced, the platforms will need to find another way to fund the increase.

Record companies license entire catalogues of music to streaming platforms in single deals, while the streaming data provided by the platform is used by the labels to determine the share due to each of their performers. That share is then subject to the royalty terms of artists' specific recording contracts, including the repayment of any advances received. If the advances are unrecouped, the performer will receive no revenue. If the performer has an older recording contract that does not reflect the existence of digital services, the royalty payable on their streaming income will be treated as if it was a physical product. This has been criticized by performers and their representatives who argue that as the music is licensed to the streaming platforms it should be treated as such, with the revenue split 50:50. Needless to say, the record companies do not see it this way. But under pressure from trade bodies that represent signed artists, many have now amended their contracts to include a minimum digital streaming royalty of 25% (Osborne 2022: 186) or, under a variety of different terms, have agreed to pass digital royalties directly to heritage artists rather than charge them against their unrecouped advances (Cooke 2023a).<sup>4</sup>

The bargaining power of the major record labels and of Merlin (which is the digital rights partner for many independent labels and distributors) means that licensing deals have been made with streaming platforms that provide more generous terms than if the pro rata system was implemented strictly across a platform as a whole. These deals are subject to non-disclosure agreements (NDAs) but details of a 2011 Sony licensing agreement with Spotify suggested that the record company profited from high advance payments and minimum rates that could result in the company receiving more than its actual share of streaming revenue (see Singleton 2015; Dimont 2018: 690–691). It is likely

<sup>4</sup>In some cases, artists have engaged in legal disputes to raise their digital royalty rates, including Kieran Hebden (Four Tet) whose label Domino Records eventually agreed to raise and backdate his streaming royalties from 18 to 50% (Cooke 2022).

that similar deals were brokered by the other major record labels, thus reducing the revenue available to be distributed to other rightsholders.

Music publishers also license entire catalogues of music to the streaming platforms, but as individual songwriters may be represented by different publishers, the publisher may only own a part share in the revenue generated for a song. The lack of an authoritative database of songwriter and publisher credits means that the platform is unaware of the songwriting shares involved and the publishers who represent each songwriter. This is the case both for the publishing license (payable because a stream is counted as a public performance) and the mechanical royalty (payable because an interactive service is deemed to be reproducing—making a copy of—the underlying composition each time a user requests to stream a song). To overcome this issue, monthly data sets are produced by the streaming platform and sent to the publishers and copyright collection agencies with which the platform has licenses. Those publishers and agencies then cross-reference that data against their own databases prior to submitting an invoice for the revenue due to them for the compositional shares of songs they own or control. This is a slow and inefficient system prone to numerous data issues—errors, omissions, double-counting, plagiarism cases, unlicensed use of samples and so on (MMF 2019: 15–16).

Streaming services have regularly been criticized by artists and industry representatives for paying too little to rightsholders. In a pro rata system this is always likely to be the way. For instance, Spotify notes that in 2022, 1060 artists generated over US\$1 million each, while 10,000 artists generated in excess of US\$100,000, and 57,000 artists generated at least US\$10,000. However, Spotify estimates that there are around 200,000 ‘professional or professionally aspiring’ artists on the platform (a distinction we will return to shortly), representing around 95% of the total royalty pool in 2022 (Spotify 2023a); hence nearly two-thirds are generating less than US\$10,000 per annum. If the artist is signed to a record company and has outstanding contractual advances, it is unlikely that they will receive this revenue in any case. Spotify reports that the number of artists achieving the levels noted above are increasing year on year, yet pressures are continuing to build on the streaming companies to change how they calculate and distribute their revenues. The following subsections explore developments in this area.

### *Pro Rata Models (with a Twist)*

In late 2023, the French streaming company Deezer worked with Universal Music Group (UMG) to propose and launch its ‘artist-centric’ model. Under this system, the ‘lean forward’ or ‘active engagement’ behaviours of users who choose specific tracks to play leads to a ‘double boost’ in the royalties earned for those particular tracks. This works to reinforce the idea that interactive streaming is not comparable to traditional broadcast radio, hence seeks to push back against legislative efforts to impose the sort of compulsory licensing models that already exist for broadcast radio in preference of the current status quo

(lucrative licensing negotiations conducted with NDAs). Furthermore, Deezer has introduced a two-tier arrangement which adds a further ‘double boost’ for musicians which they term ‘professional artists’: ‘those who have a minimum of 1,000 streams per month by a minimum of 500 unique listeners’ (UMG 2023). User-chosen tracks by professional artists will therefore earn four times more than those of artists who are not classed as ‘professional’. Indeed, the latter are referred to as ‘hobbyists’ even though they might regularly achieve over 1000 streams per month but do not meet the minimum unique listener requirement. As all royalties are paid from the same revenue pot, this will mean that, in order to pay the boosted rates for ‘professional’ artists, the ‘hobbyist’ artists will earn less—what Mark Mulligan (2023a) has referred to as a ‘reverse-Robin Hood’ situation. In all other respects it remains a pro rata form of distribution, but with the added twist that some tracks will be weighted more favourably than others.

Late 2023 also saw an announcement from Spotify that introduced ‘track monetization eligibility’ (Spotify 2023b). Under Spotify’s model, a track will need to achieve 1000 plays a year for it to receive a payment. If the track does not reach this threshold, the revenue it has generated will be returned to the overall royalty pool where it will be paid out on a pro rata basis to those tracks which did achieve an eligible stream count. In essence, the eligibility criteria defines what Spotify sees as ‘professional’ artists, creating a similar two-tier system to that of Deezer (though without the minimum unique listener requirement).<sup>5</sup> Spotify estimates that around US\$40 million per annum will be redistributed by this change, yet this represents a tiny fraction of the US\$40 billion royalty pool currently generated by the company (Spotify 2023a). We would agree with Mark Mulligan (2023b) that it might be better to siphon this revenue into a development fund for artists rather than to redistribute it pro rata to artists that meet the minimum threshold requirements.

As part of these changes, both Deezer and Spotify promise to crack down on streaming fraud and to demonetize ‘non-artist noise audio’ (such as whale song, white noise, rain drops, bird song and so on) (Spotify 2023b; UMG 2023). The aim of such changes is to tackle what Spotify refers to as ‘drains on the royalty pool’ (Spotify 2023b), hence boosting the amount of revenue available to be shared pro rata amongst ‘professional’ artists. Deezer have also referred to a ‘stricter provider policy to ensure quality’. While this is written in reference to ‘non-artist noise content’ it could point to a policy that prevents artists from uploading their music should it fail to meet the platform’s expectations regarding quality (however that may be defined). In a marketplace where, as noted earlier, over 120,000 tracks are uploaded per day to streaming services, it may be an attractive proposition to reduce the number of tracks available, since a larger number of tracks potentially dilutes the amount of revenue available in relation to each individual track. To this end, it is possible that a

<sup>5</sup> Analysis by *Music Business Worldwide* suggests that of the 8 million performing artists on Spotify, around 78% have a monthly audience of fewer than 50 people (Ingham 2022b).

streaming company might begin to remove tracks that fail to reach a minimum number of plays, potentially making it even harder for artists in the ‘long tail’ (Anderson 2006). Furthermore, they might also put barriers in place for accepting new artists.

### *Alternative Streaming Revenue Models*

A variety of alternatives to the pro rata models discussed above have been proposed (see IMPALA 2021, 2023; AIM 2021), including Mark Mulligan’s (2023c) suggestion that data currently collected by streaming sites about user behaviour could be used to offer higher payments for ‘lean forward’ behaviours such as actively searching for and listening to a song (or adding it to a personal playlist) and a lower payment for passive uses such as listening to curated or algorithmic playlists. This is now a part of the Deezer model noted above, though as Mulligan points out, this could work against the higher streaming performers since they are more likely to be featured on popular playlists. In the remainder of this section we will focus on the so-called user-centric and fan-centric models.

The user-centric model is a per-subscriber model in which the subscription fee paid by an individual is applied directly to those songs they actually listened to. This is seen as a fairer way to distribute the revenue received from subscribers, and was championed for several years by Deezer, though never implemented. Studies conducted into the model suggest that it would be by no means beneficial for all artists (see, e.g. Pedersen 2014; Muikku 2017; CNM/Deloitte 2021; Meyn et al. 2023). For instance, for individual performers to benefit the most, they must ensure that their fans consistently stream their music rather than that of other performers, so that they gain the greatest share of each listeners’ subscription. Hence, while this model may be favourable for niche market performers that attract highly engaged super-fans (in comparison to the pro rata model), it would inevitably reduce the revenue of others. Furthermore, it may also be detrimental to specific genres in certain territories; for instance, Meyn et al. (2023) found that hip hop would be adversely affected in Germany.

SoundCloud’s ‘Fan-powered Royalties’ (or fan-centric) model was launched in 2021 and was limited to around 100,000 performers who had full ownership of their own copyrights, thus creating a two-tier revenue system—one for those who are part of the scheme, and one for the rest of the platform. A revenue pool is derived from subscriptions and advertising income, and this revenue is then distributed on the basis of a performer’s share of overall listening time (pro rata temporis) on the platform in any given month. This is in contrast to the pro rata model noted above where each track is counted as one play, no matter how long that track might be. A study by MiDIA Research suggested that more than 60% of artists with 100,000 fans earned more than they would have done under a straight pro rata system (Cirisano et al. 2022), but this also means that slightly under 40% did not. Nevertheless, Warner Music Group

signed a licensing agreement with SoundCloud in 2022 to test the model, though it is rumoured that Warner's deal included a minimum guarantee (Ingham 2022a).

Each model has winners and losers in terms of the revenue that the different rightsholders can derive, but it would seem that the current dominance of the pro rata system is weakening and that a range of different models is emerging. This will likely make it even harder for songwriters, performers and their representatives to work out whether they are being paid the correct revenue for the digital exploitation of their copyrights. In any case, given the fractional nature of the streaming revenue payments generated for the vast majority of non-mainstream songs, niche songwriters and performers must continue to focus on other sources of revenue. In addition, they need to cross-market any attention and engagement received from the platforms into potentially more lucrative opportunities such as live performance, merchandise sales, crowd-funding and micro-patronage.

### PERFORMER EQUITABLE REMUNERATION

In this section, we discuss another area of recent interest for both the music industry and policymakers: performer equitable remuneration (ER). This term refers to a public performance royalty that is equally shared between performers and their record labels (Osborne 2017: 574). Such royalties are separate to any recording contract between the performing artist and rightsholder (Cooke 2020; DCMS 2023), as they are typically paid by copyright collection societies such as PPL (UK) and SoundExchange (US). There are significant international differences regarding the implementation of ER. For example, it is not paid to performers in the US on television and radio broadcasts, as only songwriters receive a performance royalty. However, it *is* paid to performers on streaming audio services, when these are collected by SoundExchange.<sup>6 7</sup> Elsewhere in the world, this arrangement is typically reversed. For instance, in the UK, ER is payable on TV and radio broadcasts, but *not* on streaming.

However, while it is generally agreed that the process of streaming exploits both the performance and mechanical elements of copyright in audio recordings, the license agreements made between record companies and streaming services rely on what is known as the 'making available' right (Cooke 2021; Boshier 2022; Osborne 2022). Under copyright law in the UK, US and Europe, this 'making available' right applies for on-demand digital transmissions where users select songs and listen to them whenever they wish (Boshier 2020). It is therefore applicable for streaming services such as Spotify and Apple Music,

<sup>6</sup> Cooke (2023b) has reported that Universal Music Group has recently bypassed SoundExchange for royalties from the Pandora streaming service. Instead, it has started paying artists directly, at a different rate.

<sup>7</sup> This is because the US chose not to ratify the 1961 Rome Convention (related to traditional broadcasting), but did pass the 1995 Digital Performance Right in Sound Recordings Act (related to digital audio transmissions).

but not for ‘passive’ services such as Pandora, or for traditional radio broadcasting, where ‘the end-user has no say on what is played next or when’ (Pryor and Breen 2021).

One of the difficulties of applying the ‘making available’ right to on-demand streaming is that music consumption behaviour on a site such as Spotify may be classified as either ‘lean-forward’ or ‘lean-back’. ‘Lean-forward’ listeners tend to be highly engaged and therefore more likely to actively select music. Conversely, ‘lean-back’, or ‘passive’ subscribers may rely more on streaming service algorithms and curated playlists. Nevertheless, under current UK legislation, for example, whenever an end-user controls their listening (even with random playlists via a ‘lean-back’ approach), the revenue will not be subject to ER (Pryor and Breen 2021). Instead, all of the streaming revenue related to the performance of the audio recording will be forwarded to the rightsholder of that recording (typically a record company), where it will be dealt with under the terms of the performer’s recording contract (Pryor and Breen 2021; Cooke 2021). This has the ultimate effect of reducing the royalty payments available to the performer (Towse 2020: 1474).

This has understandably generated consternation within the performer community, exemplified by the 2020 launch of the #BrokenRecord campaign in the UK by musician Tom Gray (now a board member of both PRS for Music and the Ivors Academy). The campaign set out to address what Gray describes as ‘market failure in the digital music streaming business’, with the main requests to policymakers being to (a) enhance transparency, (b) reconsider competition within the music streaming sector and (c) insist on fairer royalty payments for musicians (Gray 2020). The campaign has been supported by prominent artists such as Paul McCartney, Chris Martin and Noel Gallagher, although it received a mixed response from industry organizations.

For example, The Musicians’ Union expressed its support for ER on streaming, arguing that it would establish a ‘new and guaranteed income stream for all performers’ (quoted in Cooke 2021). A more cautious response came from the Music Manager’s Forum (MMF) and the Featured Artists’ Coalition (FAC) who made a joint submission to the *Economics of Streaming* enquiry in the UK, noting their acknowledgement of ER as an option if labels do not address the current inequities in artists’ streaming payments (Cooke 2021). The two organizations raised concerns about the efficiency of international collection and distribution of ER payments, arguing that any implementation should not generate further administrative deductions in royalties. A concern was also raised regarding ER’s suitability for the variety of release methods now available to artists (such as partnerships with managers, distributors and label services companies). However, the two trade bodies acknowledged that many managers and artists would support the establishment of ER for streaming, potentially due to a lack of trust in record companies to amend outdated contracts. If those older contracts were reformed, say the groups, the requirement for ER would be reduced (Cooke 2021).

As would be expected, most record companies oppose the introduction of ER, particularly if it would result in the 50/50 split currently established for performance royalties for audio recordings seen in traditional broadcasting in the UK and Europe (Cooke 2021). Furthermore, the independent label trade body IMPALA has argued that ER would potentially damage both labels' investment in artists and the prospects of self-releasing DIY artists. Ultimately, such outcomes could potentially damage the diversity of the music industry (Dredge 2022a). The trade body has since expressed a preference for the system adopted in France where minimum streaming royalties have been set without the implementation of ER (Dredge 2022b).

Pryor and Breen (2021) note similarly that the adoption of ER would be potentially complicated to achieve in practice, suggesting that it raises difficult questions around the status of the 'making available' right (and its relationship to existing rights). They also question (a) how royalties would be allocated across such rights, (b) how ER would apply to different types of streams and (c) which organizations would be responsible for collection and payment. Furthermore, Osborne (2017: 586–587) notes that if ER were to be implemented for recordings, it may stimulate historical fears from songwriters that they may lose out to performers in future, given that the current streaming royalty splits already tend to favour record companies over publishers (Cooke 2020). Furthermore, the economist Will Page (formerly of Spotify and PRS for Music) has highlighted a number of potential unintended outcomes that could arise in relation to some versions of ER, with different winners and losers in each permutation. Potential downsides include increased administration costs, international licensing disruption, additional audits, changes to artist contracts and the possibility of rate setting by Copyright Tribunals (Page, 2023).

There appears to be little political appetite to address the situation in the UK. For instance, a Private Members' Bill which proposed reforms on ER was tabled by Kevin Brennan MP, but did not progress through parliament (CMA 2022: 43). However, nine other countries (including Belgium and Germany) have now introduced legislation regarding ER for performers' music streams (DCMS 2023: 9; see also Boshier 2020). Furthermore, Spotify's recent threat to withdraw from the Uruguayan market also related to the country's recent legislative change to ER royalty payments for streams. To resolve the issue, the Uruguayan government has proposed that rightsholders (i.e. record companies) should be responsible for ensuring that ER royalties are paid, rather than streaming services (Cooke 2023c).

With such differing national approaches, a global solution to please all stakeholders appears almost impossible to achieve. However, record companies could play an important role in addressing the issue. If contracts were amended over time, then performers could be better rewarded (e.g. by paying a proportion of streaming income directly to artists, or further increasing the digital royalty rate). Such voluntary moves would avoid a controlling 'top-down' solution from national governments, while also enhancing the reputation of



record companies amongst the artist community, music fans and policymakers.

## UNCLAIMED AND UNALLOCATED PUBLISHING ROYALTIES

In this section, we analyse issues related to data management and the so-called black boxes of unallocated copyright revenue related primarily to songwriting and publishing (Ivors Academy 2021). To provide clarity on this under-researched aspect of the music industry, we must first distinguish between two terms that are often used interchangeably but have distinct meanings. Firstly, *unclaimed royalties* (sometimes referred to as unmatched royalties) are those whereby the songwriter or publisher cannot be located on a database. This could be due to a lack of registration, incorrect registration or a data matching error. Unsigned songwriters are more likely to ‘lose’ royalties in this manner, due to the lack of publishing company representation to seek payments, or simply because they are not a member of a copyright collection agency.<sup>8</sup>

Secondly, after a certain time period (dependent on each copyright collection agency’s regulations), these unclaimed royalties are reclassified as *unallocated royalties*, and are then typically distributed to publishers on a pro rata basis, depending on rightsholders’ market share. Thus, unsigned songwriters’ unallocated royalties will often be distributed to publishers that were not involved in the creative or administrative process.

It is difficult to assess the value of unclaimed and unallocated revenues sitting in the ‘black box’ accounts of the copyright collection agencies, because the available studies have based their research on a variety of methodologies and on different territories. As a consequence, broad estimates range from hundreds of millions of dollars (Christman 2019; Ivors Academy 2021) to several billion (Sevillano quoted in DCMS 2021: 51). Nevertheless, it is clear that there is a significant amount of revenue that is failing to be passed on to songwriters and their publishers. Signed or otherwise, songwriters and their teams should therefore ensure that they are at the very least registered with the relevant copyright collection agencies in their country of origin, and that their songs are promptly registered with the correct data. It is important to note in this respect that while the ‘black box’ royalties are classed as unclaimed, it is possible for songwriters or their representatives to retrospectively claim them, but not once they become classed as unallocated.<sup>9</sup>

In the US, the 2018 Music Modernization Act led to the formation of the Mechanical Licensing Collective (MLC), which launched in 2021. Since that

<sup>8</sup>Different terms are used in different territories. A Collective Management Organization (CMO), such as GEMA in Germany or SACEM in France, collects both performance royalties and mechanical royalties, while a Performing Rights Organization (PRO) only collects performance royalties (for instance, PRS for Music in the UK, or ASCAP, BMI and others in the US), while mechanical royalties are collected by a separate organization (such as The Harry Fox Agency, MLC and others in the US, or the MCPS in the UK).

<sup>9</sup>For instance, PRS for Music in the UK allows its members to make queries via an online portal.



time it has identified over US\$200 million in unclaimed royalties from an initial pool of US\$427 million (Robinson 2023)—a sum that includes historic unpaid royalties received from music streaming services such as Spotify and Apple Music.<sup>10</sup> However, the CEO of the MLC, Kris Ahrend, notes that the organization may sometimes be unable to make a payment because even though a previously unclaimed song may have been successfully matched, not all songwriters involved may have claimed their shares (quoted in Robinson 2023). This suggests another area of complexity, in that many co-written songs may be subject to incorrect and missing data, thus causing delays until all the data has been verified, including songwriter percentages for their contributions on individual tracks. Ahrend also notes that unallocated royalties will be distributed on a pro rata market share basis—an approach that may ultimately benefit larger publishing companies, though any songwriter who collects from the MLC will be eligible to receive a percentage share related to their songs (Ahrend quoted in Robinson 2023).

Zachary Shuffro (2021: 15–18) makes several proposals regarding the pro rata market share distribution system for unallocated royalties. His first relates to equal distribution. In this system, each music publishing company would receive the same share of unallocated royalties (accounting for the likelihood that many unmatched songs will be written by songwriters who are not registered with a major publishing company). His second is to remove the major publishers entirely from the distribution of unallocated royalties, arguing that this would help smaller publishers and songwriters to build market share. Although these creative suggestions highlight potential routes forward, neither proposal is likely to be implemented due to the lobbying power of the major publishers (and their strong links to national copyright collection agencies).

## METADATA

Another commonly used term in discussions of unallocated royalties is *meta-data*. This term refers to three separate strands of information that should be provided with each digital music file: descriptive metadata (track title, number, genre etc.), ownership metadata (creators, corporate partners, contract terms) and recommendation metadata (tags which are applied and amended by streaming services) (Noble quoted in DCMS 2021: 49–50). Clearly, the presence of incorrect or absent metadata is likely to result in songwriters losing both credit and payment for their music. This is exacerbated by the lack of a single worldwide database of songwriter and publisher credits that could allow seamless matching of data across different territories and copyright collection agencies (Elshan et al. 2021: 5529).<sup>11</sup>

<sup>10</sup> As part of this process (as enshrined in the 2018 *Music Modernization Act*) the streaming companies can no longer be sued by rightsholders for unclaimed royalties.

<sup>11</sup> In 2014, a proposed Global Repertoire Database project was abandoned after five years of development, yet smaller scale regional projects have moved forward, including ICE Services, which provides a copyright administration hub for several CMOs in Europe, and a proposed database to be compiled by the Mechanical Licensing Collective in the US.

Despite the lack of a central global database, unique identifiers have been developed, such as the International Standard Musical Work Code (ISWC, to identify a song and its composers) and International Standard Recording Code (ISRC, to identify a recording and its performers). Of the two, it is the ISRC that predominates in the streaming sector since the music files are delivered to the services by record companies and distributors rather than by publishers. Streaming services are therefore largely unaware of the songwriter and publisher information, leading to inefficiencies, additional processing fees and significant delays in these rightsholders receiving payment (Coldrick 2022), as well as the issue of unclaimed and unallocated royalties noted above.

In order to enhance the flow of royalties to both artists and organizations, music industry trade bodies have made several proposals. In the UK, the MMF suggests three key steps to address the situation. These are: (1) to create a public database for ISWC codes; (2) to connect these ISWC codes to the relevant recordings' ISRC codes and (3) to encourage publishers and CMOs to provide real-time data feeds with ISWC codes and other metadata for songs in which they have a stake (Coldrick 2022). Also in the UK, the Ivors Academy (2021) suggests that addressing the problem is a major opportunity, achievable through a combination of new technology and education programs. A successful result would mean that both songwriters and publishers would be paid correctly, and it could reduce administration costs for record labels, distributors and CMOs.

The UK government has also examined issues related to metadata, with the *Economics of Streaming* report making three key recommendations (DCMS 2021: 51–52): (1) obliging record companies to provide song data when licensing a recording to streaming services; (2) to establish a minimum data standard and (3) to end the pro rata distribution of unallocated royalties—instead insisting that CMOs reinvest in artistic talent and/or develop potential solutions to royalty distribution challenges. The report also recommended a government-commissioned audit of current unclaimed royalties to assess what may be possible to allocate, and suggested that consideration should be given to the creation of a database of musical works with appropriate registration opportunities for songwriters and rightsholders. Moving forward, the provision of accurate metadata for newly released songs could be relatively straightforward should all record labels and distributors ensure that ISWC codes are included alongside ISRC codes.<sup>12</sup> However, there are still multiple millions of historic tracks that will lack this data, and knowledge of the role and importance of ISWC code needs to be more broadly known among the songwriting community. One solution might be for distributors to insist on the inclusion of an ISWC code before distribution can proceed.

<sup>12</sup> Following modernization of systems run by CISAC (the collective body for copyright collection agencies which issues ISWCs), national collection agencies are now working on projects to more effectively link ISWC and ISRC codes together. A good example is PRS for Music's Nexus programme (PRS for Music 2023).

The UK Intellectual Property Office has also issued a report highlighting the unfair distribution of unallocated royalties, and at the time of writing is coordinating an industry working group to advise on transparency and data issues (IPO 2023). This pressure from the UK government has led to an industry-wide voluntary agreement signed by music business trade bodies and copyright collection agencies regarding music streaming metadata, committing to progressively enhance metadata through the introduction of key performance indicators and core data requirements for new recordings (IPO 2023).

## CONCLUSION

This chapter has explored how the music streaming companies generate and distribute their revenues to rightsholders using pro rata models that serve to favour those artists (and record labels) who regularly achieve higher levels of streaming. The changes proposed by Deezer and Spotify further reinforce this, and it is likely that in the coming years there will be further developments across the sector to introduce different criteria and tiers that will make it even harder for artists and their representatives to understand exactly how and why their revenue has been calculated, since the different platforms will begin to operate on divergent rules. Niche artists and labels who are able to cultivate a loyal fanbase may be better advised to service those fans in other, more directly interactive ways, such as a bespoke website, a presence on a platform such as Bandcamp, Patreon or Discord, or through live performance, with streaming acting primarily as a marketing tool.

We have also discussed how artists who are reliant on streaming as a source of revenue seek changes to the treatment of equitable remuneration in order to directly receive part of their master recording revenues without it being used to repay their contractual advances. Furthermore, we have argued that artists and industry organizations will continue to push for more streamlined, accurate and enhanced data management in order to speed up payments and reduce errors.

The current copyright system is highly complex, based as it is on a network of legislation and regulation enacted differently by each sovereign nation, and managed by a variety of different organizations depending on the type of copyright being collected and distributed. If the music sector were to start from scratch on a system for collecting copyright, there is no way that it would look like it does now, yet the challenge for the music industries moving forward is to try to find a fairer, more efficient and less error-prone system that deals with the complexities. The network power of the record companies predominates, yet we have seen that performers and songwriters (and their associated representatives) are slowly seeking to adjust the system and are gaining some ground. However, as demonstrated by the deals brokered between Deezer and UMG, and between Warner Music and SoundCloud, the major record companies are continually seeking to bolster their position. The future is likely to see the various rightsholder organizations lobbying governments to act in their favour,

and unless legislation or regulations are forthcoming, it is unlikely that the status quo will change unless there are benefits or trade-offs available to the record labels (such as seen in Spotify's two-tier approach). Technological and data solutions that enhance the efficiency and speed of copyright collection and distribution seem the target of most interest for songwriters, as improvements here could reduce the size of the 'black boxes' held by CMOs and speed up payment of royalties. Furthermore, any changes aimed at improving the terms of recording contracts for performers would be most welcome, such as higher digital royalty rates, revenues not being applied solely to outstanding advances (a nod to the issue of ER) and clauses that allow reversion of copyright rather than the rights being held in perpetuity by the record companies.

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## Beyond the Sea: The Labour of Cruise Ship Musicians

*David Cashman*

If you are among the hundreds of thousands who have embarked on a cruise vacation, you are likely aware of how integral music is to the cruise experience. Even if you haven't personally experienced it, you've probably heard about it. It feels like every time you turn a corner on a cruise ship, you encounter a singer/pianist belting out Elton John hits, a string trio performing classical music favourites, or a jazz band churning out a version of "Honeysuckle Rose." The abundance of music can be overwhelming.

This musical abundance translates into employment opportunities for musicians. Every year, thousands of music school graduates and disillusioned instrumental teachers imagine the seemingly carefree life of making music on the open seas and enjoying an ongoing holiday—beaches combined with bossa novas and bandmates if you will. Musicians—at least the musicians attracted to cruise employment—tend to be driven and dedicated to honing their craft and are likely to be enticed by the prospect of doing what they love full-time. The idea of doing it on a ship in exotic locations is a bonus. In reality, the experience may not always meet their expectations, with some leaving after a contract or two and others getting stuck in this career path for years, watching their land-based work opportunities fade and the time between contracts depleting their savings. Nevertheless, musicians continue to return to cruise ship gigs. Working musicians face a choice: engage with this significant source of employment and create daily music alongside fellow professionals, or remain on land, balancing performance opportunities with the mundanity of everyday life.

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This chapter delves into the world of musicians working on cruise ships. As this chapter will argue, cruise musicians are skilled professionals in an industry that seeks to diminish their skills. Scholars like Arditì (2014, 2021), Miller (2008), and Bennett (2020) have explored the processes of deskilling within the music industry. Many musicians, often journeyman musicians with significant talent and capability but who are not star performers, find themselves caught in the cruise ship circuit. I worked on nine ships with six lines between 2004 and 2008, and have interviewed hundreds of musicians, guest entertainers, cruise directors, and shoreside executives to inform my research. With musicking on land becoming increasingly unpredictable and inequitable, sea-borne music-making may seem an attractive alternative. However, things do not always work out as planned. As one musician said:

Too many of us believe in some mythical, perfect gig out there that simply doesn't exist, and consequently, we get dark about whatever job we're currently on. Normally we'd walk away from the gig at the end of the night, get up the next morning, and go on to the next thing; but on the ship you do it day after day after day. There is no home to go to; you live there. You constantly put up with the petty rules and regulations of a wannabe navy that has little (other than the corporate office) to keep it in check. It's a dictatorship, and what the officers say goes. Combine that with the sheer boredom and monotony that occurs when you don't go out of your way to mix it up, and things get dark fast. (Cruise Ship Musician, Personal Interview)

Thus, musicians are caught between working on land, with higher living costs, fewer gigs, and often teaching lessons to make up the shortfall, and working at sea. Working in the cruise industry, with all its problems, caters to musicians' key drive—to make music at an extremely high level with a group of equally talented peers.

It is difficult to ignore the cruise ships as a musician because it remains a monumentally successful industry. Before COVID, the cruise industry was worth US\$40 billion (Dias and Lopes 2020) per year. Although the pandemic temporarily halted these substantial earnings, the industry appears to be rebounding. In 2023, it is expected to reach new heights, as estimated by Statista (2023). Notably, Carnival Corporation alone generated an impressive US\$6 billion in revenue during the third quarter of 2023 (McGillivray 2023). The industry's vitality is further underscored by the launch of four new ships in 2023, including the *Normegian Viva*, *Carnival Jubilee*, *Celebrity Ascent*, and Virgin Cruises' *Brilliant Lady*, with five more slated for 2024, including Royal Caribbean's colossal *Icon of the Seas*, set to become the largest ship in the world. Cruise tourism stands as a giant within the broader tourism sector.

This chapter seeks to explore the complex and often challenging world of musicians working on cruise ships, critically examining the dichotomy between the idyllic perception of performing on the high seas and the stark realities of the job. Central to the discussion is the industry's tendency to diminish the

perceived value of these skilled artists, highlighting issues of control, deskilling, and the impact of technological and global economic shifts. Integral to this examination is the application of Harry Braverman's Labor Process Theory, which provides a framework for understanding the dynamics of skill degradation and control in the workplace. The theory's relevance is underscored as the chapter delves into how the cruise industry's practices reflect a broader trend of devaluing skilled labour, transforming musicians from artists into interchangeable parts of a larger entertainment machine. This theoretical lens is significant in dissecting the nuanced struggles of musicians who navigate the balance between maintaining artistic integrity and adapting to the commercial demands of the cruise ship environment.

### THE CRUISE SHIP INDUSTRY AND ENTERTAINMENT

The partnership between the cruise industry and musicians has a rich and enduring history. As early as the 1880s, specialist musicians were a fixture aboard North German Lloyd ships, with other cruise lines swiftly following suit, particularly those offering extended voyages, such as P&O, Castle Line, Cunard, and White Star (Cashman 2014). The collaboration between musicians and cruise lines was exemplified when the first voyage of Carnival Cruise Lines started with the MV *Mardi Gras* grounded in Miami Harbour in 1972. In response, management opened the bar and put the musicians to work. Cruise ships have traversed the seas for the past half-century to the strains of musicians delivering (usually) exceptional live performances. Clearly, this symbiotic relationship benefits both parties. Musicians enjoy traveling, receiving compensation for their talents, and collaborating with other highly skilled musicians and vocalists. Meanwhile, cruise lines maintain access to an entertainment form they can adapt for their own purposes.

Musicians onboard ships provide a diverse array of musical experiences to engage passengers. Musicians perform background music around the ship, provide the focus of the evening's theatrical entertainment, portray local culture through shows involving local musicians or the Caribbean band, enhance the social status of the ship through classical performances, engage guests in an immersive experience as piano entertainers, and sooth troubled and uncomfortable guests through representations of a broad Western culture. The theatre performance is typically the focal point of an evening aboard a cruise ship. These shows fall into two categories. The first is the production shows featuring dancers, singers, and traditionally, the musicians of the showband, and themed around concepts such as "music of the fifties," "music of Broadway," or "Motown." Alternatively, the evening show may showcase a guest entertainer, such as a singer, multi-instrumentalist, comedian, juggler, or magician, specially brought onboard to perform their act. High-level sight-reading and improvisation are necessary for musicians undertaking this, who are employed as "showband musicians." Musicians also engage with passengers throughout the ship, offering classical music with the classical ensemble, daytime poolside

performances with the party band or Caribbean band, evening performances with the party band or themed bands, cocktail piano sets, and more. Their performance quality is regularly evaluated through passenger feedback on each cruise and is collectively scrutinised at the end of each cruise in an entertainment department meeting. Continued bad reviews can, at best, result in a “do not rehire” evaluation at the end of a contract or, at the worst, result in a mid-contract firing.

Contracts for musicians typically span four to six months. During this time, musicians are counted as staff members, a category between crew (at the bottom) and officers (at the top). As such, they are granted certain privileges, such as being in guest areas, dining and drinking at certain bars, and so forth, according to the line. They are expected to interact positively with guests, officers, and crew. Shorter and longer term contracts are rare, but not unheard of. I did a nine-month contract onboard the Cunard QE2 to experience a world cruise. I also did a three-week contract when a musician was fired. Musicians typically find employment through agencies such as Proship or the Suman agency, who take a percentage of their salary.

Music on cruise ships, much like many aspects of the cruise experience, can be described as a hyperreality. Umberto Eco’s (1986) concept of hyperreality refers to the phenomenon where the “completely real” becomes indistinguishable from the “completely fake.” In essence, it involves presenting a falsehood as reality and often as an enhancement of reality. The concept is deeply rooted in semiotics, emphasising the manipulation of signs and symbols to blur the boundaries between reality and simulation. Several scholars have written on cruise ship entertainment as hyperreality (Kuhalek 2012; Cashman and Hayward 2020) and cruise ships generally (Weaver 2019; Williams 2012; Rankin and Collins 2017) as hyperreality and simulation. This deliberate blurring of lines is particularly evident in the context of cruise ships, especially when it comes to music. There are four main reasons that music exists within the cruise experience.

Firstly, shipboard music represents a broadly Western culture to provide reassurance of safety and familiarity to the predominantly Western guests of major cruise lines. The music performed onboard is typically non-threatening popular music of former decades. A production show will be about Motown, or eighties music, or musical theatre, but not about hip hop or Taylor Swift, which may offend or confront guests. Such music reassures guests that they are not actually in different and potentially dangerous locations, but in a familiar and safe Western location. The music cultures visited are rarely portrayed, and many guests opt to remain within the confines of the cruise ship’s tourist bubble, hesitating to encounter unfamiliar situations beyond the safety of the vessel’s steel walls. When a specific culture is referenced within the ship’s tourist bubble, it is presented in a non-threatening fashion, such a smiling Caribbean band playing *Arrow*, or the jazz band playing “Istanbul (Not Constantinople)” the day before the ship visits Turkey. Most guests who leave the ship do so on curated tours (which may involve local musical performances). For travellers

hesitant to engage with local cultures, the presence of Western music offers a sign of security and familiarity.

Secondly, shipboard music is employed to convey a sense of high social status. This is evident in the attire musicians are often required to wear, which typically includes tuxedos, evening dresses, or, on casual night suits and ties. The musical instruments used are beautiful and meticulously maintained. Classical musicians play accessible music such as the Pachelbel Canon or Liebestraum No. 3, reinforcing the notion that passengers, despite engaging in an extremely affordable activity, are partaking in an experience associated with class and affluence.

Thirdly, music serves as a commodified representation of the history of passenger shipping, incorporating older musical styles such as jazz and extravagant production shows. The music heard on a cruise ship in the early twenty-first century resembles that portrayed in the 1957 film *An Affair to Remember*. Cruise ships frequently feature classical trios, paying homage to earlier musicians like those onboard the RMS *Titanic* (Cashman 2014). Through this approach, cruise ships enhance the perceived value of their offerings by infusing them with historical elements.

Fourthly, musical performance offers a curated and readily accessible portrayal of the ‘exotic’. According to Hung and Petrick (2011), one of the primary motivations for individuals to embark on cruises is to immerse themselves in an “exotic vacation experience” while actually remaining in the cultural and physical safety of the cruise ship bubble. Cruise companies occasionally feature local musicians who perform traditional music on board the cruise ships, often referred to as “local shows.” Moreover, cruise ports frequently host local musical performances in proximity to the ships. As noted, musical performances may take place on mediated local tours. Through these musical presentations, the local communities’ music culture is portrayed within the safety and security of the tourist environment while simultaneously providing passengers with an ‘exotic’ cultural experience.

In addition to these tasks, music plays a crucial role in engaging guests while on the ship. Most cruise line revenue is generated onboard the ship, particularly on the profitable “sea days” when ships do not make landfall or by retaining guests onboard even when the ship is in port. Some guests enter the ship in on embarkation day and leave the ship on disembarkation day, and never set foot on land. By offering guests entertainment, guests can be encouraged to stay onboard, or return early from outings in port. Further, ships control movement around the ship by music (Cashman 2016). If a cruise director wants people poolside, at lunchtime consuming alcohol, they put the Caribbean or party band there. If they want passengers in the stern-facing bar at 3 p.m., again consuming, they put a cocktail pianist there. By retaining guests onboard and managing their movement, ships are made more profitable.

Increasingly, however, cruise lines question whether these highly skilled and sometimes difficult musicians are necessary to achieve these goals. Local shows and dockside performances do not utilise shipboard musicians at all. The

creation of portrayals related to passenger shipping heritage and high social status can largely be accomplished without musicians' musical involvement, requiring them as actors, not musicians. Potentially they could be achieved by people pretending to play instruments while recordings play. While the first objective, creating signifiers of security and safety, does require musicians to make music, it can be achieved with less highly skilled musicians, potentially resulting in cost savings and fewer demands on resources.

Cruise ships are already known to pay musicians from the global south less than musicians from the global north. Several senior informants in my research have told me that they perceive such musicians to be less troublesome than musicians from Western countries. However, such musicians, talented as they are (Ng 2005), may rarely be formally trained and may struggle with sight-reading, a necessary skill for employment in the showband tasks. However, for the former, many ships now use backing tracks instead of live musicians, reducing the need for highly skilled sight-reading musicians. Guest entertainers, on the other hand, are increasingly expected to provide their own backing tracks for shows, meaning shipboard musicians are not required to perform for them. While some ships, especially those that are larger or more prestigious, continue to retain highly skilled musicians, some are disappearing on smaller ships.

### MUSICIANS AS SKILLED WORKERS

Musicians are skilled labour. It takes many years of study and practice, whether at tertiary institutions or not, to gain the requisite reading and improvisatory skills to successfully undertake employment as a cruise ship musician. However, from the cruise industry's perspective, it is much preferable to treat musicians as unskilled labour in order to pay them less and make them work longer hours in worse conditions. Cruise musicians resent this and are vocal about it, leading to tensions and poor relations between musicians and management. Musicians are often regarded as confrontational, lazy, and entitled. Other staff, such as waiters, bar staff, and Steiner employees (hairdressers, beauty consultants, and massage staff), work many hours a day and rarely get off in port. On the other side, musicians regard management, both onboard and shoreside, as a strict hierarchy—nearly a paramilitary structure—that disrespects musicians (and other staff) and actively works to lower the standards of the job. There is some truth in this idea.

Harry Braverman's (1974) labour process theory holds significant relevance in the context of musicians working on cruise ships, especially when examining issues of control and deskilling. Labour control, as defined by Braverman, encompasses the mechanisms through which employers assert authority over their employees. Cruise ship musicians, necessarily skilled professionals and artists, find themselves subject to rigorous control measures while on board. Some of this control aligns with the demands of their profession and mirrors what one would expect in a land-based setting. This includes punctuality, maintaining a professional appearance, and responding to line managers such as cruise

directors and bandmasters. However, there are additional layers of control specific to the cruise ship environment. Some of these directives, such as ensuring the safety of all crew members during emergencies, are reasonable and customary. However, musicians must also adhere to various other rules and policies governing their work. From the cruise line's perspective, these controls serve to uphold a consistent brand image. Nevertheless, for musicians, the contrast between the privileges officers enjoy and the scrutiny they often face can be quite challenging. Musicians may face more severe consequences for guest complaints, experience restrictions on where they can go aboard the ships (especially following the COVID-19 pandemic), and be subject to processes such as written warnings and sign-off evaluations that could impact their future employability with the cruise line.

Cruise lines have a long history of attempting to deskill musicians, aiming to simplify tasks to justify lower wages and to make musicians more interchangeable. One example of this is the use of "sweeteners" (recorded tracks used in performances). In many onboard performances, especially during production shows, larger bands' recorded performances enhance the live music. Individual instruments are tracked, and musicians who may not meet the desired standard can be replaced by these recordings. Some musicians have voiced concerns, sometimes corroborated by technical staff, that their live performance is entirely replaced by recorded tracks, reducing them to the role of mere "instrument holders." Cruise lines argue that this practice is essential for quality control, ensuring that a subpar musician does not compromise the overall performance. However, it also diminishes the need for highly skilled musicians capable of reading music, making them more easily replaceable.

Furthermore, some cruise operators have eliminated live bands entirely on smaller vessels, relying solely on tracked performances for production shows and requiring guest entertainers to provide their own backing tracks. Arrangers (musicians who take a popular music song and write it for a specific ensemble) have also suffered. It is important for live musicians to be able to quickly create professional music very quickly, and arrangements are integral to this. Increasingly, it is challenging for arrangers of music to justify their arrangements, which can be costly. This is particularly the case when guest entertainers or cruise lines can access cheap or free (though less competently arranged) arrangements. Using lower quality arrangements increases the work of musicians.

By simplifying the tasks to the point where a wide range of musicians can perform them, cruise lines can argue that the job does not require specialised training or unique artistic abilities, potentially categorising it as a less skilled position, even though performing music inherently demands skill. This trend towards deskilling threatens job security for musicians and makes it challenging for them to negotiate better terms or wages in the industry.

Musicians do not take these developments lightly, and their response can be understood through Braverman's (1974) concepts of worker resistance and consent. One of my contracts involved significant disputes by musicians (who

were particularly dedicated to achieving a professional product) and officers (who were unused to having vocal and organised musicians aboard). We tried to resist some of the more onerous conditions and contempt by some of the officers. They in their part, fired a guitarist for being late on the day he was signing off, and made him pay his own way home when the ticket had already been booked. Over multiple contracts, musicians may become increasingly disenchanted, a phenomenon sometimes referred to as going “dark.” This process often stems from this resistance to deskilling and the stringent labour control measures (such as the above firing, breath testing of musicians while never breath testing officers, written warnings) imposed on them in the cruise industry. The contract described was some of the best music I made on cruise ships, but it was also very dark. Not all ships are like this.

The COVID-19 pandemic had a significant impact on the cruise industry and its musicians. Many musicians chose to leave the cruise industry during this period, viewing it as an opportunity to transition back to performing gigs and teaching on land. This shift landwards reflects their resistance to the challenging conditions and evolving dynamics within the cruise industry, as well as their desire to regain more control over their careers and artistic pursuits.

### CONTROLLING MUSICIANS

At its core, the relationship between musicians and management is one characterised by control. Management endeavours to exert control over various aspects of musician’s professional and personal lives, including control over their repertoire, performance, leisure activities, mobility, and social interaction. The ship’s quasi-paramilitary structure influences this dynamic, which leads to tensions between musicians and management. Musicians often harbour resentment towards this level of control and employ various strategies to challenge or circumvent it, such as minor rule-breaking, passive resistance, or creative rule interpretation.

For instance, I once encountered a situation where the band was required to wear heavy, stifling white jackets during a production show. These jackets were particularly uncomfortable under the heat of traditional stage lighting. Because they were bulky and stiff (to maximise their usable lifespan) they hindered our movement and performance, particularly that of the drummer. Some musicians in the band chose to defy this mandate and refused to wear the jackets onstage. The production company and head office insisted on compliance, leading to a standoff. The staff captain, responsible for ship discipline, intervened by threatening to terminate the contracts of those who refused to wear the jackets. Termination typically entails covering the cost of one’s own return flight home, a significant financial burden. Faced with this ultimatum, the musicians reluctantly agreed to wear the jackets, although it left a lingering dissatisfaction among the band members. Notably, one musician chose to resign from the ship shortly afterwards. Because he did this the day after receiving his pay but claiming to have spent his money, he effectively forced the cruise line to cover



the cost of his flight home to comply with local laws. This incident underscored the strained relationship between management and musicians on that particular ship and serves as a testament to the control dynamics at play.

Despite such instances of resistance, management seldom concedes to the demands or preferences of musicians. They rely on various tactics, including issuing written warnings, providing unfavourable sign-off reports, threatening termination, and requiring musicians to bear the expense of their return flights to impose their authority. While there are occasional reports of talented musicians being dismissed for serious offences, like drug or alcohol abuse, only to secure positions on ships with different cruise lines quickly, most musicians are acutely aware of their limited influence over their shipboard careers. As a result, they often find themselves compelled to adhere to the rules and regulations enforced by management, even if they feel disproportionately scrutinised compared to other ship staff.

### *Technological Determinism*

“Technological Determinism” is a theory that posits technological development as the primary cause of societal changes. In the context of the cruise industry, this viewpoint suggests that advancements in technology largely dictate organisational and operational strategies, impacting the roles and skills of onboard musicians. This perspective, predominantly held by cruise line management, views the adoption of technology as a strategic imperative driven by cost-efficiency and standardisation goals. Consequently, this leads to the “deskilling” of the workforce, a concept central to Harry Braverman’s (1974) theory, where technological and organisational changes within capitalist societies simplify and standardise tasks, reducing the need for specialised skills.

In cruise music, this manifests as a shift towards technological solutions over live performances. For instance, the increasing use of backing tracks and pre-recorded music reduces the demand for skilled musicians capable of sight-reading and live accompaniment. These changes are often unilaterally implemented by cruise line management, who assume a surplus of willing musicians, thereby perpetuating the notion of musicians as easily replaceable.

However, critics argue that technology has the potential to enhance job roles or that workers can actively resist or influence the use of technology to their advantage. For instance, in the cruise industry, musicians could leverage technology to create more sophisticated and engaging performances. This could include using digital audio workstations (DAWs) for composing unique arrangements or incorporating electronic instruments to expand their repertoire and adapt to diverse entertainment needs on the ship. Moreover, musicians can also resist the negative impacts of technology. An example of this might be forming collaborations to produce live shows that blend traditional musicianship with technological elements, thus showcasing a unique value that cannot be replicated by pre-recorded tracks alone. Another form of resistance could involve advocating for the importance of live music in enhancing

passenger experience, potentially influencing cruise line policies to maintain or even increase the presence of live musicians onboard.

Unfortunately, for musicians in the cruise industry, such options are limited. Cruise lines, operating within an aspirational and regimented environment, rarely engage onboard musicians in decision-making regarding their product. Musicians are typically informed of new show requirements, working hours, and the elimination of specific instrumental positions, such as the second saxophonist or trombonist chair. Cruise lines often assume that there is an abundant pool of musicians willing to join their ships, perpetuating the perception that musicians are easily replaceable in this industry.

### *Globalisation and Cruise Ships*

Globalisation refers to the process of interaction and integration among people, companies, and governments worldwide, often characterised by the exchange of goods, services, information, and cultural practices. In the context of the cruise industry, globalisation is particularly relevant as it has led to an international division of labour, issues of outsourcing, offshoring, and the standardisation of work processes across borders. This trend significantly affects how cruise lines operate, making them exemplary cases of globalisation in action.

Cruise ships, operating globally, exemplify this by employing a “flag of convenience” system. Under this system, a ship is registered in a country that may not be the jurisdiction of the parent company allowing the ship to be governed by the laws of the flag country. Carnival Cruise Lines, for example, typically register their ships in Panama and The Bahamas. Royal Caribbean uses The Bahamas and Liberia, and Princess uses Bermuda. Terry (2017) notes that a ship registered in the United States must employ US crew and officers and be paid US wages; however, a ship flagged in a low-wage country allows cruise lines to employ staff from various countries and pay them lower wages than would be required under more stringent labour laws.

This global approach has complex issues for onboard musicians. Traditionally among the higher-paid members of the crew, their wages and working conditions are influenced by global practices. Musicians earn between US\$1500 and \$3500 per month (which includes room and board). But this is subject to change with the evolving global labour market and post-COVID dynamics. Despite the post-COVID scarcity of musicians willing to work on cruise ships, there has been no significant increase in wages, reflecting the broader trend of stagnant wages in globalised industries.

The impact of globalisation extends beyond wages and working conditions. Scholars like Edwards (2011) and Burawoy (1990) note that workers in a globalised context are not merely passive recipients of managerial control. They can actively resist or negotiate work conditions through unionisation, work-to-rule strategies, or developing informal norms and practices to challenge authority. However, for cruise musicians, often employed under flags of convenience

from low-wage countries, such resistance is challenging. Their unique position as global employees complicates efforts to unionise or collectively negotiate better terms. In some cases, musicians might adopt subtle forms of resistance, like minimalistic performances, but such actions often go unnoticed by those outside the profession. With most cruise ships being inherently non-union and with the threat of termination for minor infractions, the capacity for musicians to assert their rights and improve their working conditions remains limited in the face of globalised labour practices.

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## CONCLUSIONS AND FUTURE IMPLICATIONS

Given this chapter and its argument, the reader—perhaps a musician considering undertaking a contract themselves—might be justified in asking whether musicians should even consider this line of employment. I would encourage them to do so, but to do it advisedly, with their eyes open. In my four years of cruise line work as a showband pianist, I had extraordinary adventures, saw parts of the world I never thought to see, and made music alongside some of the most exceptionally talented musicians I have worked with. It was enormously satisfying. With musicians on ships becoming somewhat rarer, an aspiring musician should consider taking such an opportunity if it comes along. Creating complex music every night forces a musician to work on their technique, audience engagement, and sight-reading skills. It makes you a better musician. However, such aspiring performers should also be aware of the difficulties and hazards of cruise employment.

Cruise lines, often interested in only the bottom line, who would—if you will excuse the expression—throw musicians overboard, would be wise to reconsider their employment strategy. Treating musicians as expendable, imagining an eternal conga line of musicians desperate to play on a ship, and employing mediocre and low-skilled musicians will ensure a consistently mediocre musical product. Signifiers of class and sophistication and of the heritage of passenger shipping are a very thin veneer without musical skills to back it up.

Musicians who cannot play well enough to respond to onboard demands will hamstring the entertainment department's capacity to respond to unusual situations. (I remember being in a theatre full of angry guests waiting to get off the ship when we were late docking, going on stage and playing a cocktail set, and feeling the anger subside.) At the time of writing, cruise lines are struggling to fill their bands. They should consider the implications of this as they move forward. Reliable and talented musicians treated poorly will simply refuse to undertake cruise industry work.

Moving beyond simply talking about cruise ships, musicians based on land also suffer from this process of deskilling. The preponderance of amateur musicians willing to make music for small fees or for beer money causes venues to become addicted to employing cheap, amateur musicians rather than more expensive and more highly skilled musicians. Within Australia, clubs—once the employers of large shows—increasingly rely on MIDI-based duos and eschew larger, more expensive performances, or offer the managers of these shows only door deals. This attitude makes it harder for musicians. I earned \$150 for gigs in the 1980s—which was my rent for the week. Sadly, I still get offered this fee now, which I politely decline. The Media, Entertainment and Arts Alliance in Australia has been campaigning for a few years for a minimum fee of \$250 for a gig, which it has achieved in many parts of Australia. However, \$250 is still a relatively small amount considering the skills and time it takes to become professional.

There is an abundance of musicians eager to create music, but the opportunities for them to perform can be limited. These musicians span a broad spectrum of skill levels, ranging from highly talented professionals to those who may only know a few chords on a guitar. The innate human desire to make music makes it a natural and widespread aspiration. The industrial imperative to seek less expensive and less skilled musicians is a common trend in many areas of the creative and allied industries. However, it becomes especially apparent in the cruise industry. Through a deliberate process of deskilling musicians seeking to gain ever-more profitability, cruise lines have fewer experienced musicians seeking employment, and those who do often stay in the industry for less time. This is regrettable because making music on cruise ships has the capacity to be extraordinary.

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## Record Contracts: Recording Artists, Work, and Exploitation

*David Arditi*

At first glance a record contract is a very simple thing: an agreement between two entities that is enforceable by law. As with any contract, the parties are considered to be equal. Generally, the equal parties exchange something (a good, money, service, etc.) for something else (a good, money, service, etc.). In a record contract, a record label agrees to provide resources such as an advance and access to the label's marketing and distribution offices to a recording artist in exchange for the artist to record a set number of songs (i.e., sides). The artist generally agrees to give up ownership of their master copyrights for royalties on the future sale of their recordings. The advance that the label provides must be paid back through their royalties. Increasingly these simple deals require artists to give up more to sign a contract—in so-called 360 deals. But on a deeper level, record contracts embody a whole series of historic power relations that open musicians up to exploitation.

Record contracts act as the lifeblood of the contemporary recording industry because they represent so much more than a contract between two entities. Everyone, from fans to aspiring musicians, views record contracts as a sign of making it as a musician—a phenomenon I call the ideology of getting signed.<sup>1</sup> But there is a faulty link between being heard on the radio or seen on television and being wealthy. I've had countless conversations with research subjects,

<sup>1</sup> Arditi, *Getting Signed*; Lee, *Blowin' Up*.

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friends, and family about how they know a recording artist is rich because of their ubiquity. Unfortunately, even some of the biggest stars end up bankrupt.<sup>2</sup> Jacob Slichter, drummer for the pop-rock group Semisonic, presents his realization that the band wouldn't make money even with perennial bar favorite "Closing Time" in his book, *So You Wanna Be a Rock & Roll Star*.<sup>3</sup> For instance, as Semisonic made radio appearances, Slichter became aware that the band's advance was funding lavish catering spreads from which the band would eat an apple. In other words, the band was spending thousands of dollars for a couple of apples, and they would have to pay for this on their portion of record sales. The reality is most recording artists never recoup their advances, often due to circumstances completely out of their control.<sup>4</sup>

While record contracts appear as the ticket for musicians to fame and fortune, they create the circumstances that make most signed artists toil in obscurity and poverty. Record contracts enable the commodification of music and exploitation of musicians. This chapter proceeds by first looking at copyright to demonstrate the role of intellectual property in the commodification of culture. From this perspective, I do not aim to explain the minutia of copyright law, but rather to examine the ways record labels use copyrights to exploit musicians. Second, I explain why recording artists are in fact workers who are exploited by record labels. Third, I discuss how advances and recoupment work to exploit recording artists. Then, I present the ideology of getting signed as the major social construction that convinces musicians to sign record contracts. In the conclusion, I show that as time progresses, things in the recording industry get worse as major labels adopt 360 record deals.

## COPYRIGHT

Copyright developed alongside capitalism as a way to extract value from creative workers. The Statute of Anne was enacted by the British Parliament in 1709 as the first copyright legislation, which provided stationers (i.e., publishing houses) the exclusive right to print works by authors in perpetuity.<sup>5</sup> Authors wrote and earned a living before the Statute of Anne, but the new copyright legislation placed their labor under the social relations of production—the organization of society under which people meet their needs. Copyright enabled capitalism, the current social relations of production, for the creative arts. Capitalism is the endless accumulation of capital in a system where workers work for a wage. Capital is not equivalent to money, but rather the congealed form of labor embodied in money and goods. When money sits idly, it is not capital because it must always be deployed to make more capital. Stated

<sup>2</sup> Colliver, "The Dark Tale of TLC Going Bankrupt in the '90s."

<sup>3</sup> Slichter, *So You Wanna Be a Rock & Roll Star: How I Machine-Gunned a Roomful of Record Executives and Other True Tales from a Drummer's Life*.

<sup>4</sup> Wilonsky, "The Million-Dollar Record"; Osborne, "'I Am a One in Ten': Success Ratios in the Recording Industry."

<sup>5</sup> Klein, Moss, and Edwards, *Understanding Copyright*, 14.

simply: workers make commodities to be sold for more value than it takes to produce them thereby creating capital. Copyright allows for the commodification of music. Record contracts facilitate the exchange of copyrights to turn musical ideas into exchangeable commodities.

However, this chapter isn't about the nuances of copyright law, but rather, how intellectual property creates inequities and exploitation in the music industry. While copyright is important for understanding music, it is not my place here to describe the intricacies of copyright law. There are several books I would recommend to better understand copyright: Aram Sinnreich's *The Essential Guide to Intellectual Property*,<sup>6</sup> Bethany Klein, Giles Moss, and Lee Edwards' *Understanding Copyright*,<sup>7</sup> Jessica Litman's *Digital Copyright*,<sup>8</sup> Richard Osborne's *Owning the Masters*,<sup>9</sup> and Matthew Stahl's *Unfree Masters*.<sup>10</sup> These books<sup>11</sup> differ from other books about copyright in Music Industry Studies and Law<sup>12</sup> because they do not tell readers how to negotiate the legal morass that is copyright law, but rather they explain how copyright developed and how it is deployed by record labels.

Instead, I think it is important to highlight that there is no philosophical ideal underlying copyright. Rather, the law was created by negotiations of powerful stakeholders. Jessica Litman demonstrates copyright law is the product of multiparty negotiations among those industries that historically have had a stake in copyright legislation. "Congress got into the habit of revising copyright law by encouraging representatives of the industries affected by copyright to hash out among themselves what changes needed to be made and then present Congress with the text of appropriate legislation."<sup>13</sup> Whereas policy scholars often discuss the involvement of lobbyists in the writing of legislation, Litman points to a much deeper involvement whereby the US Congress allows some affected industries to negotiate and write the law. In the process, important stakeholders are excluded from the negotiations. These laws are then internationalized through the World Trade Organization's (WTO) Trade Related Aspects of Intellectual Property Rights (TRIPs). Exploring the history

<sup>6</sup>Sinnreich, *The Essential Guide to Intellectual Property*.

<sup>7</sup>Klein, Moss, and Edwards, *Understanding Copyright*.

<sup>8</sup>Litman, *Digital Copyright*.

<sup>9</sup>Osborne, *Owning the Masters*.

<sup>10</sup>Stahl, *Unfree Masters*.

<sup>11</sup>Also see: Marshall, *Bootlegging*; Osborne and Laing, *Music by Numbers*; Striplas, "Disowning Commodities"; Frith, "Copyright and the Music Business"; Patry, *Moral Panics and the Copyright Wars*; Vaidhyanathan, *Copyrights and Copywrongs*; Andrews, *The Cultural Production of Intellectual Property Rights*; Hesmondhalgh, *The Cultural Industries*; Mosco, *The Political Economy of Communication*; Burkart and McCourt, *Digital Music Wars*; Coombe, *The Cultural Life of Intellectual Properties: Authorship, Appropriation, and the Law*.

<sup>12</sup>Forest, *The Music Business Contract Library*; Baskerville, *Music Business Handbook & Career Guide*; Hull, Hutchison, and Strasser, *The Music Business and Recording Industry: Delivering Music in the 21st Century*; Gordon, *The Future of the Music Business*.

<sup>13</sup>Litman, *Digital Copyright*, 23.



of copyright explains how the establishment of copyright lends itself to the exclusion of important stakeholders.

Copyright developed in western society as a publishing right. Book publishers wanted to ensure that when they printed books, another publisher wouldn't come along and print the same book without paying the author. In fact, this was a tension between nineteenth-century British and American publishers. Without international copyright regulation, American book publishers would reprint books by British authors at a much cheaper cost because they didn't pay the authors.<sup>14</sup> Writing a book or composing a song is similar because they are ideas and it doesn't take much money to produce ideas. For publishers to extract value, they needed to construct walls around ideas and protect their investments. That is what copyright is: a mechanism to extract value from ideas. As such, it is useful to think of copyright as a property enclosure.<sup>15</sup> Private property was constructed by the state through a series of enclosures. The process through which the state created intellectual property follows a similar path.<sup>16</sup> Copyright industries use copyright to extract value from workers who otherwise wouldn't need an industry to create and share their ideas. Record contracts facilitate the exchange of copyrights so record labels can profit from the recording, performance, and distribution of music from their recording artists.

## LABOR AND MUSIC

All economic value is created by labor.<sup>17</sup> Workers transform material into a commodity. In the process, workers are paid less than the value they create. The rate of value they are underpaid is known as the rate of exploitation. Labor itself is a commodity. As a commodity, labor's price (i.e., wage) depends on supply and demand and the amount of work that goes into creating it. We call the work that goes into creating value for labor, skill, which is reflected by the training, education, and practice associated with the work done. This is the Labor Theory of Value—an economic theory that posits all value is created by labor. Musicians are the primary labor in the music industry. Without musicians working, instruments would sit idly with no means to produce music. Musicians develop a skill through untold hours of practice and performance experience, which they sell to labels, promoters, and venues in the form of recordings, copyrights, and performances. However, the rhetoric of musicians signed to record contracts as “artists” conceals this reality.

We're told that there are some innate characteristics that go into the creative process of making music, which cannot be actualized through “work” in the conventional sense. By positioning the musician as an artist, we assume

<sup>14</sup> Griswold, “American Character and the American Novel.”

<sup>15</sup> Andrews, *The Cultural Production of Intellectual Property Rights*.

<sup>16</sup> Arditi, *Getting Signed*.

<sup>17</sup> Marx, *Capital*.

musicians maintain some degree of artistic autonomy in the creative process.<sup>18</sup> Autonomy is the ability for someone to make and execute their own decisions. The rhetoric about the autonomous artist could not be further from reality as any number of social forces act upon musicians to limit their autonomy. Sarah Bareilles' hit "Love Song" highlights the way record labels begged her to be herself but ultimately dictated the music she should produce.<sup>19</sup> "Love Song" demonstrates that we can't buy the rhetoric about artistic autonomy and instead we must delve deeper into the conditions under which musicians produce music. By looking at the material relations of production, I show how value is created in the recording industry, which relates to my main argument by demonstrating the layers of economic value creation that are present in the production of music.

Musician labor has been obscured as artistic since westerners began thinking of music production as an artisanal craft. The romanticization of the musician as an autonomous worker helps support the system of copyrights by solidifying the artistic nature of musicians' work and obscuring the fact that it is labor. In *Bootlegging*,<sup>20</sup> Lee Marshall shows that the nineteenth-century Romantic Era created our present day understanding of both the autonomous musician and the need to close access to music by using copyrights to protect the product of their labor. "If Romanticism is understood to have emerged as a result of the changing material circumstances of artists themselves, one of the most significant of the changes was the possibility of them being the owners of cultural property through copyright."<sup>21</sup> By this rationale, musicians were said to be in control of their means of production because they controlled their copyrights. However, copyrights end up undercutting their autonomy by allowing musicians to trade their copyrights thereby subjecting them to the pressures of record labels. When a musician signs a record contract, they give up artistic autonomy because record labels make demands of recording artists. Therefore, musicians trade autonomy for access to the means of production—the machinery and resources to produce commodities.

Part of what allows music fans to fetishize their favorite musicians as artists instead of as workers is the inability of (non-music playing) fans to reproduce their favorite music; this tends to mystify the labor involved in the music production process. Since most music fans don't understand the work that goes into creating music, musicking<sup>22</sup> remains hidden. However, there are a number of musicians in the broader music industry who never claim artistic autonomy

<sup>18</sup> Examples of this perspective include Richard Florida's *Rise of the Creative Class* (2004), Joli Jensen's *Is Art Good for Us?* (2002), and Elijah Wald's *Escaping the Delta* (2004). Additionally, Simon Frith describes in *Performing Rites* that the whole system of rock criticism is designed to reinforce this idea of an autonomous creative musician as an artist (1996).

<sup>19</sup> Bareilles, *Love Song*.

<sup>20</sup> Marshall, *Bootlegging*.

<sup>21</sup> Marshall, 54.

<sup>22</sup> Small, *Musicking*.

from studio session musicians<sup>23</sup> to cruise musicians,<sup>24</sup> these musicians never claim they need independence to create music. Other explicitly creative musicians such as jingle musicians<sup>25</sup> work under very specific creative demands that require them to be creative without romanticizing the idea of the creative process. Writing and performing music is a skill no different from any other creative practice.

If instead we think about the skill musicians develop to play music, we see that it is no different than the skill needed to do any other form of labor. The time that it takes for musicians to learn to play is embedded in the value of the music that they produce. We think of musicians as highly skilled at performing music. The labor theory of value demonstrates that the value of an individual worker includes the cost to reproduce their labor. The value of a musician's labor stems from two aspects of the reproduction of their labor. First, there is the cost to meet the worker's material needs (i.e., food, clothes, and shelter) so that she/he can labor again the next day.<sup>26</sup> For musicians, this cost in labor has to be relatively high because their working day tends to be very short—a studio drummer may earn \$200 per hour, but only receive payment for a few hours in any given week. Second, there is the cost to reproduce the worker in the sense of what it costs to train a new worker.<sup>27</sup> Since musicians perform a highly specialized skill, new workers need to have years of practice and training to replace old workers. This includes time spent practicing individually and collectively and usually years of performance for little to no pay. Therefore, a musician's wages include the cost of their training and the cost for them to meet their basic needs.

Musician labor provides a novel case to explore the labor theory of value; since the means of production is so low for musicians (primarily, the cost of instruments), there is always-already no need for capital in the process. However, the means of production in the contemporary recording industry is far beyond the musical instruments owned by musicians. Recording musicians need access to studios, recording technology, distribution, and marketing. Copyright was created by the state as a property enclosure that enabled the ownership and commodification of music.<sup>28</sup> After the enclosure of music, publishers used copyright to reproduce music in the form of sheet music and later recordings. Capital was required to print music on the printing press and later record, mix, master, manufacture, and distribute the recorded commodity. For musicians to gain access to these new means of production, musicians began to trade their copyrights, through record contracts, in exchange for access to label resources.

<sup>23</sup> Faulkner, *Hollywood Studio Musicians*; Siciliano, *Creative Control*.

<sup>24</sup> Cashman and Hayward, *Cruisicology*.

<sup>25</sup> Taylor, *The Sounds of Capitalism*.

<sup>26</sup> Marx, *Capital*, chap. 23.

<sup>27</sup> Marx, chap. 23.

<sup>28</sup> Arditi, *Getting Signed*.

In other words, record contracts enable the social relations of production in the recording industry. When musicians become recording artists, they exchange the copyrights to their music for a cash advance to record an album, along with the marketing capabilities of record labels. Musicians become workers instead of autonomous artisans when they sign contracts. However, the record contract differs from most other forms of labor contracts in that the recording artist remains a separate entity as a subcontractor with the label. While these contracts stipulate that the artists will produce a specific number of sides (songs) and albums, the labels are not required to record future albums if they do not recoup the original advance. Since recording artists rarely recoup their advances (discussed below), they rarely earn money from the sale of their albums. Furthermore, it is difficult for artists to get out of their contracts and sign new contracts with other record labels if their label refuses to allow them to record another album; Prince infamously changed his name to a symbol in order to produce music outside of his contract. By signing record contracts, musicians participate in a capitalist mode of production because contracts reassign property rights for immediate material needs at the expense of long-term material interests.

### ADVANCES AND RECOUPMENT

When a musician signs a record contract, they receive an advance. For some artists this feels like a massive payday, but they are more akin to loans. An advance is a lump sum of cash in advance of sales. This money must be paid back on the record contract signee's portion of royalties. Advances differ from loans because they do not need to be paid back in full and there is no interest. While advances feel like a payday, they enable a system of dependency that resembles that of a sharecropper.<sup>29</sup> It looks like a sharecropper because the artist makes a bargain where they accept cash for long-term dependency from which they cannot release themselves. For most musicians, it is only after they sign their contracts and receive their advance that they realize they will never recoup their advance to make money.

Recoupment is the process through which record labels collect the money they advanced to a record artist. As part of the contract, recording artists agree to pay back their advances through a royalty from the sale of their music. Most recording artists earn 9–12% on the sale of their music, but some established artists can receive up to 20%—of course, these are very rare cases. The reason artists concern themselves with recoupment is they do not receive royalties on the sale of their music until after they recoup their advances. Furthermore, labels do not need to record additional music for an artist if they do not recoup first. If an artist does not recoup, a label can decide to record another album and issue another advance, but they can roll the remainder of the unrecouped advance into the amount that needs to be recouped under a new advance.

<sup>29</sup> Love, "Courtney Love Does the Math."

In theory, recording artists can spend their advance however they want to spend it, but in reality, the record label has most control over the spending. Many artists do not even realize how the advance is spent.<sup>30</sup> Quite clearly, they pay for studio time with their advance, but every bit of marketing from the label also draws from the advance. Recording artists often walk away with a \$20,000 stipend from a \$500,000 advance meaning the artist receives \$20,000 to live off for a year. If the recording artist is a five-piece band, then each band member pockets \$4000. In other words, the wage they earn from recording an album is below poverty level.

Record contracts ensure recording artists do not make money from their labor. Take this typical scenario based on CD sales to simplify the complexity of streaming. If a recording artist receives a \$500,000 advance, it is nearly impossible for the artist to make money except for the small stipend they may take. A typical recording artist can count on a 10% royalty. At the height of CD sales, the average CD sold for \$15. The share of the sales kept by the retailer was roughly \$5. This leaves \$10 as the portion on which contracts base royalties. An artist with a 10% royalty will earn a \$1 royalty from the sale of every CD. The label has a roughly equivalent 10% royalty on the sale of every CD, too. In this simplified scenario, a recording artist would have to sell 500,000 albums to recoup their advance. The Recording Industry Association of America (RIAA) certifies an album gold with 500,000 sales in the United States.<sup>31</sup> In other words, an artist has to have a certified Gold Record to recoup their advance. Not only are Gold Records rare, but the average new artist sells about 250,000 album units.<sup>32</sup>

Again, unlike a loan, when a recording artist doesn't recoup their advance, they don't have to pay back the label. When a label decides to record another album, they can do so by rolling the unrecovered funds from the first advance into the second advance. The practical result is that if an artist has \$250,000 in unrecovered funds from their first album and they receive \$500,000 to record their second album, they must recoup \$750,000 on the sale of the second album (aided by any additional sales from the first album). In the above scenario a \$750,000 recoupment would require the sale of 750,000 album units on the part of the recording artist. However, at \$250,000, the label broke even on the first album, which means the label will again break even at \$250,000, but the artist will have to sell an additional 450,000 units to recoup their advances.

Probably the most important point here is that record labels recoup the advance long before recording artists. To continue with the same scenario, a low royalty rate for the label would be 10% of sales. If we assume a 10% royalty

<sup>30</sup> Slichter, *So You Wanna Be a Rock & Roll Star: How I Machine-Gunned a Roomful of Record Executives and Other True Tales from a Drummer's Life*; Wilonsky, "The Million-Dollar Record."

<sup>31</sup> Osborne, "The Gold Disc: One Million Pop Fans Can't Be Wrong."

<sup>32</sup> Hull, Hutchison, and Strasser, *The Music Business and Recording Industry: Delivering Music in the 21st Century*, 203.

for the label, they break even at 250,000 units. Why? Because until the recording artist recoups their advance, the label collects its royalties plus the artist's royalties. For a \$500,000 advance at the 10% royalty rate, the label recoups the advance at 250,000 album units ( $\$250,000 + \$250,000 = \$500,000$ ). While the artist is still recouping their advance, the label earns both royalties for the next 250,000 units. So if an artist is lucky enough to have a Gold Record, the record label profits \$500,000 while the recording artist earns no money.

Now let us imagine a five-piece band that earns a Gold Record; yes, they recoup their advance, but to what end? If they sold exactly 500,000 units, they recoup their advance and walk away empty handed. However, if they sell 550,000 units, the band earns \$50,000 from their royalties. Divided five ways, this Gold Record earns each band member \$10,000, below the poverty rate, while the label earns \$550,000 in profit. Recall that exploitation is the rate at which a worker is underpaid for their labor. In this Gold Record scenario, the rate of exploitation for the recording artist is \$550,000 or \$110,000 per band member. Why are musicians willing to subject themselves to this exploitation?

### IDEOLOGY OF GETTING SIGNED

Throughout my career, first as a musician, then as a music industry researcher, I've always been dumbfounded by the pervasiveness of record contracts based on how widely apparent it is that they exploit musicians. This led me to a project with a research question that stated: why do musicians sign record contracts? As I interviewed musicians, their families, record label executives, live music personnel, fans, and everyone in between, the answer became obvious, so I shifted my research. To explain the phenomenon, I developed the term "ideology of getting signed." As a result, I shifted the research question: How does the ideology of getting signed operate in society?

Ideology is an upside-down vision of the world that presents the ruling class' ideas as if they are the lived reality of everyone's daily lives. These ideas seem natural and we readily accept them even when we think the world operates differently. In *Getting Signed*, I define the ideology of getting signed as "a social phenomenon that exists outside individuals and persists across time."<sup>33</sup> The ideology of getting signed is an ideology because it presents an upside-down picture of reality: that is, signing a record contract marks a step into fame and wealth. Musicians believe it, but so do family, friends, and fans. The remarkable point in my research was the pressure from family to encourage musicians to sign a record contract.

Musicians do receive benefits from signing a contract: validation, partying, etc. These benefits hold true despite the lack of monetary gain. Signing a record contract with a major label means the artist will go on tour. During a tour, recording artists get to party like a rock star. Yes, they may not make money, but they have tour support and the advance to support their basic

<sup>33</sup> Arditi, *Getting Signed*, 4.

needs and party every night. One recording artist I spoke with never left her state before signing a record contract. Following her signing a contract, this recording artist was placed as an opening artist for a major act. The tour allowed her to see much of the United States and Europe over the course of a year. For many musicians I interviewed, signing a record contract signified that being a musician wasn't just a hobby, but a career.

However, careers require a wage. When people produce commodities, they deserve to be paid. Musicians live in an ideological world where they believe they have autonomy on these contracts and that autonomy requires austerity.

### CONCLUSION: THE 360 DEAL MAKES IT WORSE

The ideology of getting signed continues unabated. In my research, non-musicians often say, "No one needs a record contract anymore, they can just get discovered on the Internet." This is true, but the implication of "discovered" is to be discovered by record labels. In my research, I've also found that digital platforms act as gatekeepers in ways record stores never could.<sup>34</sup> Essentially, the only way to manage a successful music career is through record contracts. Most musicians will end up with no income from signing the contracts, and only a small percentage will become huge stars.

During the height of the file-sharing era, record labels complained they had no way to recoup the advances from the sale of recordings alone. In *iTake-Over*,<sup>35</sup> I argue the issue wasn't that labels suffered revenue losses from file-sharing, but rather labels used it as an opportunity to change the balance of power in the music industry. Labels claimed they couldn't make money in the 2000s and needed to change if anyone wanted new music in the future. As a result, they pushed multi-rights deals, or 360 deals to generate more revenue and profits from recording artists.

These deals are known as 360 deals because they cover 360 degrees of revenue generated around artists. Labels argued that since they developed their artists, they were entitled to all the revenue they generate. A 360 deal covers recording rights, publishing rights, touring, merchandise, and name, image, and likeness. The position labels maintained was that their recording artists wouldn't have as many people at shows or buying merchandise if it wasn't for the label's investment. Furthermore, label executives claimed most recording artists wouldn't be successful in television, film, and advertising if it wasn't for the promotional capacity offered by the label.

Another interesting element to this is the fact the RIAA produces reports about the revenue for record labels, but at no point did they take into account revenue sources from 360 deals. Before the iTunes era where downloads dominated revenue streams, the RIAA produced label revenue by equating shipments with sales. A shipment is the number of physical albums shipped to

<sup>34</sup> Arditi, "iTunes"; Arditi, "Digital Subscriptions."

<sup>35</sup> Arditi, *iTake-Over*.

record stores. When record stores don't sell albums, they ship them back to the labels. The RIAA reports these shipments as sales. As distribution channels became faster and more precise in the early 2000s, this led to a merger between actual sales and shipments, which only accelerated with the popularity of iTunes.<sup>36</sup>

Now with streaming, the 360 deal becomes the labels' selling point for the ideology of getting signed. A small number of artists go viral on social media or SoundCloud. When an artist goes viral or finds fan support through SoundCloud or Bandcamp, they don't need a label at all. But labels have no way to profit from independent artists. Lil Nas X went viral using Twitter, and listeners found his music on Spotify. He signed a multi-million-dollar record contract with Columbia, which was likely a recoupable 360 deal. And not every musician who puts their music on social media attracts the attention Lil Nas X received. Becoming an influencer on social media is its own form of the ideology of getting signed, but I disagree.

Creating an equitable system in the music industry where artists earn a wage for the value they produce is necessary. Many musicians do not want to see themselves as workers, but the music industry will not treat musicians with dignity until musicians recognize themselves as workers. Once they move beyond the ideology of getting signed and see themselves as wage workers, they can begin to grow solidarity. Labor solidarity is the key to equity, then musicians can work together to earn the wages they deserve.

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<sup>36</sup> Arditi, "iTunes."



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# Mothering: The Epicentre of Gender Gapping?

*Clare K. Duffin*

Not only do women dominate employment in the care sector, they also provide the most unpaid work at home [...] Much of women's unpaid work time is spent on child care. (OECD 2020, p. 4)

## INTRODUCTION

The idea of working in any capacity within the music industry may be associated with flights of fancy: excitement; being creative – and to an extent, being free of everyday norms ‘as one avoids the predictability of routine work’ (Everts et al. 2022, p. 99). However, I think it is fair to say that domestic responsibilities of the home, and that of ‘care’, specifically ‘childcare’, appear somewhat at odds with what is arguably understood as ‘working in the music industry’. The romanticised notion of the artist may be likened to a person in deep, considered creative thought ‘in a room of one's own’, as Virginia Woolf (1929) so aptly put it. However, the truths of contemporary work for women in the music industry lie far from romantic ‘ideals’ and where, unfortunately, the gender gap is ‘improving at a very minimal rate, if at all’, (Hooper 2019, p. 137)

A more authentic portrayal would frame a woman littered with complex decisions to make and ‘plates’ to spin; lyrics to write on the drive to school pickup; and importantly, a constraint on her time that is socially prescribed, quite unlike her male counterparts. For self-employed mothers in the UK, the current system of Maternity Allowance adds further weight to an already challenging industry for women, where it ‘places the entire burden of childcare onto the mother and offers no financial support for self-employed fathers or

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same-sex partners wanting to share some or all of the childcare' (UK Music 2019). The imbalance is real.

When I was a child, I often wondered what it would be like to tour the world as a performing artist: selling records and spending countless hours writing and recording albums. However, as I grew older, I realised that I had to make choices about my life and what I aspired to be that were not exactly in keeping with my understanding of the Western social norms around raising a family. Terribly, I felt a great sinking in my heart when I thought about the idea of being a mother: my positionality as a woman in society became more accentuated, more so than my identity as a musician or artist. My biological clock was ticking louder and louder, like a ringing in my ears, calling upon me to question whether mothering and motherhood was to become a fundamental part of me. At that point, in my early 30s, I was also aware that the ageing woman is thus not the same as the ageing man (Gardner and Jennings 2012) and that women have a limited shelf life (Reddington 2007, p. 185) where women's temporality coexists with socially prescribed expectations of giving their time to unpaid (child)care.

When I finally made the choice to become a mother, my reckoning with time (to actively write and perform music) became partitioned. On one side of the partition was my artist self and on the other, my mothering self. The two can, at times, operate in tandem. However, in my case and that of many of my research participants, there appeared to be a hierarchy. Mothering first; participation in music practice, or 'musicking' (Small 1998), second.

It was in fact this realisation of motherhood versus musicking—and certainly, the writing and performing of music more specifically—that led me to investigate mothering as a core facet of women's limited participation in the music industry. I have spoken to many women in my research—mainly female independent music artists (FIMAs<sup>1</sup>) based in Scotland—about their relationship with songwriting practice; with live performance; their ability to carve out income from music-making at all—and more generally, about their day-to-day lives. What challenges did they face? How did they make everything work harmoniously with caring responsibilities? Did becoming a mother specifically limit their capacity to be present in their music practice?

One artist I interviewed in my research was Scottish independent music artist/singer-songwriter, Becci Wallace. Wallace provided key and valuable insights pertinent to mothering and musicking that I found both relatable and insightful. Thus, I begin the chapter by providing a short excerpt of Wallace's interview material and use Wallace as a case study throughout. I do this to illustrate two things. Firstly, I demonstrate mothering and its relationship to music industry participation is fraught with challenges for women and raises questions on equitable opportunities (UK Music 2019; Doolittle 2021; Strong et al. 2023). Here, mothering is considered as the arguable epicentre of

<sup>1</sup>FIMAs (female independent music artists) in this study comprised female musicians operating as freelance musicians, who also created original music within some or all of their music practice.

recurring gaps or ‘gender gapping’ in music participatory practice. The accessibility and facilitation of songwriting, recording and touring is the main focus of ‘participation’ here. More broadly, during this chapter I draw from the case study of Becci Wallace’s experiences as well as my own experiences to argue that the lack of support for maternity leave and socially prescribed notions of unpaid care appear central to the prolonged issue of women being poorly represented in the music industry. I highlight the connections between the gender representation gap, the gender pay gap and gap(s) in creative practice and how these gaps compound women’s marginalisation in the music industry.

Within the gender gapping framework, I will also discuss the concept of liminal spaces and the potential for liminal spaces to foster creativity in songwriting; how liminality as ‘gap’ may be considered more favourably in women’s participation in the music industry.

### *Case Study: Becci Wallace*

Singer-songwriter, Becci Wallace (also known as ‘Rebecca Wallace’ - pictured in Fig. 7.1) balances a multitude of music activities. She is a songwriter, a performing artist (of her own original music works), a community music practitioner and an academic. She has two young children and juggles the work of co-ordinating the creative endeavours of those enrolled in her entrepreneurial enterprise, ‘SongSeeds’, as well as continuing her own PhD work on hip-hop pedagogies (Fig. 7.1).

Consider just a few of the umbrella terms that describe Wallace’s work, such as (i) songwriting and performance, (ii) music academic work and (iii) external (or unfunded within the realms of academic, to make a distinction) entrepreneurial work. Each could be considered as having the potential to present themselves as opportunity costs in relation to mothering—predominantly, if and where said ‘costs’ pertain to compromising the access—or use of—one’s time to support ‘your’ child. Furthermore, the many micro-decisions around an independent female music artist’s time in itself—particularly when transitioning between ‘portfolio career’ roles—can also reduce capacity to immerse oneself fully in music creativity.

In moments of the ‘mother-juggle dilemma’ within her portfolio career, Wallace periodically shares these occurrences on her social media pages, often ending the post with the hashtag ‘#MAWLIFE’ (‘Maw’ being a Scottish colloquial term for ‘mother’). Ultimately, Wallace uses this Scottish concept to convey the messy undercurrent of motherhood.

Whilst moving between her portfolio career roles on a weekly basis, Wallace also cares for her two young children and shares this responsibility with her husband. Wallace is the only vehicle driver in the family and so this comes at times with the additional responsibility to ferry her children to various clubs and activities less accessible via public transport. She must manage her time effectively to ensure all areas of her professional practice and homelife are balanced. One might argue that the parameters within which Wallace would have

**Fig. 7.1** Singer-songwriter, Becci Wallace.  
Photo credit: Martin Windebank



time to write music are stricter than they might otherwise be without caring responsibilities. Wallace elaborates on this by saying:

Me, personally, my music making wouldn't actually start today until the family day has finished, or my work day has finished, so it might be eight o'clock this evening I might go, once the kids are in bed, open up my computer and maybe start to mix some tracks or do anything I can which doesn't involve loud, vocal recording or anything like that within my house.

That's a normal day, so normally really the function of mothering comes completely and utterly first obviously, and then obviously my job, and I'm lucky enough to have a job, and most of my jobs have elements of music in them, so in that way I'm kind of maintaining my thirst for creating music even though it's not necessarily benefiting my singer/songwriter career at that point, although it's given me lots of writing fodder.

What we see here is a dilemma that Wallace faces, but one that is also faced by many others in a similar situation (Duffin 2023). As previously mentioned, there is the 'spinning of plates' that is characteristic of female independent music artists (FIMAs) with respect to their portfolio careers. It is made more challenging when the proverbial plate spinning includes parenting.

### ‘MULTI-ROLING’ AND THE PORTFOLIO CAREER

I use the term ‘multi-roling’ to describe the wearing of different ‘hats’ that my research participants alluded to when applying their time to different types of music jobs. The shifting between roles and ‘self-managing’ in this context brought challenges to participants, especially when the ‘creative’ and ‘freelancer’ elements intersected with mothering. Indeed, there are sociocultural expectations laden with systemic pressures that result in women assuming more of the responsibilities of childcare that, over time, grind against the music industry world (Strong et al. 2023). Thus, a mother’s ability to participate to her fullest potential in the music industry is, by comparison to males, more limited.

Wallace draws attention to such limitations whilst also alluding to her sense of artistic self. She describes how opportunities were not presented to her as they once were before she became a mother:

when I first became a mother - this was a massive culture shock. I had never questioned my validity as an artist or even as a cultural participant. I don’t think I had even questioned what it meant to be a woman in music as I was always very focused and strong minded and often in a leadership role. But when I first had my children, it felt like the rug was pulled from under me and I started to realise that a lot of the networks I had created were not accessible to me.

Many of the female participants in my research experienced periods of low self-confidence and this was linked to participants’ perceptions of reduced time to engage in deliberate (music) practice (Duffin 2023). If self-confidence is the belief that one has the internal resources, particularly abilities, to achieve success (Vealey et al. 2018) it can be argued that the time spent in a given role to enhance those abilities may align with personal belief in individual abilities to pursue that skill. Subsequently, this may improve self-confidence. Indeed, elements of this ‘culture shock’, as Wallace puts it, was experienced by the majority of my study participants (Duffin 2023). All mothers with an active music practice prior to motherhood presented dichotomic experiences after having children with respect to their music practices.

### DEFINING MOTHERING

To illustrate the key points and often juxtaposing forces between mothering and music practice, the term ‘mothering’ needs to be examined more closely. To mother is to care. To mother is to put others before yourself. Glenn (1994) suggests that mothering ‘takes place in social contexts that include unequal power relations between men and women’, often where mothering ‘cannot escape an arena of political struggle’ (p. 17). Furthermore, mothering is known to pose ‘some degree of the significance of the body in maternal activity’ (Lintott and Sander-Staudt 2012, p. 23).



It is commonplace for mothers to put the needs of their children before the needs of themselves. Of course, this too can be said of fathers. Nonetheless, there is evidence to suggest that mothers take on more of the childcare by comparison (Zhou 2017; Strong et al. 2023). Furthermore, there is a tension between selflessness that exists in caregiving and, arguably, the ‘selfish’ romantic ideas of creativity, where ‘in addition to possessing talent [...] one must be willing to work sometimes to the exclusion of everything else’ (Weisberg 1993, p. 24).

Cyril Connelly (1973) also alludes to this with his notion of ‘pram in the corner as enemy’, often used to highlight the difficulties in practical terms to enable creative practice. Connelly also uses the separation of standards between artist and non-artist in the pursuit of the so-called perfection of the art and draws a clear line between the four suggested artistic roles and that of ‘Fighter’ and ‘Helper’ (ibid., p. 42). Notions of both roles in a sense appear in contrast to portrayals of mothers of Western society (Shelton and Johnson 2006; Rich 1986) where ‘fighter’ and ‘helper’ have a close relationship to socially prescribed notions of domesticated support and care roles often assumed by women (Zhou 2017). We see aspects of the tension between ‘creative artist’ versus ‘mother’ in Wallace’s practice too, where she states:

I never understood what the gender gap was until I had my kids. Then it became clear that mothers are very much othered in some of the more formative or competitive parts of the industry [...] the challenge is maintenance- where I have learned how to face these challenges and act upon them in a way which allows me to be a mother and an artist- for the most part on my own terms. I have had to do it myself. I have created my own projects and developed a network based on my interests where I have the reins.

The opposition of creativity in music to that of the intersection between ‘mother’ and ‘woman’ thus presents a forced gap in creative practice: one of three gaps I identify within what I call the ‘gender gapping’ model.

### EMERGENCE OF ‘GENDER GAPPING’

Fundamentally, the term ‘gender gapping’ emerged during my research as I considered the working practices of female music creators based in Scotland. I found myself using the term ‘gender gapping’ to describe the recurrence of a series of gaps or interruptions that appeared to limit the women’s participation in musicking—and where ‘mothering’ was most prevalent in producing these gaps.

Whilst mothering can be defined by the act of the caregiving, it is also synonymous with ‘a role’—a role that makes a notable contribution to female identity. Dibben (2002) denotes that ‘women’s biological role as mothers makes them inherently more caring’ (Dibben 2002, pp. 117–118). In other words, a woman’s ability to bear children is linked with the idea that it is in



women's nature to undertake the innately selfless act of care. Of course, care, caregiving and mothering are not always the same and play out differently depending on the context. Davidson and Stache (2023) state that 'notions of care help to explain ideas of choice and/or obligation in caregiving' (p. 184) and where, '*caring about* leads to *caring for* in unpaid caregiving' (ibid.). For the purpose of this chapter, the terms surrounding care obligations can be linked to gender roles and where women specifically might or should apply one's time. Fundamentally, gendered time in this sense underlines the idea that woman's time is 'not her own': 'that [women] are not in control of it, or that it first and foremost should be used in the service of others' (Youngs 2007, p. 118).

Thus, there is a parallel of sorts when both mothering and caregiving are aligned with the notion of devoting time to another human being. In the context of music-making, it can be argued that a woman's time must be 'reclaimed' to produce original music works that is for herself. Here, we disconnect the act of music-making and artistic identity from the act of being at 'the service of others' (ibid.). For it can also be argued that aspects of creative practice require one to look inwardly upon the self - one that is more so akin to Virginia Woolf's idea of having a 'room of one's own'. My research with FIMAs in Scotland revealed that this is problematic and presents a particular challenge to women around the allocation and dedication of their time. The outcome of this dilemma for the majority of the participants was that they also experienced 'misfitting'—a feeling of being out of place, disconnected to networks and uncomfortable in collaborative work environments—as a result of 'diluted' practice time, both in the studio and with respect to songwriting which subsequently incurred penalties on their self-confidence (Duffin 2023).

Furthermore, I found this 'time quandary' affected how women see themselves professionally. For what we spend time *doing* often bears close relation to what we consider ourselves to *be*. Ericsson et al. (1993) highlights, that the quantity of the application of that time is important to skills acquisition. Time spent on the acquisition of that skill may also build confidence in the 'sense of self'—our or self-concept (Branden 1985, 1987) *pertinent* to that skill or skills being built. Thus, if one's perception of the economy of time is insufficient to acquiring that skill or skills, can there be negative consequences that impact upon that person's confidence in enacting that skill? With regard to musical self-concept more specifically, this is 'based on self-awareness, related to self-perception, leading to self-description, and influencing thinking, feeling, motivation, expression, and action' (Spychiger 2017, p. 267). For example, the time applied to activities that are aligned to the overall makeup of what is understood to be a 'music artist' should be therefore significant in aiding the musical artist identify with that role.

In more practical terms, Davies (1990), Doolittle (2021) and Zhou (2017) have also drawn attention to the difficulties experienced by women straddling both unpaid childcare within the home and that of paid work, which is compounded when there is the additional task to 'seek opportunities' (Kirzner

1999) and to maintain good business relationships for independent practitioners (Boissevain 1974).

We therefore see women struggle to balance the needs of mothering and being a freelancer compounded within the freelance zone. It is still further compounded by the idea of stretching themselves and their time when transitioning between a variety of other music-based roles—often doing so to prop up their income. Whilst it can be the case that the time spent in the roles that make up the music ‘portfolio career’ (Collinson Scott and Scott 2017, p. 195) can add positively to the ‘deliberate practice’ element of skills acquisition (Ericsson et al. 1993), another reality for women music makers is that there is also a possibility to attenuate Ericsson et al.’s (1993) notion of the time spent on practice—such as the idea of spending extensive hours practising a musical instrument. This is especially significant if we consider that ‘many characteristics once believed to reflect innate talent are actually the result of *intense practice* (emphasis added)’ (ibid., p. 363).

The moving between music-based roles as part of the portfolio career packs a range of music skills together, without necessarily revealing absolute dedication to one of them at one time. For example, those managing a music portfolio career may have one day’s time allocated to operating in community music practice as a tutor, to have the next day focusing more directly on guitar practice, then to go back to writing lyrics in the making of one’s own original music works for an EP or album release. Contemporary independent music artists must encompass all of these skills to survive (Hracs 2016). Thus, when mothering is also taken into consideration, the points of access where women in the music industry can truly participate become more challenging and fundamentally limited.

Therefore, within the gender gapping conceptual framework shown in Fig. 7.2 below, I have positioned mothering as front and centre of three types of gender gap (Duffin 2023, pp. 270–271). I used this model to discuss the limited participation of, mainly, female independent music artists (FIMAs) in Scotland. The methodology I used was predominantly that of constructivist grounded theory (Charmaz 2014, 2016) and it comprised interview data, participant observations of live performances (both studio rehearsals and staged performances) and one autoethnographic account of a songwriting retreat. Figure 7.3 further illustrates the ‘relationship between mothering and the producer-creator<sup>2</sup> dual roles assumed by women’ and ‘where both bear relation to their perception of the time to engage in creative work, specifically music work (Duffin 2023, p. 225).

<sup>2</sup>The term ‘producer-creator’ in this context refers to an individual that makes or contributes to the making of original music works.

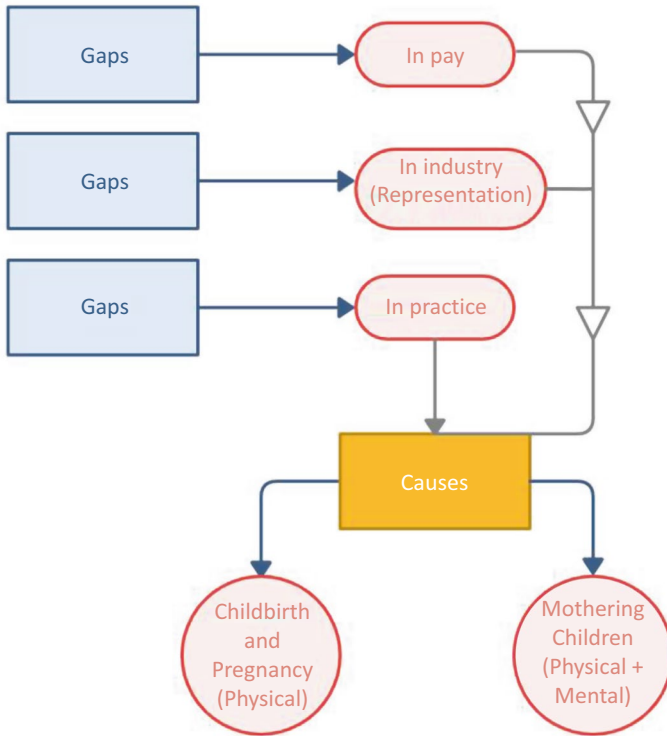


Fig. 7.2 *Gender Gapping Conceptual Framework* (Duffin 2023, p. 224)

## DISCUSSION ON GENDER GAPPING

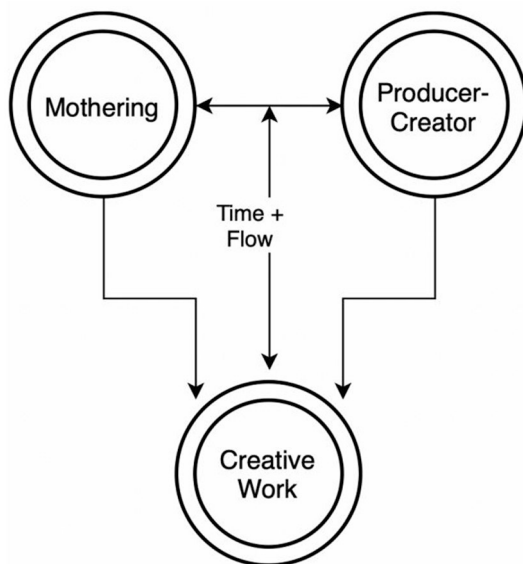
What I will present next is a short discussion on each of the gaps presented in Fig. 7.2, above, followed by a case study example pertinent to the mothering music maker. I do so to illustrate further the key points on mothering and freelance music practice.

We know of the gender pay gap, which is ‘the difference between the median hourly earnings of men and of women, as a percentage of men’s earnings’ (Francis-Devine and Brione 2024, p. 7). In UK music industry terms, the latest reports show only one organisation with a 0% gender pay gap: PPL PRS.<sup>3</sup>

But what is at the heart of the gender pay gap and other gender-based gaps in music? Patriarchy, white supremacy and, broadly, a music industry designed

<sup>3</sup> PPL PRS Ltd was set up in 2018 to streamline the licensing of music when it is used in public premises such as bars, restaurants, shops and offices, as well as music venues and festivals. Prior to this, businesses and organisations had to obtain separate music licences from PPL and PRS for Music. ‘TheMusicLicence’ covers the rights administered by both organisations, streamlines the process of obtaining a music licence. Source: <https://www.musicweek.com/publishing/read/helen-sachdev-appointed-chair-of-ppl-prs/085875>.

**Fig. 7.3** *Mother + Producer-Creator Impact: Mothering and Producer-Creator roles feed into the creative work, where time and creative 'flow' also impact creative work* (Duffin 2023, p. 225)



by white males within a society built upon a foundation of inequities, which should present no drastic surprise to our ‘still poor’ gender balance in the UK and beyond. Within the proposed gender gapping framework, the gender pay gap is intrinsically linked to two other notable gaps: the gender representation gap and the creative practice gap.

In July 2015, in response to a political manifesto made by the Conservative Party, the UK Government Equalities and Human Rights Commission (Responsible for enforcing the Equality Act 2010) rolled out a consultation entitled ‘Closing the Gender Pay Gap’ (Equalities and Human Rights Commission 2015) proposing large organisations be more transparent on reporting their gender pay gap. The consultation sought views on ‘transparency proposals and broader questions about girls’ aspirations, women returning to work and older working women’ (ibid.). What followed was a UK government reporting policy that calls for organisations with over 250 employees to report annually on employee pay and their gender pay gap, which, strategically is being used by the UK government as an attempt to close the gender pay gap.

In the music industry, however, the key problem in attempting to utilise such reporting as a means to reduce the gender pay gap is that a high number of people work for themselves (DCMS 2022). Nonetheless, the fact that large music organisations are reporting this data has drawn attention to an important connection between the gender pay gap and the gender representation gap. Both the Institute for Fiscal Studies, Women and Men at Work report (Andrew et al. 2021) and the Misogyny in Music report (Women and Equalities

Committee 2024) produced findings that point towards breaks in a woman's career for childbirth and motherhood as being a 'child penalty'.

The significance of the gender pay gap within the gender gapping framework is that, with respect to the gender representation gap and gaps in creative practice as a result of maternity leave, there is a common denominator: 'mothering'. 'Mothering', 'being a mother' and 'motherhood' involve the application of a woman's time to unpaid work. In 2021, the Women and Men at Work report (Andrew et al. 2021) determined mothering as a key factor in the gender pay gap problem (Andrew et al. 2021), also stating:

Gender differences in the sharing of unpaid work – including the sharing of child-care, other care work, and housework – shape much of the unequal outcomes we see in the labour market; a deeply uneven division of unpaid work makes it hard to achieve equal outcomes in paid work. (ibid., p. 3)

The gender pay gap and the gap in time required to rear and care for children are intrinsically linked. What is more, when women take time away from the music industry to engage in mothering, women can also experience reduced self-confidence (Duffin 2023). This 'confidence gap' is arguably a product of the previous 'gap in time' or 'time away' from the fast-paced music industry.

Interruptions to creative mindset puncture creative flow (*see also* Csikszentmihalyi 2008, 2013) and produce limiting factors on women's participation in music-making. Lisa Baraitser (2009) defines such interruptions within the context of maternal experiences: 'to perform a stop in this flow, to punctuate the flow thereby creating a 'between' or 'among' in an otherwise undifferentiated continuum' (p. 58).

In my research on mothering and freelance music-making in Scotland (Duffin 2023), the theme of sacred spaces also emerged. Sacred spaces in this context can be defined as quality time used in mental or physical environments away from mothering duties which is used to focus on creative practice. Fundamentally, sacred spaces relate to the creative, mental, and liminal spaces that participants identified as being 'crucial' with respect to enabling creative music practice. Here, liminality can be construed as a gap or space between one situation and the next. Participants in my study (Duffin 2023) referred to the positive creative effects and perceived 'freedom' when being in transit alone—by train, car and walking—as a means to tap into their creative mindset. This was liberating for participants.

Participants claimed to favour liminal spaces, or 'sacred spaces', to help them focus on melody creation and producing song lyrics. Thus, whilst liminality may also assume some negative connotations in between the social roles or identities that are symptomatic of precarious labour (Ibarra and Obodaru 2016, p. 47), there is the more positive aspect of liminal space as a means to enable a point of access to creative participation for marginalised music-making mothers.

## IDENTITIES AND SENSE OF SELF

Women in the music industry feel a sense of belonging to their practice-based music communities. Here, I discuss what contributes to women's sense of self and their professional creative identity. Baraitser (2009) describes mothering in terms of the 'profound changes it seems to prompt in identity, relationship and sense of self' (Baraitser 2009, p. i). The idea of 'sense of self', or 'self-concept' here can be aligned with a definition from Branden who describes it as 'who and what we consciously and subconsciously think we are' (Branden 1987, p. 11). Arguably then: 'mothering practices impinge upon masculine constructs of artistic identity' (Duffin 2023, p. 78) through homosocial behaviours and practices. The sociocultural backdrop of the music industry is exclusionary in that it does not clearly make space for mothers. Where mothering becomes a part of a woman's self-concept and the mothering part of her is not welcome, she is thus arguably unable to present the fullness of her identity as an artist. Sense of self can be disrupted in such a way that results in a lack of or reduced confidence in oneself if the individual cannot achieve a sense of belonging to the external environment. There is a disconnect and thus a prospective dissonance between the individual and the field.

Gender gapping comprises three main gaps that limit women's participation in the music industry. First, the gender pay gap; second, the gender representation gap—in terms of the representation of men versus women; and third, the gap in creative practice when time is taken out to care for and rear children.

### GAP 1—THE GENDER PAY GAP

As previously stated, 'the gender pay gap is generally defined as the difference between the median hourly earnings of men and of women, as a percentage of men's earnings' (Francis-Devine and Brione 2024, p. 7). Indeed, 'women's absence from the labor market after childbirth often results in a motherhood wage penalty' (Gumy et al. 2022, p. 346). Research from PiPA's *Balancing Act Report* (2019) found that 43% of those surveyed had since left the creative industry and identified caring responsibilities as the main contributing factor for leaving their careers (PiPA 2019).

Jack Blundell's (2021) analysis of the gender pay gap policy<sup>4</sup> highlights that the narrowing of the gender pay gap is 'primarily driven by a fall in male wages' (p. 4) and not 'by a change in the composition of the workforce' (ibid., p. 1). Fundamentally, this policy focuses on 'organisations' and as such, bears little relevance to the freelance market of which thousands of creative industry workers regularly engage. Nonetheless, the gender pay gap and reporting thereof is important to consider within the context of the broader gender inequality

<sup>4</sup>This policy is mentioned earlier in the chapter under the Institute of Fiscal Studies (IFS) analysis and consultation paper from the UK Equalities Committee. In all documentation it is referred to as a 'UK reporting policy' introduced in 2017, requiring organisations with over 250 employees to present data on male and female pay.

headlines. For, it nevertheless underscores a continuation of pay power struggles between males and females in organisations that are in the spotlight and, in that spotlight, will appear as the mediated role models for our next generation. What does this inspire—or not inspire—in a prospective workforce? We must ponder the implications of role modelling. What are the implications of the gender pay gap and poor representation of women in higher earning roles? Figures published in April for the sixth year running show Universal Music UK, Sony Music UK, Warner Music UK, PRS For Music and AEG with an average pay gap of more than 20% (Paine 2023). What remains unclear, perhaps due to portfolio career mobility and difficulties in monitoring workers in the same way as reviewing payroll data, is the real picture of the gender pay gap for freelancers.

Questions are repeatedly posed on the causes of the gender pay gap. With a specific focus on UK music organisations such as PPL, PRS-MCPS Alliance, Live Nation, let us first consider the environment. Economically, factors such as COVID-19 drew emphasis towards the heightening of the domestication of women in the home and to that of care, where women were assuming the role of maintaining the home and caring for their children. Victoria Armstrong (2021) denotes ‘the creative industry are dominated by workers without children, as they are more willing to accept poor working conditions involving long and irregular hours’ (Armstrong 2021, p. 282). Berridge (2022) further highlights the unfavourable working hours of the creative industry that often exclude parents and carers. Furthermore, the time taken out to rear and care for children impacts freelance music pay, thus creating a gender pay gap, in terms of being physically unable to earn from the live sector. Where maternity leave is made available from an organisation, the time away can be seen to interrupt career progression in such a way that it subsequently impacts on pay. It is here that I draw a clear connection between the gender pay gap and the gap in representation (‘Gap 2’, discussed next). Fundamentally, where one’s career is interrupted to undertake the profound role of motherhood, it can limit the mother’s participation in the music industry. Becci Wallace exhibits this by referring to the ‘culture shock’ and subsequent realignments required to continue her music practice.

Maternity leave and the lack of protections granted under UK employment law to freelancers have been underlined as a key finding in excluding women in the music industry in the *Misogyny in Music* report by the Women and Equalities Committee (2024). Similar postpartum problems experienced by female musicians are examined in participant cases by Catherine Strong et al. (2023), they show that irregular, unpredictable, and unsocial hours that map to the music industry gig economy are responsible for women taking a career break, but also create barrier to re-establishing and progressing their careers in music.

## GAP 2—REPRESENTATION

The second gender gap under review here is the gap between male and female representation in the music industry. The conceptual function of the gender representation gap (Gap 2) within the gender gapping framework is that, when placed alongside the gender pay gap (Gap 1) and the creative practice gap (Gap 3)—discussed next—it can be argued that a common thread between all three is that of ‘mothering’. The notion of ‘the motherhood penalty’ can also be used to address the connection; where mothers are punished in the workplace as a result of being removed from paid work to rear and care for their children. Joeli Brearley (2021) aptly highlights the stark reality of making any attempt to balance paid work with modern-day motherhood, which she describes as leaving her ‘exhausted, stressed and unkempt’ (ibid., p. 8). The motherhood penalty is also underlined as a ‘barrier’ to women’s representation in the UK music industry by Vick Bain (2019). A connection is thus made between the gender pay gap and gender representation gap, where the result of mothering, and thus not being in the paid workplace to do so, may also adversely impact a woman’s ability to progress in her career in overall pay terms. The visibility of women is reduced when, again, time is taken out to care for and rear children. Whilst childcare is not exclusive to women, it is evident that women remain the main domestic caregivers (Zhou 2017) which reduces opportunities to participate in paid work and thus be fairly represented in the music industry. Becci Wallace exemplifies the representation gap where she remarks on the additional difficulties she must overcome to make time for her paid work. With regard to how the paid and unpaid work are balanced, Wallace (2024) states:

I am the only person in my immediate family who drives! This often means cutting my day short to intercept a school run or picking up my elderly parents for emergency hospital visits etc- I spend about 2 hours a day (minimum) in my car with the various duties (all unpaid) that go with my life. However, I value this alone time and often use it to listen back to music or write lyrics- always multitasking.

To draw further attention to the gender representation gap, a report from Cooper et al. (2017) underlines that ‘women represent only one-fifth of songwriters and composers registered with the Australian Performing Rights Association, despite making up 45 percent of qualified musicians and half of those studying music’. Similarly, in a UK study, Vick Bain’s work on *The Gender Gap: Counting the Music Industry* (2019) report gained a great deal of press attention in 2019 and continues to be a source of quantifying the stark differences in gender representation in the UK music industry, quoted in a variety of industry, parliamentary and academic papers. This report from Bain (ibid.) shows women representing only 19.69% of record label artist rosters (p. 13) and 14.18% of published songwriters and composers (p. 11). In the US, the USC Annenberg Inclusion Initiative has produced a number of reports that



echo a similar picture of poor representation of women across the music industry. Four of these reports, *Inclusion in the Recording Studio* (Smith et al., 2019, 2021; Hernandez et al. 2022) analyse popular songs from the Billboard Hot 100 Year-End Chart and consider demographics from Grammy nominees. The findings show very little shift in women's representation over the last five years. The role of the music producer continuing to score poorly year on year in the Annenberg Reports (ibid.) in particular.

Findings from my own research (Duffin 2023) point to the motherhood penalty, also highlighted in Bain's (2019), in that interruptions to one's career to engage in mothering costs women in terms of career progression and in taking up opportunities that would be reflected in their earnings. Adding to the gender representation gap, as also found in my research, is the almost immovable 'boys club' gatekeeper issues which add further limitations to women's participation in the music industry, arguably considered as a 'systematic favouring of men artists and creative workers' (Miller 2016, p. 120).

Thus, it is perhaps reasonably straightforward to see how 'mothering' can connect the gender pay gap and the gender representation gap, whereby maternity leave, paid or unpaid, is a key factor in removing women for periods of time from their music practice.

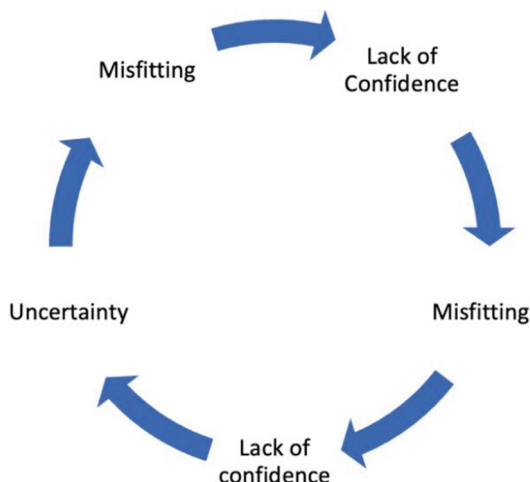
### GAP 3—CREATIVE PRACTICE GAP

Next the gap in creative practice assumes another element of limiting women's participation in music. This gap is considered specific to music artists where my research found that interruptions caused or linked to 'mothering' to locate time for creative practice—involving writing lyrics, developing melody and accessing studio rehearsal time to prepare for a live performance—reduced participants' confidence in their ability to conduct these key activities. As discussed earlier in this chapter, focused time on developing one's musical skill may serve to impinge on notions of one's identity. Thus, when there are repeated interruptions to a woman's creative practice that are rooted in socially prescribed ideas of mothering, there are compounding limitations to music-making mothers' time to immerse themselves in the art of making. Spelman (1988) states that 'as long as it is only women who mother, in the social context in which they do, these differences in women and men will continue to exist [...] the institution of mothering has to change' (p. 84).

What is more is that these interruptions, or the creative practice gap, impacted negatively on women's earning power. Without the dedicated time to create, music-making mothers felt unable to pursue opportunities such as paid live performance work and devote 'sufficient time' to write, record and engage in the demands of online promotional campaigns of self-released music.

Participants also highlighted that when returning to their creative practice after having children, they felt like a misfit (Fig. 7.4). The below diagram is a representation of the 'misfitting' experienced by FIMA mothers:

**Fig. 7.4** Cyclical interferences derivative of mothering practices in music production (Duffin 2023, p. 205)



As stated, the gap in creative practice also limited the development of skills acquisition whereby Ericsson et al.'s (1993) notion of deliberate practice is less likely to be accessible due to the socially prescribed responsibilities of mothering and certainly, the physical application of the female body that comes with childbirth. Thus, mothering can serve to marginalise and therefore limit the application of one's time to a separate endeavour. As Sarah Ruddick states:

When mothering is constructed as work rather than as an identity, or a fixed biological or legal relationship, people can be seen to mother with a different expense of time at different periods in their lives. (Ruddick 1995, p. xi)

### WHAT IS THE 'OPPORTUNITY COST' FOR MOTHERING MUSIC ARTISTS?

In economic terms, 'opportunity cost' is 'where time and other resources are being spent producing one thing, they are not available for use in producing another' (Towse 2010, p. 7). Let us return to the idea of the mother-artist role hierarchy, where the artist may be attending their child's sports day instead of, for example, playing a music festival. Time is being applied or given to one event and where this directly conflicts with another, the time is therefore 'not available' (ibid.). To illustrate this point further, Becci Wallace's experiences highlight opportunity cost in relation to the creative practice gap. Wallace states 'you decide how much of yourself you are willing to give based on a calculation that it will be beneficial for your career or your reach', adding 'my own schedule doesn't always fit with events or opportunities that might arise' (Wallace 2024).

Fundamentally, music-making mothers spending less time on their creative practice were shown to lack confidence in their own artistic identity. Thus, we

might further argue that there is a relationship between the spending (or cost) of the application of time, particularly on creative skills acquisition, and the impact this has on one's confidence and sense of self in the artist-based role. As Auslander (2006) highlights, musicians 'perform first and foremost not music, but their own identities as musicians' (Auslander 2006, p. 102). In this sense, therefore, it could be argued that the time assigned to the building of that identity holds significance. For Becci Wallace, time is distributed with careful consideration and near militant planning to ensure all activities are executed sufficiently. Nevertheless, there remains to be costs along the way. Wallace must make decisions regularly that weigh the complexities of achieving results, producing outputs and meeting deadlines in her music portfolio career with the care of her children. Whilst she shares this caregiving with her husband, it is apparent that mothering poses challenges regardless. Not least with the notion of 'thinking of everything', where it has been highlighted that mothers often assume the boundaryless and constant 'mental load' (Dean et al. 2022, p. 13) of the domestic care.

## CONCLUSION

The presentation of the gender gapping conceptual framework has illustrated the following. Firstly, that there are three key connected gaps that show mothering as being key to women's limited participation in the music industry. When women take career gaps encountered due to maternity leave, this creates barriers to pay progression (gender pay gap) and inflates the gender representation gap. Furthermore, both gaps create particular access issues for musicians and artists having equitable access to creative space and time (creative practice gap) to enhance their skillset and musical repertoire. Whilst the model focuses predominantly on the music-making mothers, the framework may also be applied to make sense of women's limited participation in other roles within the music industry more broadly, but where the creative practice gap may be more suitably termed to align with the 'main' sector the professional operates within.

In the assumed and socially prescribed notions of mothering, challenges will remain higher for women until societal structures themselves undergo meaningful change. Whilst more research has been undertaken in this field in recent years to improve the working practices of women in the music industry, there remains more work to be done. Indeed, a higher level of recognition from policymakers, supported by governments, is key. What is required is a clear action plan on tackling precarious self-employment, with a specific focus on mothering. Fundamentally, if the music industry adapted so drastically to improve working conditions for mothers, perhaps only then will mothering refrain from being the epicentre of gender gapping.

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# Out of the Frying Pan and Into the Fire: Music Education, Mental Health, and Our Students' Futures

*George Musgrave*

## INTRODUCTION

Courses of varying descriptions which centralise the study of what is colloquially referred to as 'the music industry' in the United Kingdom have never been more popular, and various studies over the past twenty years have charted the growth of these degree programmes within tertiary education (Jones 2002; Cloonan and Hulstedt 2013; Bennett 2015). However, alongside this boom have been those asking critical questions about what these courses ought to be teaching, how they should be teaching it (Tribe and Kemp 1999; Cloonan and Williamson 2018) and what kind of labour market they are meaningfully preparing students to enter (Jones 2017). These questions have taken a variety of forms, but recently there has been a heightened interest in what role mental health education and emotional preparedness should play in courses of this kind.

This concern has grown in urgency in the context of emerging literature which has demonstrated the prevalence of mental health conditions, such as anxiety and depression amongst both musicians (Kegelaers et al. 2021; Musgrave et al. 2023; Vaag et al. 2016) and the wider music industry workforce (Bergson et al. 2023; Eynde et al. 2016; Gross and Musgrave 2020), and suggestions that the psychosocial features of the music industry workplace might engender specific risk factors. For example, research has shown that

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musicians' precarious portfolio careers can lead to feelings of anxiety (Berg et al. 2022), that musical work can negatively impact on relationships with family, friends and others (Vaag et al. 2014; Musgrave 2023a), that lifestyles relating to international touring can be harmful with high levels of suicidality (Newman et al. 2022), that gender inequality, sexism and misogyny can create a working environment typified by abuse (Conor et al. 2015), and that racism, bullying and other forms of discrimination are experienced by minority groups working in the music industry (BLiM 2021; Jones and Manoussaki 2022). In this context, a recent large study by the European Commission makes an explicit recommendation that 'every music school curriculum should include a substantial and compulsory component on physical and mental wellbeing risks and prevention' (Vermeersch et al. 2023: 11). However, what should this 'component' look like?

This chapter responds directly to the above proposal of the European Commission. In doing so, I will offer some introductory personal reflections on the form this kind of education might take. These considerations have emerged in response to the development of my research agenda into mental health amongst career musicians rooted in their working conditions, and my role as a music educator. That is, over recent years I have come increasingly to wonder how I could or should possibly prepare the young people in my lecture theatres for the realities of the work they aspire to go on to do which might often be exploitative and even damaging which *my own research* had shown? This experience has left me wondering whether upon graduation a metaphorical form of the Roman tradition of *damnatio ad bestias*—being fed to the lions in the Coliseum—is taking place; in other words, that music business graduates in HE are moving from the frying pan into the fire, that is, moving from one intense, stressful and pressurised environment (studying in higher education) into an employment context which might be, in its worst incarnation, harmful.<sup>1</sup> Thus, a consideration of the place of mental health and well-being within music education will be presented, with a particular focus on the challenges and opportunities for curriculum design. In doing so, I hope to encourage reflection amongst programme convenors and module leaders within HE settings who seek to prepare graduates for work in the creative industries—principally music, but also other precarious fields within the creative arts—regarding the content and construction of their learning environments. I do not do this here with all of the answers by any means, but hopefully by beginning conversations which at least ask the right kinds of questions.

<sup>1</sup> A similar analogy is made in the work of Kaleńska-Rodzaj (2020: 88) who suggests that music education has an obligation to not 'throw young musicians in at the deep end'.

## THE MUSIC INDUSTRY, HIGHER EDUCATION, AND THE ROLE OF MENTAL HEALTH EDUCATION

Studying what is often called ‘the music industry’ (see Sterne (2014) for a problematisation of this term) has expanded greatly in tertiary education in the United Kingdom over the previous decades. At undergraduate level examples include courses entitled BA Music Business, offered at institutions including London Metropolitan University, University of Gloucestershire, BIMM Institute, Buckinghamshire New University, and Birmingham City University (amongst others), and BA Modern Music Industries offered at the University of Sunderland. At postgraduate level examples include the MA in Music Business Management offered at the University of Westminster—a course I was Deputy Programme Director of between 2018 and 2023—the MA in Music Industry Management offered at the University of West London, or the MA in Music Business offered at Nottingham Trent University. Many of these courses are explicitly vocationally orientated (Bennett 2015); that is, they may well adopt a scholarly orientation, but they are also keen to stress their connection to ‘the industry’ and have music industry employment at the centre of their remit (or at least, their desired remit). Courses of this kind concerning the study of the popular music industries in the UK tend to predominate in institutions which were granted their university status following the Further and Higher Education Act (1992). Prior to this, these new universities (often referred to as Post-92 Universities) were Polytechnics, that is, places of learning which focused on professional vocational degrees, and which within the ecology of HE in the UK are afforded, generally, lower status than those in, for example, the Russell Group of ‘research-intensive’ institutions, and certainly lower than the elite institutions of the Universities of Oxford or Cambridge (collectively referred to as Oxbridge). Thus, the studying of the music business within university contexts as it exists today comes out of a long tradition of professionally oriented education within these kinds of institutions.

It is worth briefly contextualising courses of this kind, what their ambitions are, who the students are, and what they want. Helpfully, Fruzsina Morcz (2021)—a former student of the MA Music Business Management at the University of Westminster—has published a rare contribution on this topic drawing on her experiences of the course. Morcz suggests that courses such as these act, for students, as routes into an opaque world of music industry work where students value ‘networks, industry knowledge, and music business teacher-practitioners’ (p. 19). Her work suggests that students attend courses such as these, principally, to make connections with other professionals, learn ‘industry relevant knowledge’ (ibid.), and secure jobs, as opposed to the acquisition of theoretical insights. Put simply, the students are there for careers in ‘the music industry’ whether in the UK or around the world. Indeed, I would often joke to the students that our MA acted as a form of institutionalised nepotism given the preponderance of incredible guest speakers who would visit each week—and whom I had personal access to given my former career as a

rapper signed to Sony—and with whom I would encourage the students to network (a reframing of the idea by Harte et al. (2019) of ‘the university as intermediary for the creative economy’). Morcz thus characterises this kind of education for students as ‘*a path to their dreams*’ (p. 18, emphasis added), and that in this sense ‘the pressure on, and responsibility of, music business course designers and educators is huge’ (p. 19).

This comment regarding students’ ‘dreams’ is insightful. Young people who study the popular music industries and want to work ‘in music’ are engaged in acts of dreaming (Arditi 2020); dreaming of entering a world they see as glamorous, exciting, vibrant and creative, offering them the chance to work with the music they love. They are dreaming of perhaps getting to travel around the world attending festivals and press events and sold-out concerts, filming music videos, working on chart-topping campaigns, and holding lengthy brunch meetings next to rooftop swimming pools in Soho House or sitting in mixing sessions in Abbey Road Studios. However, those of us who are both educators and who know this world from within as practitioners<sup>2</sup> are aware of two things. Firstly, we know that only a few of our students will ever do the kind of work that they dream of.<sup>3</sup> However, we *also know* that this dream is, like all dreams, often not what it seems.

What do I mean by this? Work in the music industries has been characterised by Hesmondhalgh and Baker (2010) as a ‘complicated version of freedom’, wherein the kind of flexible, self-actualising, artistic work our students aspire to is often also characterised by a darker side: of financial precarity, inequalities (Brook et al. 2020), abuses of power and discrimination—characteristics which have engendered an increasing interest in what ‘good work’ should look like for creative workers (Carey et al. 2023). Research from around the world has highlighted high incidences of anxiety, depression and other mental health challenges amongst this workforce (see Musgrave 2023b, for a collection of many of these studies). Both music creators *and* the wider music industry workforce have been evidenced as struggling in this respect. Amongst musicians, rates of mental ill health have been found to be either be at least elevated (Loveday et al. 2023) and by other measures estimated to be higher than the general population (Kegelaers et al. 2022) in countries including the United Kingdom (Gross and Musgrave 2016) and Norway (Vaag et al. 2016), with subjective well-being seen to be lower amongst Danish music creators compared to the wider Danish population too (Musgrave et al. 2023).

Beyond the musicians, the wider music industry workforce has been seen to be suffering too, suggesting there may be something distinct about the working conditions within the sector (as opposed to, say, a personality orientation

<sup>2</sup> From approximately 2008 to 2016, I was working as a musician called Context, and was signed to Sony Music Publishing.

<sup>3</sup> This potential disjuncture between the high numbers of students and relatively low number of available positions leads Brown (2007: 46) to ask whether or not continuing to admit large cohorts represents ‘a fundamental “dishonesty”’.

or disposition of the musicians). For example, work by Newman et al. (2022) on professionals working in the international touring sector found high levels of clinical depression, stress, anxiety, burnout and elevated levels of suicidality amongst this occupational group. Research by Eynde et al. (2016) also found high levels of depression amongst this sector of the workforce. Likewise, live crew, those working in audio production, publishers and managers have been seen, as a group, to suffer from alarming levels of self-reported anxiety (65.95%) and self-reported depression (63.1%) (Gross and Musgrave 2020: 34–35). This is a very real affective dimension to the work our students dream of.

These two concurrent phenomena—the popularity of music industries courses in HE and the poor mental health outcomes for those who pursue music as a career (both as musicians and those working in the industry too)—present a challenge for music business educators: how can we prepare our students to enter a working environment typified by emotional challenges and potentially even distress, and indeed, *do we have a responsibility to do so?* In other words, should there be an *affective dimension* to music education? The specific nature of ‘graduate transitions’ in music education is an area of increasing interest, particularly amongst a group of Australian academics who have done much to develop this agenda (see Bennett et al. 2018; Ghazali and Bennett 2017). The work of Nicole Canham (2021a, 2021b), to take a specific example, advances the idea that music education should embed forms of career counselling rooted in ‘new narratives’ informed by constructivist approaches from vocational psychology and narrative therapy. Pedagogically centralising themes including identity, meaning, success and other subjectivities related to career musicianship might, suggests Canham, facilitate healthier and more compassionate forms of musical career development for graduates beyond competitive mentalities rooted in ideas of ‘sink or swim’ or the ‘toolkits’ of music entrepreneurship which are now commonplace in both classical conservatoire settings (de Reizabal and Gómez 2020) and within Higher Popular Music Education (HPME) (Hughes et al. 2016). One element, at least, of this ambition of Canham’s, is to try and confront the mental health toll faced by career musicians. In a similar vein, Bartleet et al. (2019: 289) cite ‘mental and physical health and wellbeing’ as one of five key areas for contemporary music education; areas which ‘have major implications for how higher education curricula prepares students for these realities’.

With reference to health and well-being, what are these ‘implications’, and how can we, or should we, best prepare our students? Whilst this agenda is relatively well-developed within classical music settings (Matei and Phillips 2023)—perhaps owing to a longer history focusing on musicians’ ‘health’ more broadly rooted in the well-evidenced musculoskeletal challenges faced by classical musicians (e.g. Zaza and Farewell 1997; Zaza et al. 1998)—popular music is still some way behind. Therefore, below I will sketch out three tenets of mental health education which might form part of music industry curricula. The first of these relates to the content and how students might be exposed to the latest evidence in this area, and indeed the opportunities for exciting interdisciplinary

curriculum development offered by this subject. Secondly, I will critically reflect on the concept of resilience in the context of how educators might move on from *showing* students the latest evidence to then *preparing* them for what they may face. Finally, I will consider a profound tension in this area related to the concepts of expectation management and hope; that is, how can we as educators negotiate the need to let our students dream and dream big, and nurture and encourage their dreams, whilst simultaneously acknowledging that for some their dream may turn into a nightmare?

## CURRICULUM-BASED SOLUTIONS AND CHALLENGES

### *Context and Content*

The clearest starting point when considering how music educators might best prepare students for the potential emotional challenges rooted in the nature of their future working lives is by featuring health and well-being within the music curriculum. As Jepson (2019: 152) notes: ‘I see music business degrees and courses, but where is the mental health and wellbeing module?’ This critique is relevant but perhaps, now, five years on, only partially fair, as increasingly modules such as these are beginning to emerge. Considering where discussions of health and well-being should fall within curriculum design will depend on the construction of individual courses, modules and the level of study. We can find examples of health and well-being at postgraduate level in the UK as being the focus of an overall music degree programme, for example, MA Music and Wellbeing (University of Leeds), embedded throughout a degree programme—particularly those in fields of performance science which has tended to emphasise classical as opposed to popular music, although this is changing slowly—for example, MSc in Performing Arts Medicine (University College London), as stand-alone modules, for example, MSc Performance Science (Royal College of Music), or within modules where these debates come to the fore, for example, when I ran the Entrepreneurship module on the MA Music Business Management (University of Westminster). The level of focus is dependent on the orientation of the particular degree programme, and based on my initial observations of the sector in the United Kingdom at least, there is still limited engagement with this topic at undergraduate level. However, drawing on the emergent literature cited in the introduction, and in agreement with the European Commission, it would seem that not at least *acknowledging* the potential for music careers to contain emotional challenges and stressors vis-à-vis well-being and discussing these with students would represent a significant oversight in curriculum design akin to training electricians without confronting questions of health and safety. Perhaps a more salient question is not whether questions concerning mental health and well-being *should* form part of music, but instead *how* that education should be delivered and what form it should take.

How health and well-being is delivered in the context of music education matters. In the first instance, it is key to acknowledge that complex questions

around mental health and well-being necessitate appropriate framing to students. Many of us are music or creative industries educators, perhaps with subject specialisms, and not mental health professionals, psychologists, nor clinicians, and therefore making this clear up-front to students, and concluding sessions by appropriately signposting professional services either within the host institution or outside represents good practice. In my own pedagogy, I seek to enrich sessions on this topic by inviting in therapists, charitable organisations or other third sector professionals to deliver guest talks in order to provide their expertise alongside my own sessions, and indeed I am continuing this work in my role at Goldsmiths, University of London.

The highly interdisciplinary nature of this subject represents a fruitful opportunity for those constructing courses or modules to engage with subject experts from across their institution to facilitate interdisciplinary dialogue and even co-teaching where at all possible—although, as work by Gantogtokh and Quinlan (2017) highlights drawing on their experiences of interdisciplinary postgraduate curriculum design, this is not without challenges. However, there are a number of classes on this topic which as *music* educators we might think about delivering to students and the links these subjects might have with other areas of interdisciplinary expertise. Topics of interest which can work in a range of music education programmes, all underpinned by scholarship, might include: the impacts of business decision-making on well-being by those in the wider music ecosphere, for example, managers or record labels, perhaps using the prism of Corporate Social Responsibility (Chaparro and Musgrave 2021), which might connect well with colleagues working in law departments, for example. Another example might include reflections with students on the impact of musical work on family, friends and other close relationships (Vaag et al. 2014) and the contributions which might be made by relationship experts perhaps working in therapeutic or counselling programs. A final example might be challenging discussions around suicide and suicide prevention given that musicians are consistently identified as one of the most at-risk occupations for suicide in studies from around the world including the United States (Stack 1996, 1997, 2009; Sussell et al., 2023), England (Windsor-Shellard and Gunnell 2019) and Australia (Andersen et al. 2010), a phenomenon seen to be tragically prevalent amongst K Pop artists in Korea too (Saeji et al. 2018). A topic of this sensitivity would doubtless require careful collaboration alongside, perhaps, suicide specialists or those from departments (such as psychology or healthcare departments) who have clinical expertise in this important area, and might engage students in topics such as identifying risk and gatekeeper training (Isaac et al. 2009).

A number of high-profile music case studies might act as suitable framing mechanisms for these discussions or even the basis of in-class debates, for example, questions around well-being and duty of care drawing on the tragic losses of Amy Winehouse (Lindvall 2011) or Avicii (Musgrave 2022), or the challenges and loneliness of touring using the example of Adele (Bletchly 2015) and work by Diana Kenny et al. (2012). Indeed, highly engaging

documentaries about many of these heartbreaking stories exist which might engage students prior to in-class discussions and debates. Case studies such as these are, of course, real people whose lives and circumstances we often know about only through media representations, and thus certainly any reference to them must be done respectfully and with care. However, the emerging body of academic literature on this subject, combined with real-life case studies to bring these challenging topics to life represent, to me at least, exciting areas of curriculum design where student debate might be facilitated to ensure active learning.<sup>4</sup>

### *Resilience?*

Teaching this subject area is, however, not without challenges. For example, a key tension I have encountered in my own teaching on this subject is that between structure and agency, that is, how do we explain the structural realities of emotional challenges to our students, but not engender feelings of defeat or even nihilism in the face of such apparently overwhelming workplace stressors? That is, how can we practically equip students with tools to confront the workplace they might enter when they graduate which may well provide them with wonderful careers filled with joy and satisfaction, but which, as suggested may well be highly precarious in varying ways rendering them vulnerable and, at times, struggling emotionally.

Teaching resilience to this environment of precarity and affective vulnerability—understood as ‘the capacity to adapt to abrupt change and shock’ (Newsinger and Serafini 2019), or positive adaptation in the face of adversity—is a popular approach to combat these potential feelings in musicians (see Kegelaers et al. 2021, for example). An interesting related approach has been to adapt models of training and preparedness from elite sport and translate these into musical settings (Williamon and Philippe 2020). Focus on ‘resilience’ has risen to prominence in recent years with it being employed amongst athletes (Schinke et al. 2004), maltreated children (Lowenthal 2001) and students to improve their employability (Field 2019). Certainly, equipping music students with the tools to manage the emotional challenges they may experience in their careers is crucial, and encouraging them to reflect upon and develop forms of resilience may well form part of that process in lessons which might critically reflect on definitions of resilience, explore psychological approaches to the development of resilience—such as work on growth mindsets for musicians (O’Neill 2011)—and encouraging students to seek to develop their own levels of resilience. Newsinger and Serafini (2019: 14) suggest that resilience is ‘an essential psychological asset for the artist’, a notion

<sup>4</sup> A helpful paper by Keller et al. (2001) offers some thoughts around how educators might manage in-class debates.



supported by Latekefu et al. (2013: 65) who argue that creative and performing arts graduates need to be ‘particularly resilient professionals’.

However, individual psychological resilience is an enormous conceptual problem and must be approached with pedagogical caution. In many respects, the challenges seen when considering how to embed mental health and well-being within the music curriculum via concepts like resilience, encapsulates the duality around how we prepare music graduates—and indeed graduates entering the creative industries more generally—to enter the precarious working environments they will doubtless encounter.

On the one hand, we need to demonstrate empirically what the working environment of the music industries looks like, that is, poor mental health outcomes as well as (and related to) sexism (Bennett 2018), racism (Edwards 2013: 253), and wider inequality. On the other hand, we need to equip students with the tools to manage and cope in this environment—perhaps via things such as developing resilience—but do so in such a way that we *don’t individualise a collective problem*. Indeed, Neocleous (2013) suggests resilience might sound like empowerment, but in fact what it masks is the fact that it requires us to accept structures as they are and better adapt to them, and, therefore, it is a process of accommodation and amelioration, leading ultimately to what Mark Fisher described as a privatisation of anxiety. As educators, therefore, we need to achieve three things simultaneously in teaching on this subject. We need to (i) highlight the emotional challenges of musical career development, (ii) equip students with tools to manage and work through these tensions, whilst simultaneously (iii) framing these challenges as necessitating collective *social action* (see McRobbie 2011). This might include the development of supportive communities of practice (Bain and McLean 2013) or establishing/joining peer support groups, or political mobilisation for wider structural reform of exploitative working practices or contractual arrangements, rather than individual coping strategies alone. This has direct impacts on considerations relating to equality and diversity too. As one of our former students Estée Blu (2022) has argued so powerfully, colourism in music industry working practices often discriminates amongst Black women engendering feelings of burnout. In this context, as Sims-Schouten and Gilbert (2022) convincingly suggest, should we teach those who are subject to racism strategies of resilience or *resistance*? This tension between structure and agency is, it strikes me, one of the tightropes of teaching and managing graduate transitions into the creative industries, and is not one I have—if frank—fully worked out the answer too.

### *Hope versus Expectation Management*

I would additionally argue that this tightrope is particularly difficult when discussing health and well-being amongst *music* students in particular given that musical careers are reliant on a climate of belief and positivity (Deresiewicz 2020; Musgrave et al. 2024). As has been noted: ‘The language of the music



industry is one of dreams; dreams, *self-belief* and hard work' (Gross and Musgrave 2020: 118, emphasis added). Indeed, work by Dumbreck and McPherson (2016) highlighted how crucial many working in the music industries understand 'self-belief' to be. Likewise, Hallam et al. (2016) have demonstrated the key role played by self-belief and feelings of self-efficacy in the emergence of ambition for career musicianship. This injunction to believe in oneself, being outwardly positive and full of confidence, is particularly amenable to that which Newsinger and Serafini (2019) call 'narratives of resilience' which privilege suffering as being part of the process of working in the music industries—what might be thought of as 'paying your dues'. This has been conceptualised as 'romantic resilience' (ibid.). Put simply, proposing to students that the world they want to enter has the potential to be challenging and even harmful is unfashionable in a climate of belief.

This centralisation of belief also restricts the extent to which curriculum design might incorporate elements of expectation management, as many students might find this a difficult reality to confront. As noted by our former student Morcz (2021), these courses are seen by students as a path to their dreams; how can we tell people to change their dreams, or to dream different dreams? I recall once giving a talk on musicians' mental health at a music college in Belgium and a despondent young person put up their hand at the end of my talk and said: 'So, should we all just quit?' I thought about this question for a long time afterwards. After all, we want students to dream. Indeed, musical careers need musicians to dream, and to dream *big*. One only needs to watch the recent Kanye West documentary on Netflix entitled '*jeen-yuhs: A Kanye Trilogy*' to see the staggering, what may even be thought of as delusional, self-belief on display by the young producer living at home with his Mother but utterly convinced he would be one of the biggest stars in the world. And so, a star he became.

That being said, of course, many students will not become Kanye West, and indeed many may struggle to ever monetise their musical practice even in a relatively small-scale way as many of them might dream. Income data by Hesmondhalgh et al. (2021: 18) in the United Kingdom illustrates only too starkly that fact when they note: 'More than a third of musicians (37%) reported earnings of £5,000 or less from music in 2019 and nearly half (47%) earned less than £10,000' that year. Given this harsh reality, it is important we embrace models for musical education vis-à-vis managing the challenges of transition from education (potentially into work) and beyond as approaches for how we might facilitate discussions around career planning that are more varied and encourage students to think about how they might take their love and passion for music and use it in a range of other fields—advertising, technology, health-care, branding, fashion, education and more—if their 'main' dream does not materialise.

We have seen instances of this in other 'high-risk industries' recently, such as skills training by the Australian Football League (AFL) to teach transferrable life skills knowledge which players can use when they no longer play the game

professionally (although evidence by Agnew et al. (2019) suggests many players were not able to apply their learning outside of football making the health and well-being impacts minimal). Similarly, the National Football Association (NFL) and National Basketball Association (NBA) in America are also seeking to understand the factors which lead to high levels of bankruptcy amongst professional sports players post-retirement (Flynn 2014). As evidence from Agnew et al. (2019) suggests, however, these connections must be made explicit to students to be impactful. The picture is not easy, but we as educators must confront the reality of being a musician in 2024 and beyond.

This challenge is particularly acute for those students embarking on music industry or music business courses who are *musicians*—even more so than those who wish to work as professionals in the sector—who come to study to take their musical career to the perceived next level. Over my eight years as part of the MA in Music Business Management, I noticed the numbers of musicians sitting in lecture theatres grow from a small handful when I first began to a significant percentage of my final cohort. Managing the hopes and expectations of these students in the face of the empirical evidence regarding both poor incomes and relatedly poor mental health outcomes requires care. Music careers are, of course, not *only* damaging. Musical careers offer many mental health benefits, for example, confidence-building, camaraderie, self-actualisation, identity building and beyond. However, at the same time, it has been suggested that whilst the act of music-making specifically—the artistic and creative pursuit—can have many health and well-being benefits, the pursuit of a musical *career* has the potential to be emotionally damaging (Bonde et al. 2018; Gembris 2012; Musgrave 2023b). Indeed, surveys of music creators which split the sample into those who see music-making as their main career and those who do not finds the former to have lower levels of well-being and higher levels of mental ill health than the latter, suggesting the ambition and career orientation is a significant factor (Loveday et al. 2023; Musgrave et al. 2023). In this respect, one might suggest that encouraging students to focus on the joy of their artistry, and by extension rejecting a focus on developing a career, is a route to improve well-being (an argument made by Trondalen 2013). However, as educators on music business courses, how can we possibly make this argument to our students? How can we ask them to come and learn about the music business, and then tell them to reject it? An additional complicating factor is: how we can ask this of them while necessitating that they take on many thousands—even tens of thousands—of pounds of student loans to pay for the privilege? This engenders huge existential questions about the *value* of courses such as these for musicians assuming this approach is adopted. Indeed, this is a broader challenge for arts subjects within the neoliberal academy and is particularly acute at institutes which lack more obviously transferable historical prestige within the wider labour market. By this I mean that a music degree from, for example, Oxford or NYU is eminently more transferable to a range of other sectors than a music business degree from, for example, a Post-92 institution in the UK or, for instance, a community college in the

United States, purely by virtue of the perceived status of Oxbridge or NYU in the minds of employers (Redmond 2006: 120, cited in Brown 2007). For graduates which lack this institutionalised cultural capital, the transitions are likely to be even more challenging.

## CONCLUSIONS

This chapter has sought to reflect on the recent suggestion of the European Commission that ‘every music school curriculum should include a substantial and compulsory component on physical and mental wellbeing risks and prevention’ (Vermeersch et al. 2023: 11). I entirely agree with this point and would suggest that health and well-being in music education is crucial to offer insight and support to broadly defined music students, and should form at least a small part of all programmes on this subject given the poor mental health and well-being outcomes amongst both musicians and music industry workers. I have argued herein that curriculum design on this subject must ensure it foregrounds mental health education based on three key principles. The first one is raising awareness. That is, students need to be provided with the latest empirical findings in the most engaging way possible to ensure they are aware of the ways in which musical work might threaten their mental health and well-being in a variety of intersecting ways so that they might recognise these deleterious impacts in their own lives and understand that they are endemic and systemic to musical work. The second feature is articulating strategies and tools for prevention or mitigation. Here, certainly more research is needed about which practices from other areas of work (e.g. from elite sport or from ongoing work in conservatoires) might map onto popular music provision, and where it might not. Whether this is the kind of counselling practices from the work of Canham, or ideas around growth mindsets, or other forms of mental preparedness, providing students with resources which they might draw upon strikes me as eminently sensible. However, thirdly, it is also important that these classes cultivate socio-political practices of change. This final point is key; the music managers and record executives of the future are in our classrooms, and we need these to be the graduates who go on to *change* the working practices which currently are causing harm to so many. We should be creating *leaders* of the future given that the changes needed to improve well-being in this space are more likely to come from the young people in our lecture halls in their future careers than they are from us as educators.

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## The Care Work of Musical Fields

*Athena Elafros and Christopher Churchill*

Maintenance is a drag; it takes all the fucking time (lit.)  
The mind boggles and chafes at the boredom.  
The culture confers lousy status on maintenance jobs =  
minimum wages, housewives = no pay.  
—Mierle Laderman Ukeles

Music-making is a competitive and collaborative activity. Musical fields are hierarchically organized spaces where people, groups, and organizations struggle over economic capital (money and assets), social capital (connections), cultural capital (knowledge specific to the field), and symbolic capital (honor and prestige). Musical artists, paid support personnel, unions, and various musical organizations, are all examples of different positions that can be occupied within a musical field, and at the same time the distribution of these positions also structures or shapes the musical field. Yet, this formulation of musical fields, drawing on the work of Pierre Bourdieu, does not adequately capture the care work that is vital to the maintenance and success of musical fields (and all cultural fields more broadly). For example, when preparing for a gig, who books the practice space? Who rents the needed equipment? Who picks it up? Who texts or emails everyone about the arrangements? Who orders or makes food? Though these questions may seem innocuous, we argue that such vital care work or maintenance is often unequally distributed, rarely acknowledged, and yet foundational to *all* fields of cultural production.

In other words, our chapter seeks to ask, who “maintains” (Ukeles 1969) fields of musical production and how are such social relations key to

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understanding the field itself? How has “care work” (Miles 2019) been excluded from our understanding of musical fields and what are the consequences of these exclusions? Drawing upon Angel Love Miles (2019, p. 50), we define care work as “participating in the social, emotional, intellectual, and physical labor associated with identifying, requesting, denying, and managing the people, services, and resources that enable individuals to advance and maintain their health, well-being, and overall way of life.” In this chapter, we seek to examine how different forms of invisible labor (Badger and Himada 2016), including *reproductive* (Mies 1986; Ukeles 1969), *organizational* (Zimmerman et al. 2002; Worth and Paterson 2020), and *emotional* labor (Hochschild 1983; Chong 2009; Wharton 2009; Alexander 2015; Hartley 2018), are crucial elements of the “care work” of musical fields, and all cultural fields more broadly (Bourdieu 1993). We illustrate that the invisible work by unwaged, exploited, and other support networks of artists and unpaid support personnel is the strategic and intellectual foundation upon which musical fields are built. This invisible “care work” operates differently depending on an artist’s location within the field of musical production. The strategies available to artists depend partly on the care work afforded them.

To make these arguments we focus on a single case study that draws upon interviews with popular music-makers in the greater Toronto area (GTA) and offers an example of cultural production from the large-scale field of cultural production. In doing so, we offer a theoretical reformulation of cultural fields through the lenses of maintenance/reproduction (Ukeles 1969; Mies 1986), emotions (Hochschild 1983; Chong 2009; Wharton 2009; Alexander 2015; Hartley 2018), organization (Zimmerman et al. 2002; Worth and Paterson 2020), and invisibility (Badger and Himada 2016) to highlight how musical fields, and indeed all fields of cultural production, are also fields of cultural maintenance.

## MAINTENANCE: CULTURAL FIELDS, CARE WORK, AND LABOR

### *The Cultural Production of Fields*

For Pierre Bourdieu (1993, 1996), one of the ways we can understand cultural production is through his concept of the field. The field is a theoretical, heuristic model of a structured space of positions. Positions in a cultural field may be occupied by a person, groups of people, or organizations. Positions are determined through struggles over the distribution of resources or capital (economic, social, cultural, symbolic, etc.). What field you are a part of and your position within any field determines the strategies available to you. Strategies are also shaped by how an artist’s work is situated in its cultural reception—whether within a more popular or restrictive and consecrated field. As we demonstrate, maintenance, as a set of resources of care available to an artist, also determines accessible strategies of the music-maker within the musical field. Strategies are structured by the distribution of invisible social relations that

establish, maintain, and shift an individual position. Yet, some types of strategies and some forms of strategic labor are not acknowledged. They are rendered invisible within musical fields. Artists who occupy dominant positions within musical fields and who possess multiple forms of capital are more likely to have a broader range of strategies at their disposal and greater networks of care supporting them. For example, Taylor Swift occupies a dominant position in the global music industry. She possesses economic, social, cultural, and symbolic capital. Her position is supported by the strategies she can draw from family, friends, music collaborators, and others, not least of which include Swifties (her devoted fan base).

### *Care Work, Maintenance, and Fields*

Care work, whether paid or unpaid, is physically and emotionally taxing labor. It is undervalued and is often performed by women. As Tungohan and Hanley (2019) illustrate, there is a global “care deficit” due to the lack of institutional support for widely available and accessible care, as well as insufficient numbers of paid care workers. As women are globally responsible for most of the paid and unpaid care work within and outside of the home, this global care crisis is a gendered issue (Tungohan and Hanley 2019, p. 225). Mierle Laderman Ukeles, an American performance artist, refers to such care work as “maintenance” (1969) as it is vital to the social reproduction of self, others, and the larger environment. In her epochal “Manifesto for Maintenance Art 1969!,” Ukeles divides human labor into two broad categories: *development* and *maintenance* (Molesworth 2000, p. 78). According to Ukeles, development is associated with the avant-garde and “pure individual creation.” But for Ukeles, there also exists maintenance, including the everyday and denigrated activities that make development possible (e.g. emotional labor, hosting, uncited or unacknowledged advising, domestic work) (Molesworth 2000, p. 78). Care work or maintenance, though not by definition feminine, is nonetheless historically (and continues to be) gendered, raced, and classed labor.

Care work and care networks operate as a web of community (Piepzna-Samarasinha 2018) and provide strategic resources which are unequally distributed within all cultural fields. These communities of care determine strategies and the constraints upon the work of an artist. We argue that “care work” is a type of strategic labor that has been historically rendered invisible (Badger and Himada 2016) within most musical fields, and cultural fields more broadly, even though care networks are an underlying foundation upon which cultural fields are built. We build upon Miles’ (2019) definition of “care work” to highlight the *reproductive* (Mies 1986; Ukeles 1969), *organizational* (Zimmerman et al. 2002; Worth and Paterson 2020), and *emotional* labor (Hochschild 1983; Chong 2009; Wharton 2009; Alexander 2015; Hartley 2018) found within a case study of a popular music field.

*Invisible Forms of Labor: Reproductive, Organizational,  
and Emotional*

*Reproductive* (Mies 1986; Ukeles 1969), *organizational* (Zimmerman et al. 2002; Worth and Paterson 2020), and *emotional* (Hochschild 1983; Chong 2009; Wharton 2009; Alexander 2015; Hartley 2018) forms of labor are all examples of what Badger and Himada (2016, n.p.) refer to as “invisible labor.” These unpaid forms of labor are central elements of care work, and they are rendered invisible relative to the consecration of the producers themselves. Artist and editor Gina Badger and writer and curator Nasrin Himada provide insights about invisible labor in terms of artistic cultural production. They define invisible labor as “biting one’s tongue. Invisible labor is caring when no one else does. Invisible labor is taking the time to explain. Invisible labor is arriving early and prepping the room [...] Invisible labor is remembering. Invisible labor is reminding. Invisible labor is relating. Invisible labor is meeting expectations. Invisible labor is reading the cues. Invisible labor is translation. Invisible labor is knowing when not to. Invisible labor is knowing when you can’t not.”

Invisible labor encompasses, reproductive, organizational, and emotional forms of labor. *Reproductive* labor (Mies 1986), also referred to as “maintenance work” (Ukeles 1969), refers to unpaid labor often performed in the domestic sphere. For Mies (1986), this process of creating distinctions between paid and unpaid labor has been historically referred to as “housewifeization,” and involves “the splitting up of the economy and the labor market into a so-called formal, modern sector, in which mainly men work, and into an informal sector, where the masses of women work who are not considered to be real wage-workers, but housewives” (p. 4). Reproductive labor, such as cooking, cleaning, and raising children, is vital to the social reproduction of humanity, yet because it is seen as women’s labor it has not been valued as labor or even recognized as work (Kemp 1994, cited in Miles 2019, p. 56). We argue that reproductive labor plays a vital role within all fields of cultural production.

Organizational labor refers to the organizational management of the family household and is a type of invisible labor that has primarily been performed by women (Zimmerman et al. 2002). “Organizational labor describes the mental processes of always knowing which tasks must be done and when, managing the logistics involved, and the effort required in being conscious of, and responsible for, successfully co-ordinating competing demands—even before commencing the tasks themselves” (Worth and Paterson 2020, pp. 318–320). This type of labor involves identifying and completing household tasks, and some examples include paying bills, booking appointments, picking up dry-cleaning, remembering birthdays, and so on. We argue that although organizational labor has been traditionally applied to the domestic sphere, this type of labor is also foundational to the maintenance of fields of cultural production. Managing, booking, scheduling, emailing, among other organizational tasks, are not always paid labor but are necessary labor within cultural fields. Like

reproductive labor, we argue that organizational labor is vital to all fields of cultural production.

Emotional labor originally referred to how workers are expected to manage their feelings in accordance with organizationally defined rules and guidelines (Wharton 2009; Hochschild 1983). The term has since been expanded upon to refer to the unpaid invisible work that (usually) women do to keep those around them comfortable and happy (Hartley 2018). Although Hochschild defined this term in 1983, as Alexander (2015) illustrates, there exists a much longer history of gendered “emotion work.” In her analysis of Jean-Jacques Rousseau’s *Emile* and *The Girl Guides’ Gazette* (1922), Alexander showcases how girls and young women have been educated and indoctrinated to accept and reproduce the unequal distribution of affective and domestic work along age, gender, and class lines. These unequal distributions of emotional labor continue today. As Chong (2009, p. 1) notes, expectations surrounding emotional labor are not evenly distributed as there “are *different* behavioural expectations depending on *who* is doing the emotional labor” which is shaped by the intersections of gender, race, and class (among other variables). An important illustration of the complex nature of emotional labor is provided by Marlese Durr and Adia M. Harvey Wingfield, who illustrate how the emotional labor of Black professional women is a performance at both the institutional level (which is characterized as aggressive) and “a race-based set of expectations grounded in survival strategies to cope with challenges they face in environments that are unwelcoming and possess concrete ceilings across organizations and occupations” (2011, p. 559).

Drawing upon these artists, scholars, and union workers, we propose a reorganization of Bourdieu’s notion of cultural production and cultural fields to include care work and interrelated forms of invisible labor. Invisible care work can be best defined and illustrated using the interrelated categories of reproductive, organizational, and emotional labor. We argue that care work is vital to the maintenance of cultural fields. It is foundational to artistic production and development, as it is to social reproduction more broadly. We also highlight how care work is not evenly distributed within fields of cultural production. As Badger and Himada note, various forms of reproductive, organizational, and emotional labor, and what they refer to as invisible labor, are invisible to those who benefit from them. Not seeing these forms of labor comes from privilege (Badger and Himada 2016). Who performs this labor and whether this labor is even appreciated and/or acknowledged as labor varies based on who is doing this labor and for which position within the field.

## OUR CASE STUDY WITH MUSIC-MAKERS IN TORONTO

Drawing upon our case study, we illustrate how care work operates in distinct ways with popular music-makers in Toronto, Canada. This case study reveals patterns in the overlapping structures of care work fields of cultural production. The case study for this chapter is drawn from our joint project entitled

“Making Art Together: The Importance of Family, Friends, and Significant Others in the Creation of Books and Music.” We draw upon ten interviews conducted with music-makers in Toronto between July 22, 2019, to August 22, 2019. These interviews were conducted with music-makers who responded to our calls for participation. Most of the people who answered our call for participants were involved in various types of music jam sessions. Jam sessions are communal music-making activities where music-makers come together on a regular basis to engage in live music with one another. Of the ten interviews conducted, six were men and four were women. Ages ranged from nineteen to eighty-two. Six in-person interviews were conducted along with four phone interviews. Although there was significant range in occupations, all interviewees participated in music-making in addition to their waged labor. Of the ten people interviewed, three chose to remain anonymous while the remaining seven selected to use their names.

<i>Name</i>	<i>Sex</i>	<i>Age</i>	<i>Occupation</i>	<i>Date of interview</i>	<i>Interview mode</i>
Lynne	Female	73	Retired schoolteacher	July 22, 2019	Phone
Maxime	Male	24	Has an M.Ed.	July 22, 2019	In-person (coffee shop)
Jake	Male	82	Retired political science professor	July 23, 2019	Phone
Annette	Female	58	Clerical worker	July 29, 2019	In-person (coffee shop)
Akim	Male	19	Former university student	July 30, 2019	In-person (coffee shop)
Victor <sup>a</sup>	Male	51	Trades	July 30, 2019	In-person (bar)
Michelle	Female	45	Service industry	August 2, 2019	In-person (coffee shop)
Wally <sup>a</sup>	Male	54	Horticulture; trades; formerly unhoused	August 5, 2019	In-person (coffee shop)
Rebecca <sup>a</sup>	Female	46	Mother; former union representative	August 8, 2019	Phone
Hartley	Male	46	Music teacher	August 22, 2019	Phone

<sup>a</sup>Indicates pseudonym

Interviews were coded using grounded theory methods. Grounded theoretical methods consist of a systematic approach for collecting and analyzing qualitative data to construct theories “grounded” in the data themselves. In other words, data form the foundation of theory, and the analysis of data generates the concepts discussed in the analysis (Charmaz 2006, p. 2). Our coding was guided by an emphasis on the communal aspects of music-making and the various forms of labor music-makers engage with in their musical practices. Our research assistant, Monica Lockett, completed an initial round of coding using NVivo software, and the authors completed subsequent coding by hand. For the purposes of this chapter, we focused on the codes associated with

different forms of labor that music-makers engage in within their musical practices: reproductive, organizational, and emotional.

### CARE WORK IN TORONTO: THE (IN)VISIBILITY OF REPRODUCTIVE, ORGANIZATIONAL, AND EMOTIONAL LABOR

What types of unpaid labor play a central role within musical fields of cultural production? In this section, we outline the reproductive, organizational, and emotional forms of labor that occur within our case study. Although we separate these three forms of labor to clarify their obscurity within cultural production, there is a great deal of overlap between reproductive, organizational, and emotional forms of labor.

For all the interview participants from the GTA (Greater Toronto Area), communal music-making was a form of care work that drew upon reproductive, organizational, and emotional labor “to advance and maintain their health, well-being, and overall way of life” (Miles 2019, p. 50). For the music-makers we spoke to, care work was central to their musical praxis and was vital for creating and maintaining community. For popular music-makers in the GTA, communal music-making in jam sessions, in educational settings, and in other formal and informal groups acted simultaneously as *a form of care* (e.g. a way of creating community) and *involved a great deal of care* (e.g. the invisible forms of labor associated with these types of communal music sessions). Communal music-making was a form of care work central to the creation of community. This form of music-making involved both care for oneself as well as care for others. Six out of the ten people interviewed highlighted the importance of music in the creation of community. As Maxime noted,

There’s something about making music all together and especially singing, that’s more vulnerable, it does bring people closer together and it does, it builds community. And people feel like a part of something that’s more than just them.

This sentiment was echoed by Annette, “So you have 15 people in a circle making music together, that’s community right there. And they would come back and back again for that feeling of being literally in commune with other people.” For Hartley, communal music-making (such as participating in KlezCanada, and in Zing Zing Zing, which is a Jewish choir) helped him maintain connections to his Jewish identity in a non-religious way. And for Victor, one of the important ways to form community was to allow people with a variety of skill levels time to participate in the jam session: “But you shouldn’t—you never—you never push away somebody from playing, always invite them in, always. You always bring them in.” Similar sentiments regarding creating open and inclusive settings (regarding level of musical proficiency) were expressed by Lynne and Annette.

Community building also involved forms of *self-care* and *relational care*. For Akim, Annette, Hartley, and Maxime, there was a therapeutic element involved

in music-making. As Akim highlighted, “I think the work or the exercise of making music is going always—the goal is always to make a bridge between your physical and emotional body, and then the spiritual body. Yes, that’s it.” In this sense, communal music-making was a form of self-care aimed at viewing the body in wholistic terms and caring for the whole self. However, there was also a focus on care for others. As Lynne noted, “So it really is a group effort, and to me it has to be that way; everybody has to feel that no matter what level they’re at in their playing or their singing, that they are included. I’m very much—my model is inclusive.” The emphasis on self-care and communal care were encapsulated by Maxime, who noted that:

I think two main things, first would be strengthening relationships, not just among people in the room, but also just people to people in general, like trying to be more empathetic, trying to be more empathetic listeners, I think it plays a big part in that. And just being aware of other people and sort of we’re accountable to our own wellbeing or to each other’s wellbeing, I mean. So there’s that relational piece and then there’s also the individual one.

Building community involved a great deal of care work that took the form of various kinds of reproductive, organizational, and emotional labor that was often hidden or invisible.

Reproductive labor (Mies 1986), also referred to as maintenance (Ukeles 1969), was a key aspect of building community. Reproductive labor is vital for the social reproduction of humans but is underappreciated, underpaid, and/or unpaid. For Ukeles, maintenance is part of the life instinct and focuses on unification, the perpetuation of the species, survival systems, and equilibrium. Although maintenance also includes organizational and emotional elements, in this section we focus on the social elements of maintenance or social reproduction. This type of labor within jam sessions was primarily done by women, and these events provided vital social resources for participants. For Jake, the social elements of jam sessions were fundamental and helped to combat the isolation and loneliness that sometimes accompanies growing older:

Well friendship is important, particularly as you grow older. No it’s nice to meet and socialise with nice people, just get together for a couple hours and make some music and as I said, with Lynne’s group there is a fair amount of socialisation and talking.

As Jake illustrates, these groups provided extended social networks and friendships for many of the regular members involved. Similarly, as Lynne noted:

I mean, the group goes beyond a group of people playing together. This last February, one couple in the group, their daughter died, and she was only forty-two, and this had been going on for a couple of years and we could see where it was heading.



For many, these groups resulted in the formation of long-lasting friendships. As Lynne noted, after the daughter of a couple in Lynne's group died, the group raised money for her two teenage daughters to assist them with going to university. These types of community-based fundraisers involve a great deal of reproductive (as well as organizational and emotional labor).

Lynne also provided vital reproductive labor with a friend of hers after her friend's mother had died. In the quote below, Lynne notes how she helped her friend through a difficult time by providing social connection, routine, material support (through making dinner), and belonging:

And now it's my friend, Mary, who comes once a week—she comes on a Wednesday night—and we have dinner. She may bring dinner or I may make dinner, and it worked out, four years ago her mother died—yeah, her mother died—and she was just a wreck. And I just said, come anyway, we don't have to play, just come anyway. And so that's what we did for about four months until she finally said, I think I want to play.

Finally, As Jake, a colleague of Lynne's, noted, the "House Party" group also plays music at various retirement homes in Windsor and performed a benefit in Detroit for a senior centre. In all of these examples, the groups provided social connections and/or material resources, both within the group and sometimes within the larger community within which they were located. The social reproduction elements of these groups cannot be underestimated.

Building community within these various groups also involved various types of organizational labor. For example, Lynne, Michelle, Annette, and Victor were heavily involved in organizing and putting together various jams/sessions in the GTA. This type of labor, like other invisible forms of labor, was predominantly done by women.

Most of these music-makers we interviewed attended multiple jam sessions in addition to organizing their own groups or sessions. For example, Lynne was located in Windsor and was the session leader of "Monday morning music" (which was a session devoted to Irish medleys and Scottish music, and helping people learn to play), a Monday night fiddle session (where people learn to play communally), a Wednesday night harp session (with a partner), and on alternating Thursdays she hosted an evening session called "House Party" at the local sportsmen's club or a singing session at her house. Finally, once a month Lynne went to Detroit for a Ceilidh dancing group. In addition to booking the spaces for these events, and preparing and cleaning her house and providing refreshments, she also spent a great deal of time selecting musical pieces through trial and error for the musical medleys. Similarly, Annette and Victor were also involved in organizing jam sessions/open mics in Toronto, such as "Annette's Jam Session" at the [redacted] Club and another jam session at the Bloor Bar Café. Michelle also organized a Saturday afternoon jam at the Port Credit Legion, and she attended some of Annette's jam sessions. Some of the work enabling these sessions involved finding spaces for jams, booking spaces

for jams, advertising and emailing people about the jam sessions, and other logistics of having a successful recurring event. As Jake, a colleague of Lynne's stated:

I mean the key is you really need someone like Lynne who puts the thing together. These groups just don't happen, right. There has to be someone who dedicates a lot of time to making everything work.

Without the organizational labor by Lynne, Michelle, Annette, Victor, and others, these communal music-making sessions would not happen.

Finally, building community also involved significant emotional labor to ensure the smooth operation of these musical spaces. Within these communal music-making spaces, it was primarily women who once again filled this important role. As Michelle, Annette, Victor, Lynne, and others noted, it is complicated working with fellow music-makers within social settings. For Michelle, emotional labor was central to working with other creative artists, such as herself:

Putting people together it's a lot of—I would say you have to kid glove artists, even myself; like I don't take kindly to being ordered around or anything so I don't do that to other people. I think it puts a ... it slams the door in the face of flow, like so that's one thing and you try not to do that. Yeah, you try to work with people's moods even my own right, I don't always feel great on a Saturday, you know, maybe something bad happened the night before and maybe I'm tired, maybe I didn't get any sleep, but you just have to work with whatever energy that's there.

Michelle highlights how she must use "kid gloves" with artists and work with "whatever energy that's there" to ensure that the session runs smoothly and flows well. She does this regardless of her own emotional state and/or level of tiredness in order for the jam session to be successful. Similarly, for Annette, part of the "bigger work" of jam sessions is to "negotiate the egos" in a way which maintains an inclusive space. In the quote below, Annette discusses the challenges of men's egos and how she aims to create a welcoming environment even if "someone is getting ugly at me." For example, Annette recounted the story of how she told a "bar fly" (who would regularly participate in her jam sessions) after several songs that he needed to allow someone else to drum. His response was aggressive and sexist:

"You have to get up. Give him the sticks, come on, [name redacted], I'm not going to ask you one more time," right. And I have to get a little forceful with him once and a while. And then he starts like, "You, fuck you, you bitch" and yelling and screaming at me and then the next time he comes in, he apologizes. I say, "That's okay". And that same night, he's going to yell and scream at me again. Because stuff like that happens.

In the above quote, Annette succinctly summarizes the gendered affective realities of being a woman who co-facilitates a weekly jam session. She highlights managing the emotions of participants while also managing her own emotions. Such emotional labor within jam sessions was made more challenging due to the prevalence of alcohol and/or drugs.

For Lynne, she noted that she had several occasions where she had to correct inappropriate behaviour, and one instance where she had to ask a man who was trying to take over the group to leave. In these instances, Lynne noted the following: “there have been a couple of people where I have just had to stand my ground steady, not react to them, but also show them that it wasn’t going to be the tail wagging the dog.” Indeed, such displays of masculine aggression were noted by all the women who organized sessions. However, for a successful jam session, egos need to be left aside. This was noted by most interviewees and is nicely summarized by Michelle:

And for music in general I find like again the more professional people we play with the more their ego is, it’s not that they don’t have an ego but it’s the more their ego is “okay I’m going to leave that beside the stage I don’t need it right now” because if you’re not listening to each other and if you’re not letting it flow then it’s going to suck because the audience sees everything and hears everything if they’re listening.

To ensure the success of their various jam sessions, many of the women interviewed noted that they had to manage the personalities and egos of those around them, manage their own emotional responses, as well as work with people in various states of intoxication.

For the popular music-makers in the GTA, reproductive, organizational, and emotional labor were instrumental to their own forms of self and relational care, as well as to the success of the various jam sessions and groups they organized and participated in. Although primarily gendered labor, with women doing most of this type of care work, these forms of labor were, nonetheless, acknowledged and appreciated by many members of these groups. For some of the interviewees at least, these forms of invisible labor were rendered visible and indeed crucial for community building.

### ALL FIELDS OF CULTURAL PRODUCTION ARE FIELDS OF MAINTENANCE

We conclude our chapter by offering three suggestions for future scholarship. First, how does care work shape musical fields and other fields of cultural production? Specifically, how can an emphasis on care work provide new avenues for research within critical music industry studies? We argue that all fields of cultural production are also fields of maintenance or care. Without care work, most cultural fields would not be possible. We believe that reproductive, organizational, and emotional forms of labor shape cultural fields in distinct ways

and future work may tease out how care manifests within different cultural fields.

Second, how is care work rendered visible or invisible within musical fields and other fields of cultural production? We argue that care work and the various forms of reproductive, organizational, and emotional labor that are part of care work, are acknowledged and/or made invisible depending on one's location within the field of cultural production. We suggest that the less consecrated and more popular an artist or artistic product, such as in the case study of music-making in jam sessions, the greater the likelihood that care work is acknowledged and appreciated, even as this work remains gendered and not properly compensated. In contrast, we argue that the more consecrated an artist or artistic product, the more that care work is suppressed, denied, and erased within the field. Are similar patterns found within other cultural fields?

Third, how do reproductive, organizational, and emotional forms of labor act as unevenly distributed resources within musical fields and cultural fields more broadly? Who engages in care work? Who benefits? Who is exploited? We argue that the invisibility of care work is relational to the nature of the field and positions within it. Within the field of popular music, interviews with popular music-makers suggest an awareness of care work, even as this acknowledgment is won from constant struggle by women in their supplementary unpaid labor. Necessary for community, these gendered networks of care play a vital role within these jam sessions.

Finally, we conclude by noting some of the ambivalences and hidden labor of care work (Piepzna-Samarasinha 2018; Tungohan and Hanley 2019). Care work is the gendered labor upon which fields of cultural production are built. Positions in the field are shaped and determined by care work, even as this care work is often actively erased or rendered invisible. Care work is both a part of a network of community resources, and a set of resources exploited for positions in the field. Care work is simultaneously a network of mutual support (Piepzna-Samarasinha 2018), activism (Tungohan 2023), *and* a system of paid and unpaid, gendered, and hierarchical exploitation (Tungohan and Hanley 2019). Generative and exploitative, it is by considering these ambivalent and varied forms of invisible care work, often written out the record, that fields of cultural production are made more legible.

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# Solidarity Under Monopoly and Labor Withdrawal in the Music Industry

*Adam Zendel*

## INTRODUCTION

Music industry corporations have been consolidating for decades, with more factors of production coming under the control of fewer and larger corporations. Through consolidation, music companies seek to drive down wages by wresting control over the labor process. The loss of worker power and rise of corporate power is most closely observed through the proliferation of streaming platforms which siphon off earnings from the streaming of recorded music as a form of rent paid from artists to so-called large technology companies (Prior 2018). Streaming platforms are developing powerful new technologies and establishing new practices that further erode the earning potential of recording artists.

The same process of consolidation that have led to so-called Big Three record labels is shaping the business ecosystem of live music. In live music, a once vibrant market of competing venues, promoters and booking agents is disappearing as struggling small and regional businesses are being acquired or displaced by Live Nation, the now largest music company in the world. While business power is consolidating, labor power is diffusing. The American Federation of Musicians (AFM, CFM in Canada), a once powerful music union in the 1940s is a shell of itself as workers in the music industry—artists,

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technicians, crews, and more—are increasingly disciplined to act entrepreneurially and individually without union representation (Haynes and Marshall 2018; Zendel 2021). These workers are trained to bear financial and physical risks and to “hustle” for low wages (Zendel 2014). Taken as a whole, corporations in the music industry are gaining power, while the worker loses power. There appear to be few paths to resist growing corporate control.

However dire the current state of the industry may be for workers, history has shown that well-organized musicians can successfully fight against powerful corporate actors. In the first half of the twentieth century, North American musicians were organized under the powerful—and at times radical—American Federation of Musicians. The AFM led numerous actions in response to the looming threat of job loss through the emerging use of recording technology. The AFM believed recording was a labor-breaking technology that was being used to displace musicians from cinemas, theatres, radio stations, and music venues. Their actions ranged from basic acts of resistance to more radical ends including a multi-year strike from recording (Roberts 2014). While recording has since proliferated, the union achieved powerful, long-lasting improvements to working conditions and compensation for recording artists. Today, the AFM is a shell of its once radical form; AFM activities are mostly administrative, following a more conservative model of business unionism (Roberts 2014). There are several ways scholars account for the decline of the AFM. This includes AFMs reluctance to organize rock and roll musicians until well after the genre became popular (Roberts 2014). But also, in how recording technology changes the relationship of the worker to their labor. For example, Arditi (2014) shows how emerging digital recording technology reduces the need for musicians in the studio. Taken together, these processes leave many musicians today without union protection, acting individually against a coordinated cartel of capital actors.

Today’s media conglomerates and technology platforms are developing new ways to avoid paying for music labor by streaming royalty-free library music. Specifically, Spotify has begun negotiating with artists and labels for preferential placement in their popular playlists in exchange for lower royalty payouts. This profit-generating practice is pushed even further, as Spotify has begun using royalty-free library music to retain more fees that would otherwise go to royalty-earning musicians. Library music finds its origin in the film industry, where film studios would create archives of music that could be inserted into a production, without having to worry about licensing it or having to pay any residuals to the recording artists. While library music is indeed made by real musicians, they are typically paid only for the recording session, and not given any royalty from the use of the recording. When a user listens to royalty-free music, the platform retains money as profit that would otherwise be passed on as royalty or residual to labels and artists. In that way, streaming algorithms can be engineered for profit. By delivering library music via algorithm, platforms can feed low-cost music to listeners, in effect algorithmically displacing one group of workers from their property relationship by avoiding royalties while

expanding the market of those potentially more precarious workers who make library music.

This chapter is written in three sections. The first section outlines the growing monopoly power of capital in the music industry. The second section explores the history of organized labor in the music industry drawing attention to a few moments in the long struggle of organized musicians against emerging technology. The third section explores the present-day struggle over automation through library music suggesting a throughline that links these past struggles to the present. The chapter concludes suggesting the need for organizing present-day recording artists to wrest back control over the labor process.

### MUSIC MONOPOLY AND THE RISE OF ORGANIZED CAPITAL

Consolidation in music can be traced to the earliest inceptions of music commodification. Early music monopolies formed around radio broadcasting. Companies, such as NBC and CBS, formed national networks over a wide geography, bringing programming under the roof of a single company. The monopolization of radio has culminated with Clear Channel (now iHeartRadio), owning more than 1200 radio stations across America crowding out local competition entirely in some markets. Todd Wirth (2007, p. 147) explains that “these companies acquired more radio stations in a market in order to spread their fixed costs over a larger number of revenue-generating stations.” Today, the most marked area of consolidation is music streaming, triggered largely in response to the so-called “MP3 crisis” (Leyschon et al. 2005).

The MP3 crisis broadly describes a period around the turn of the new millennium where online music piracy proliferated. While many scholars contest the name, suggesting any sort of crisis was manufactured, there is no question that this period marked an inflection point in the sale and delivery of recorded music (Arditi 2014; Morris 2015). The MP3 crisis has had three major consequences in the geography of music. First was the loss of small and independent labels leading to greater disintermediation and job loss (Arditi 2014). While there have been hundreds of important popular music labels throughout the twentieth century, by the 2000s there were the so-called “big four” record labels (Sony, Universal, Warner, and EMI). Sony acquired EMI in 2012, leaving just the “big three.” Through acquisition, large firms can benefit from economies of scale by eliminating redundancy in the labor force, while growing their catalogs. Disintermediation, the process by which actors are removed from the supply chain, “greatly reduces costs for the record label as intermediaries are eliminated from the process; however, musicians and songwriters still get the same royalty rates as in an intermediated distribution system” (Arditi 2014, p. 15). Disintermediation is a key process in which large capital actors benefit from consolidation.

Second was the closure of independent record stores that had played pivotal roles as key nodes in local music scenes (Sinnreich 2013). Independent record stores would regularly stock and promote the records of local artists. Before



the MP3 crisis, these stores employed knowledgeable workers, stocked music-related goods (such as magazines, clothes, and posters), promoted local artists and sold tickets to a range of concerts. Record stores thus served as key spatial intermediaries. After the MP3 crisis, these independent stores were either “bought out by chain retailers or went out of business while trying to compete with large corporations” (Arditi 2014, p. 109). Corporate-owned record stores are less likely to offer shelf space to local artists or advertise for local concerts (Arditi 2014). This means further disintermediation measured in a loss of specialized local record store employment and the services they provide.

The third result of the crisis was the entrance of new highly capitalized actors from the technology sector. The MP3 crisis was “resolved” by Apple, a hitherto then computer manufacturer who created the iTunes store, which sold \$0.99 songs that could be synced to their proprietary iPod devices for mobile listening. Apple took a 30% cut of each sale, a model that would go on to shape how digital platforms sell everything from books to mobile apps (Nicas 2020). Today, digital music has become re-secured as a commodity in the form of streaming, where some of the largest companies, including Apple, Google, and Amazon are vying for market share (Srnicek 2017).

These trends toward consolidation across different areas of musical production signal a well-organized cadre of businesses gaining control over a market. Large corporations across music sectors from record labels to streaming platforms have amassed unprecedented control over the music economy. These actors form what could be best described as big music, a small number of companies which control and profit from nearly every aspect of the music industry. The result is various forms of monopolistic rents charged on audiences or smaller music businesses and monopsonist control over workers’ sale of their labor (Giblin and Doctorow 2023). These changes impact the organization of labor.

A common path of resistance to increasing business power is through union organizing. Today, few recording artists are unionized. This is true at all scales of work from stadium-filling artists to those playing in cafes and bars. However, as the following section demonstrates, there is a long history of organized labor in the music industry spanning all activities of musical labor from small clubs to the largest amphitheaters. The early history of music unions shows how musicians have carried out effective strikes, winning numerous long-lasting gains, including the framework for many aspects of the contemporary royalty system. However, these gains are being eroded by powerful technologies designed to automate aspects of the labor process.

## ORGANIZED LABOR IN MUSIC

Using technology to automate labor in the music industry traces back to the very invention and eventual proliferation of recording technology in the early twentieth century. Music labor in the first half of the twentieth century was comparably powerful to capital. The American Federation of Musicians,

founded in 1896, was a well-organized craft labor union supported in solidarity by a strong national labor movement which grew to hold what could be easily considered a monopoly on the sale of music labor. The AFM seeks to represent “any musician who receives pay for his [*sic*] musical services” (Milazzo 1995; [afm.org](http://afm.org) n.d.). Founding president Joseph Weber understood musicians as workers and the struggles they faced in solidarity with the greater working class shaping the AFM toward a more open type of industrial union. Weber remarked,

We musicians are employed under the same conditions of any other workers. We may be artists, but we still work for wages ... [We] are exploited by our employers in the same manner as any other wage-earners who stand alone. Therefore, we must organize, cooperate and become active in the economic field like other workers. (Quoted in Kelley 2002, p. 126)

The AFM follows a closed-shop model: AFM contracted musical venues must only hire AFM members, following AFM policies, paying AFM wages, and adhering to AFM working conditions as bargained by a local AFM chapter. Many of AFM locals were segregated by race (Kelley 2002).

From its founding, the AFM had different bargaining goals than most unions of the time. Playing music is a relatively safe activity compared to other skilled trades. As such, the union showed little interest in improving workplace safety standards. The unique experience of music workers means that “the main goals of the AFM have only been to secure higher wages and greater employment opportunities for its members” (Milazzo 1995, p. 559). At its peak in the 1920s, the AFM had more than 150,000 dues-paying members (Tschmuck 2017). This peak in membership coincides with the proliferation of recording technology. The playback of recorded music was tacitly understood by the union as a labor-breaking technology which would displace musicians from their places of work. Recorded music was used in place of live performing musicians in a range of settings, but importantly in cinema and radio stations. Studying this era of work in the music industry highlights the disruptive force of new technologies and the powerful response of organized labor.

The first significant use of recorded music was the introduction of sound to silent cinema. Initially, the growth of cinema meant new employment opportunities new spaces for the AFM to organize. By 1926 roughly a fifth of the total AFM membership was employed in these theatres (Kelley 2002). These theatres were a major source of employment for musicians, both as accompaniment to silent films but also for other activities in the venue. While the union bargained over wages and working conditions in theatres, the aesthetic and creative aspects of production remained under company control through cue sheets which outline the songs, effects, and foley music to be played at moments in a film. These sheets might offer methods, motifs, or melodies to make something sound “oriental” or make a scene sound more southern for a minstrel (blackface) performance (Kelley 2002, p. 128). Musicians, however, resisted these forms of control, often substituting their own selections in place of what

was on the cue sheet. Creative control over accompaniments was, therefore, an important terrain of struggle for unionized musicians. Theatre owners and film studios desired a precise performance, while musicians often decided to play what they preferred, often to undermine the content of screening. Kelley (2002) describes how African American bands in Harlem “were notorious for subverting a film by engaging in playful musical signifying that would have horrified studio executives” (p. 127). Musicians might play cheerful music during a dramatic death scene of a white character using musical cues to undermine the emotional weight of the scene. The often not-so-subtle subversion of meaning was as much an aesthetic struggle as it was a labor struggle.

In the same way factory owners at the time sought to scientifically manage the labor process, theatre owners, and film studios sought to create a structured environment by reducing the labor process to mere reproduction of musical score. A theatre owner’s or film studio’s goals are no different from a factory owner, where the “conception of productivity involved the reduction of a man to a factor of production” (Donzelot 1991, p. 269). According to Donzelot (1991), the scientific management of labor is a double process that both de-skills the worker while requalifying them as subject of the boss’ authority. In music performance, scientific management can be achieved through more strict musical performance. Musicians undermine scientific management through aesthetic acts of resistance. Improvisation or substitution is less an aesthetic gesture and more as a way of “making out” and “playing all the angles” (Braverman 1998; Burawoy 1979). These acts of resistance are a novel form of soldiering that reintroduce skill into a deskilled environment and empowers musicians in an otherwise disempowered position (Burawoy 1979). Prior to the invention of recording, capital had few options to discipline unruly workers into compliance. For capital, the ultimate goal is for full automation negating the need for workers in the first place. This goal would be realized as recording technology matured.

Recorded sound was first used in the so-called talkies. According to Kraft (1994) “sound films ‘silenced’ musicians as quickly as ‘talkies’ ended the careers of silent screen stars who spoke poorly” (p. 67). Kraft continues that new sound amplification technology “enabled theater owners to discharge ‘bit’ musicians in wholesale fashion, a classic case of substituting capital for labor. By 1934, about 20,000 theater musicians, perhaps a quarter to a third of the nation’s professional instrumentalists, had lost their jobs” (Kraft 1994, p. 67). Beginning with Warner Brothers’ *The Jazz Singer* in 1927, unionized musicians were being laid off to be replaced by recorded performances from studio musicians. According to Kelley (2002), “the emergence of sound film technology rendered [direct management of local musicians] obsolete. Now filmmakers and music editors could put their Orientalist fantasies directly onto a soundtrack without having to worry about the capabilities or dispositions of local musicians” (p. 129). Installing a sound system in a theatre was often half the cost of employing an orchestra for a year (Kraft 1994); thus, while the initial investment of capital was large, the returns on investment to theatre owners

were immediate (Sklar 2012). The early experiments in recorded sound were successful at both reducing labor costs and in regaining control over performance. Kraft (1994) writes that “substitution of capital for labor is seldom just a matter of money,” “technology was far more reliable than actors and musicians. Talking movies did not demand higher wages, go on strike, or fail to show up for work. Nor did they argue over song selection” (p. 79).

The impacts on musicians were felt immediately; more than a third of theatre musicians were left jobless by the end of the 1930s (Kraft 1994; Kelley 2002). Recorded music meant cinema owners no longer had to bargain with the AFM. Sound recording seized the last modicum of aesthetic control from local musicians shifting the control of film scoring to a studio where it could be mechanically reproduced (Kelley 2002). Under film studio control, “music production resembled an assembly line ... studios owned and controlled everything ... control had shifted from the workers in the orchestra pits or on stage to engineering booths owned and operated by the big studios” (Kelley 2002, pp. 131–132). Kelley (2002) explains how “the transition to sound rationalized film operations” (p. 130). Playback of recorded sound ended the rocky relationship between the union and cinema owners by altogether eliminating local performing musicians, displacing live musical labor with recording musicians under more strict studio control.

The rationalization of film operations enabled spatial concentration of film production to southern California. Recording allowed for more production operations to be integrated into a mass production system, placing more aspects of film production under studio control and ownership, including composition, performance, publishing, archiving, and more. With recording, film studios quickly became the largest libraries of music. Specifically, creating the archives of royalty-free library music that could be recorded by mostly uncredited studio musicians and inserted into films without costly licensing or additional payments to musicians and studio workers. The AFM underestimated the impact of recording on cinema labor, in a few short years there would be few if any musicians employed in movie theatres.

### *Automation on the Radio and the Fight Against Canned Music*

Concurrent with the amplification of cinema was the use of recorded materials on radio. Employment in radio stations was a significant source of work for union musicians. The first use of recording in radio was to automate the playing of short musical passages, such as jingles, call signs, advertisements, and musical programs called transcriptions. Prior to recording, any musical passage or sound effect heard on the radio was likely played live by an AFM-organized musician. Recording meant a comparably low-skilled disc jockey could reproduce the labor of an entire orchestra. So-called canned music was used to replace live performance. The proliferation of canned music was quick, by the middle of the 1930s more than half of radio music was pre-recorded, leading to significant job loss for unionized musicians (Milazzo 1995, p. 539). Radio

stations deployed this new technology first as a bargaining chip to gain concessions from the AFM. However, quickly this technology was used to end contracting live musical labor altogether. Through recording, radio stations dispensed with a significant labor cost while establishing new avenues for standardization and control over the production and labor process.

The use of canned music in radio was met with resistance. The AFM was able to slow down the spread of canned music through tactical labor withdrawal. In the 1930s, amongst the most popular radio programs were broadcasts of live performances. Lines running directly from famous venues to radio stations would be broadcast in real time across the country. Nationally famous bands and orchestras were made up of AFM members, playing in AFM-organized venues, whose performances were being broadcast in AFM-organized radio stations. The AFM saw an opportunity to picket these remotes to support local radio stations struggling against canned music across the country. A potent example of a remote strike was held in the summer of 1940 in St. Paul, Minnesota. Negotiations stalled between the AFM and the local NBC affiliate KTSP. The union called on major acts to stop playing for remote broadcasts (Roberts 2014, p. 29). Jimmy Dorsey's orchestra, one of the most popular artists at the time, was "ordered by the union to call off its remote-control broadcast from a New York hotel a half-hour before the scheduled broadcast" ("Broadcasters Cancel Music Due to Strike" 1940). This seemingly small act of solidarity more than 1000 miles away meant that a network of more than 188 NBC radio stations had to reprogram from a planned live remote to a local studio production that relied on local talent (New York Herald, "Strike Cuts Off Name Bands on N.B.C. Circuits" 1940). Roberts (2014) writes that the union's "gamble paid off when the strike on remotes succeeded in squeezing the network and the affiliate. Eventually, NBC persuaded its St. Paul affiliate to agree to the union's demands. All the jobs in the staff orchestra at KTSP were saved" (Roberts 2014, p. 29). Further remote strikes were carried out by numerous top artists, including Frankie Masters, Tommy Dorsey, Will Osborne, Alvino Rey, Gene Krupa, Hal Kemp, Horace Heidt, Ted Weems, Johnny Messner, Charlie Barnet, Enric Madruguera, and Eddy Duchin (Billboard, July 6, 1940). While recording is a powerful labor-breaking tool, the union developed a comparably powerful tactic relying on their spatial control and solidaristic relationships which link the most popular artists to the most marginal.

The success of these remote strikes was short-lived. Recording forced the union into a concessionary bargaining position in radio stations. Again, as with the cinema, the AFM underestimated the impact of recording. Radio stations expanded the use of recorded material in place of live musicians. Across nearly all musical spaces, the adoption of new sound technology was to cut back on labor costs (Roberts 2014). After all, records "do not go out on strike or demand higher wages" (Kelley 2002, p. 130).

### *Recording Bans and Labor Withdraw*

Seeing the limited success of the remote strikes the year before, in the summer of 1942, the union announced that contracts with recording companies would not be renewed (Countryman 1949, p. 264). On August 1, 1942, AFM musicians stopped recording music (Roberts 2014). Known as the recording ban, this was the most significant labor withdrawal undertaken by the AFM in its history. Initially, the union made no specific demands to end the strike; rather, union president James Petrillo's goal was to have record companies sign a contract of his design (Austin 1978). The record companies responded to the strike by challenging the legality of the Union's withdrawal through an injunction. The record companies' efforts failed at the Supreme Court who found the Union's strike was lawful (Mars 2016; Anderson 2004). Meanwhile record labels devised ways to continue their sale of recordings uninterrupted. Labels released previously unreleased material in an effort to outlast the musicians (Austin 1978). In addition to unreleased music, record companies published bootleg recordings made in Mexico and music imported from England (Austin 1980). Numerous singers turned to recording with acapella groups, including Ethel Merman, Dick Haymes, and the Mills Brothers. However, the union eventually banned these activities (Austin 1978). Overall, the ban did not do lasting harm to the output of recorded music (Austin 1978). Rather, record companies were able to clean out their inventory and monetize unreleased music.

Despite the flow of material, the strike was eventually settled with the union emerging as the clear victor. While there were more than 600 record labels affected by the strike, the primary antagonists to the union were the major record labels of the time Decca, Columbia, and RCA Victor (Defrancesco 2022). The first of these "majors" to settle was Decca who agreed to pay royalties directly to the union on a per-record-sold basis. This was a profound victory for the union (Defrancesco 2022). The rest of the majors eventually settled with the union, agreeing to establish a trust fund seeded and funded through record royalties to finance-free public concerts. AFM union president James Petrillo claimed the Music Performance Trust Fund (MPTF) was "the greatest victory for a labor organization in the history of the labor movement" ("The AFM-Petrillo 'Signature' Statement" 1944). And indeed, the victory for the union was monumental, not just for the AFM but for the labor movement as these gains mark one of the first times labor would receive money over and above the payment for the actual work carried out (Austin 1978).

The recording ban was the AFM at its peak strength. In the decades that followed the recording ban, the AFM's role in the working lives of musicians shifted toward administrative rather than radical ends. Roberts (2014) pinpoints the unions decline to the failure to organize rock and roll musicians. The AFM saw rock and roll as a fad, assuming this musical trend to be short-lived (Roberts 2014). In choosing not to organize rock and roll musicians, the AFM tacitly allowed the establishment of a parallel non-unionized music industry. By

the time the union organized rock and roll musicians in the late 1960s and 1970s, it was already too late (Roberts 2014). The union spent considerable energy in the first half of the century to protect jobs from automation; however, little effort was spent adding new members from emergent forms of popular music. Meanwhile, capital was unrelenting in its adoption of technology and further corporate consolidation. The popularity of rock and roll cemented the coming era of recorded music as non-union. Today, popular music is mostly recorded in non-union studios, performed in non-union clubs, by non-union musicians. Businesses are more than happy to negotiate contracts with artists individually. Rock and roll gave way to the music industry's largely unorganized workforce today (Roberts 2014, p. 13). Artists today are unorganized, bargaining individually in the face of unprecedented corporate power.

### DISCOVERY MODE, LIBRARY MUSIC, AND THE RACE TO THE BOTTOM

Returning to the present, the growth of streaming music has made the music industry bigger than it's ever been in terms of sales and profit as reported by industry associations. According to the Record Industry Association of America (RIAA) (1), year-end report "Recorded music revenues in the U.S. in 2022 continued to grow for the seventh consecutive year. Total revenues grew 6% to a record high \$15.9 billion at estimated retail value" (p. 1). Roughly 84% of that growth has occurred in streaming. While profitably and growth has returned to the industry from the lows of the MP3 crisis, little of this is trickling down to artists and workers. Rather, streaming has bottomed out wages for recording artists. Castle and Feijóo (2021) ask simply, "why does everyone in the streaming economy seem to be prospering except performers whose work drives it all?" The primary factors driving inequality between capital and labor is the royalty model established between record labels and music streaming platforms.

Spotify was born out of the so-called MP3 crisis. Its library at launch contained pirated music downloaded from peer-to-peer networks (Eriksson et al. 2019)! Spotify quickly grew and sought to develop formal licensing agreements with the major record labels. In exchange for licensing, each of the major labels would receive an equity stake in the young company. Sony Music, Universal Music Group, Warner Music Group, and EMI music received 6%, 5%, 4%, and 2%, respectively, while Merlin representing independent artists got a 1% share (Ingham 2019). In exchange for equity and as owners, these labels established a licensing model to their benefit (Giblin and Doctorow 2023). While obtuse and byzantine, there are some general and abstract ways to describe streaming music licensing as it is practiced by Spotify. Generally, licenses are negotiated between a record label and a platform who will pay a mechanical royalty to the label for a stream. Mechanical royalties are the most common type of royalty paid to artists, a term dating back to the mechanical



reproduction of player piano rolls. Labels are, however, clearly in a conflicted position as partial owners of the platform and as beneficiaries of royalties. To maximize their earnings, labels settled on the so-called big pool model to distribute streaming revenues (Castle and Feijóo 2021). In this model, revenue is paid to labels based on the total number of plays their catalogue receives as ratio of total plays on the platform for a given period less fees charged by platform. The label then distributes these monies to artists based on the rates negotiated in their individual contract. This percentage can be as low as zero but is rarely higher than 25%. This percentage is individually negotiated, often well before the internet! Matthew Stahl (2013) and Rebecca Giblin and Corey Doctorow (1) show how many recording contracts, especially those made with black artists, were unfairly negotiated and exploitative with unfavorable rates paid to artists, which continue to the present.

The most common criticism of the big pool model is that it does not meaningfully translate individual users' listening habits into income for the artists they listen to. It is a common misconception that by streaming an artist's music fans are directing their fees to the artist. Instead, the majority of a user's monthly fee goes to the labels which represent the most popular artists on the platform—whether the listener listened to those artists. Drake, the most popular artist on Spotify at the time of writing, will receive the largest share of every user's fee, regardless of if that user listened to Drake. As a result, “major-label superstars tend to derive the bulk of the revenue from streaming platforms” (Castle and Feijóo 2021, p. 8). Artists at one end of the distribution earn enormous sums of money from streaming, while the long tail of artists earn so little that they might not even cross the threshold to cover the cost of the check. Castle and Feijóo (2021) put it bluntly: “This economic imbalance shocks the conscience however lawful it may appear” (p. 13).

With music companies prioritizing growth in streaming, it is baffling to explain why the streaming giant Spotify has never turned a profit. Despite enormous growth in user base since its founding, Spotify consistently operates at a loss. Sismanis (2023) explains that the “problem with Spotify's profitability lies in the very nature of its own business model ... The bulk of Spotify's cost of sales consists of royalties paid to artists and record labels, which eats away most of the company's top line, leading to very slim gross profits.” Put simply, Spotify's barrier to profitability is having to pay artists and labels for their music. Every dollar sent to an artist is one dollar out of their bottom line. Spotify's current approach toward profitability mirrors those of the film studios, radio stations, and record labels described in previous section: find ways to reduce labor costs.

Spotify has invested in advanced algorithmic curation technology that drives listeners to low-cost music. Listening to music through physical media required time, effort, and money. Prior to online streaming, for many fans to participate in music consumption, many fans would go to a record store, purchase and maintain audio equipment, listen to the radio, go to concerts, and so on. Record labels worked hard to attract audiences to the artists they represent.



Drawing in audiences in the era of physical media is costly. Radio stations played a crucial role in curating tastes for listeners. Labels would go so far as to bribe radio stations, so-called payola, to play certain artists on the air. Payola was one of the few ways for labels to directly manipulate the market and cultivate audiences (Bhattacharjee et al. 2006; Coase 1979). While deemed illegal by the FCC in 1960, payola practices continue to shape the curation of music to the present. Record labels understood then what streaming companies are learning today: controlling the pathways that audiences discover music has enormous profit potential.

Payola has reached a new height today as algorithmic playlists can feed listeners music according to what is most profitable for the company. Making it on a popular playlist is today a significant moment in an artist's career. Ari Herstand (2019) in a popular guidebook *How to Make It in the New Music Business* emphatically suggests it is "now commonplace for independent artists to be able to quit their day jobs because one of their songs gets included in a few popular playlists." While "commonplace" is an exaggeration, Herstand (2019) highlights how artists and labels struggle to get their music into playlists. Some playlists are human-curated and subject to popular trends, influence, or old-fashioned payola. The popular, so-called mood playlists, however, are typically programmed by the "algorithm" (Eriksson et al. 2019). The Spotify algorithm is designed specifically to mitigate risk and generate profit. Publicly, these algorithms are understood to curate music to listeners according to their tastes, interests, and mood. Drott (2018) argues the primary curatorial goal of these algorithms is to keep the listener listening, through what they describe as the "next song matters" ideology. Algorithms use a complex data set balancing listener interests, trends, and even deep musical analysis to deliver the perfect "next song." Listeners who want to relax can turn to the Relax and Unwind playlist which will regularly update with a range of genre-crossing but affectively similar music; if you want to get pumped up, turn on the famous Beast Mode playlist. A common perception is that these playlists are filling a consumer demand helping individuals discover new music and set a mood. Goldschmitt (2020) shows how mood playlists shift the value placed on genre toward a consumer-driven set of values on mood and context. According to Goldschmitt (2020), a significant factor that distinguishes music platforms from one another is the quality of the curation, particularly of these mood playlists. A mood playlist, for example, Peaceful Piano or Chill Workbeats, is a many hours long playlist that is updated on a regular basis with music that can cross genres but fits within its stated mood. Listeners will play these playlists all day and passively listen. Spotify can lose a lot of money to these playlists as they encourage more use; the more a user listens to music the more it costs the platform. However, Spotify can mitigate these losses by delivering lower cost music, or royalty-free music to listeners.

The impact on labor comes sharply into focus through the implementation of Spotify's Discovery Mode. In 2020, Spotify launched a program where artists and rights holders could exchange preferential placement in the algorithm

in exchange for lower royalty rates. What Spotify calls Discovery Mode is what the Artist Rights Alliance (2021) calls “a race to the bottom in which many active artists feel compelled to pay up rather than risk being left behind in the battle for exposure.” Here artists trade their already low royalty rates for exposure and promotion; a pay to play scheme by any definition. While users might expect these playlists to be based on curatorial assumptions, metadata, or other behaviors, this new program instead drives recommendations that are more profitable for the company (Yoo 2020).

The problem, however, is even more insidious, as Spotify is developing technologies to bypass entirely the work of royalty-earning musicians. Spotify (and other platforms) have developed technology to direct low-cost music to listeners in the guise of curation and mood setting, retaining money that would otherwise go to labels and royalty-earning artists. Spotify uses troves of harvested user data to inject royalty-free music into playlists ensuring popularity and profitability (Giblin and Doctorow 2023). Critics are describing the algorithmic curation of this music as “fake music” made by “ghost artists.” Caramanica (1) explains, Spotify populates “some of its main playlists with so-called ‘fake’ artists ... music made by artists under pseudonyms who create tracks purely to populate these playlists at a lower cost to Spotify than artists who are signed to major record labels. [These artists] have, in some cases, millions of listens, but outside of the walls of the streaming platform, they fundamentally don’t exist.” A primary source of this low-cost music is the integration of library music from companies like Epidemic Sound into the general catalogue of Spotify. Epidemic Sound specializes in providing royalty-free music for commercial uses. Artists who make library music are typically paid one time in exchange for an unlimited use of their music. Library music finds its origins in the labor relationships between the AFM and film studios, who sought ways to get around the comparatively expensive union rates and indefinite royalty structure. Epidemic Sound and similar library music businesses are crucial for independent video producers, advertising firms, and other media producers. These uses are to circumvent paying artist royalties for music; however, this library music is typically used in non-musical endeavors, be it film and television, advertising, or social media. Further still Epidemic Sound employees a significant number of musicians, who, unlike royalty earning musicians are typically paid by the session or one-time for their performance. Spotify uses library music to reduce royalty payments to royalty-earning recording artists. Put differently, Spotify is distributing library music to avoid streaming more expensive music where artist receive a royalty from its use. There is a clear incentive to inject low-cost music into mood playlists; these are the settings in which low-cost music can be most easily delivered to listeners. As such, if the curation of these playlists contains music with lower royalty rates, it can increase the overall profitability of the platform as less user fees are returned to labels and royalty-earning artists. Put differently, instead of sending Drake more money, Spotify can retain more fees if users listen to royalty-free music.

Journalists have investigated several artists they believe to be library music presented under a fake artists name, so-called ghost artists. *Rolling Stone Magazine* alleges that the artists Ana Olgica and Greg Barley are fake artists (Ingham 2019). Olgica has more than 750,000 monthly subscribers with more than 200 million plays on their 5 songs, while Barley's 2 tracks on the service have more than 40 million individual plays (Ingham 2019). Both are remarkable achievements that would indicate enormous success as artists. However, neither of these two artists seem to exist outside of Spotify. They have no personal websites, no tour schedule, no record label claiming to represent them, no social media; they lack even the commonplace biography on the service itself. Ingham (2019) lists more than 50 artists they suspect of being "fake." While the agreements between Spotify and rights holders are generally confidential, numerous investigative outlets speculate that the popularity of these artists is due to the low-cost nature of the music and preferential placement in the platform's algorithmic curation.

Spotify can establish deals with companies like Epidemic Sound to create music that will set the mood for listeners with only upfront costs to Spotify, but potentially endless revenue if the song or playlist becomes popular. With the power to set the algorithm to deliver these songs, their popularity on the platform is all but guaranteed. In the "big pool" royalty model, rights holders are paid royalties as a percentage of total *monetizable* streams. If a listener listens to unlicensed music or royalty-free music, the value for that stream can be retained by Spotify. Meanwhile, royalty-earning artists are pressured through the Discovery Mode program to lower their rates to compete with library musicians who are also getting ripped as their music explodes in popularity. What is important here is that low-cost songs were ultimately made by human labor, work that is grossly underpaid and under recognized. While we do not know the artists who make music as Ana Olgica and Greg Barley or the countless other ghost artists, many of them are streaming superstars. However, as ghost artists these are amongst the most underpaid working musicians in the world today, unable to reap the benefits of their enormous popularity. This is a lose-lose situation for all recording musicians, but a boon for steaming platforms.

## CONCLUSION

Music businesses over the course of the twentieth century and into the present have developed numerous technologies to reduce labor time by automating the work of musicians, technicians, and costly intermediaries. Early recording and playback technology was used explicitly to break union power. The AFM fought recording at every turn, culminating in a two-year ban on recording activities for members. The union emerged victorious, winning several gains which still today shape the capital labor relationship, as it was through this struggle which led to many foundational elements of the contemporary royalty system allowing musicians to earn profit beyond their wages from ownership of their labor.

The early deployment of recorded music was both to reduce labor costs and to consolidate control over music production. This is most pronounced in the cinema and radio, where through recording and sound amplification, film studios and stations could discharge musicians while simultaneously standardizing and centralizing production. Today, there are a handful of massive companies with controlling interests across music activities; one or two companies control majority market shares in recording, radio, concert tickets, streaming and music licensing. In this way, music companies exert monopsony power over the purchase of musical labor. The market of recorded music is greater than it's ever been and growing each year because of streaming (RIAA [n.d.](#)). Recorded music has become re-capitalized and re-secured as a profit-generating commodity, however, even less profit is trickling down to the recording artists who make music. A significant reason for this is the "big pool" model which directs revenues to the most successful artists.

The big pool model brings into focus algorithms as a driver of inequality. The Spotify algorithms are carefully designed to generate profit through the reintroduction of a new type of payola system where artists and labels are pressured to accept lower royalty rates in exchange for favorable placement in popular playlists. Worse still is the use of royalty-free music to pad out playlists by delivering low-cost library music to aloof listeners. Their incentive to use this low-cost music is to retain more of the user fees which would otherwise be paid to royalty-earning artists. This highlights the simple fact that Spotify's profit is whatever it does not pass onto artists. The use of library music or ghost artists in conjunction with a profit seeking algorithm represents a new frontier in the power of labor-saving technology to extract more surplus value from music workers.

Music workers today are actively organizing for justice over streaming. The most central demand in these struggles is a change to model by which revenue from streaming is returned to the artist. Specifically, emerging organizations like the Union of Musicians and Allied Workers (UMAW) are seeking user-centered models with minimum royalties. While these changes are urgently needed, an equally important task is to fight against the algorithm itself. On the horizon are new technologies which can use the incredible data gathered from listener behavior to produce original music without infringement, displacing all music labor with artificially produced music curated to hapless users by artificial DJs (Hochberg [2022](#); Perez [2023](#)). If this dystopia is realized, the struggle over streaming models is rendered moot.

Discrete struggles over technology are part of a continuous struggle between labor and capital over the control of the labor process. Spotify's motives and use of new technology mirrors the motivations and deployment of recording in the film and radio stations generations earlier. Certain music technologies are deployed by capital to gain control over production and reduce labor costs. The MP3 crisis, for a moment, broke the hold that big music had over the sale of music. However, this was short lived and led directly to the behemoth enterprises today who maintain monopoly control over the sale of music and

monopsony control over the purchase of musical labor. While capital is now exceptionally powerful and well organized, labor power is diffuse. The lesson from AFM's past success offers a path for the deeply exploited music workers today: don't mourn, organize.

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# Exploring the Origins of Digital Burnout in the Music Industries and What to Do About It

*Christopher Woods and Jack Davis*

## INTRODUCTION

In the twenty-first century, DIY music cultures have increasingly been able to traverse beyond the physical space of their host cities and localised areas more efficiently than ever before. This is largely thanks to developments in communicative technologies, such as digital platforms. However, with the initially emancipatory emergence and growing prominence of digital platforms, the precarity of DIY musicianship faces additional pressures today. These pressures are manifest in the form of an increasingly apparent pathology of our networked age: digital burnout. Through the insatiable demands from consumers, fans and labels concerning social media and streaming content in the ever-expanding digital economy, musicians are reportedly exasperated by the situation; they are overworked, stressed out and confused (MMF 2022). In the digital age of the twenty-first century, DIY musicians now must contend with new pressures from online platforms, and streaming services and the algorithms

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that structure them as musicianship is increasingly embedded into commercial structures of the digital economy as a potential avenue for making a living out of music (Bennett and Guerra 2023; Kiberg 2023). This chapter interrogates the dark side of ‘doing it yourself’ (DIY) in the twenty-first-century digital age by analysing the power of digital platforms and their underpinning algorithmic infrastructures, which provide a new interface between DIY musicianship and the popular music industries. We do so by situating these developments in the Californian ideology, which originated in California’s Silicon Valley.

At the Southern end of San Francisco in Northern California is Silicon Valley, the symbolic home of the digital revolution. Once home to one of the world’s largest fruit-producing and packing industries, Silicon Valley has been transformed since the 1960s into the beating heart of technological innovation and digital capitalism (Barbrook and Cameron 1996). Funded by the U.S. military, the scientists of Stanford University pioneered the microchip and internet technologies, innovations that continue to transform how humans organise their lives today (Bridle 2018). Silicon Valley is the birthplace of many significant computing corporations, including Apple, Google, Intel and Hewlett-Packard (HP). Other tech giants such as IBM, Microsoft, Netflix, Meta, Samsung and Tesla have since established headquarters in Silicon Valley.

Noticing the transformative possibilities of digital technologies and the global consequences of innovations emanating from Silicon Valley, Richard Barbrook and Andy Cameron coined the phrase *Californian Ideology* to denote a melding of San Fran-based cultural bohemianism with the hi-tech industries of Silicon Valley. The Californian ideology “promiscuously combines the free-wheeling spirit of the hippies and the entrepreneurial zeal of the yuppies” but also represents “capitalism’s relentless drive to diversify and intensify the creative powers of human labour [...] qualitatively transforming how we work, play, and live together” (1996, p. 44). Underpinning the Californian ideology is an overly positivistic outlook concerning the progressive social power of entrepreneurial technology culture. However, in contrast to technological utopianism, Barbrook and Cameron foresaw as early as the mid-1990s that this curious fusion of hippie social liberationism with libertarian economic ideology held the potential for transforming digital information technologies from harbingers of freedom into “the machines of dominance” (Barbrook and Cameron 1996, p. 61). Intervening decades have seen the acceleration and intensification of this trend, realised through the emergence of a new stage of capitalism which relies on data surveillance through the growth of platforms and Web 2.0 (Zuboff 2018; Srnicek 2017; Muldoon 2022). Through the process, the promise of freewheeling, autonomous innovation has been curtailed, absorbed and obstructed through the inevitable monsters of its creation in the form of digital platforms, which have been increasingly integrated as crucial drivers of the popular music industry.

The core argument of this chapter is that recent technological innovations predominantly originating from Silicon Valley are impacting how musicians market and promote their creations. With the rise of digital platforms as a key mode of organising the production and distribution of music (Zhang and

Negus 2021), many musicians are today experiencing what is being described as digital burnout. Digital burnout refers to the physical and mental exhaustion which is caused by feeling forced or compelled to spend unhealthy periods in front of screens and the associated pressures of social media use which comes in tandem with online activities (Petersen 2021). Discussions around this subject matter became prevalent following the Music Managers Foundation (MMF) report in 2022, which identified an explosion of post-pandemic digital burnout in professional discourse amongst musicians themselves and their colleagues who worked in the industry (MMF 2022). In particular, the report highlighted that pressures exerted on musicians to comply with the incessant demands of digital content production results in increased cases of digital burnout amongst both aspiring and professional musicians.

In the following pages, we will unpack this idea and draw upon evidence from recent studies of music industries to devise means of addressing these issues. We begin by briefly recounting the history of digitisation before providing an analysis which suggests the role of social media and platform algorithms in producing digital burnout. Understanding the power of these curious computations and how they influence the ways we go about making music is the motivation behind this chapter. This chapter ends with a call for increased transparency around algorithms and best practice advice from social media companies to help musicians understand how to navigate their careers in the digital age.

### THE MYTH OF DIGITAL DISINTERMEDIATION IN THE MUSIC INDUSTRIES

In the late twentieth and early twenty-first century, major labels often utilised exploitative multi-year contracts to commodify localised DIY bands and scenes. This meant DIY bands and cultures frequently suffered a loss of artistic independence, and independent labels and spaces suffered a loss in momentum and interest, struggling to compete with larger and more corporate purveyors of the scene. Moreover, these processes of co-optation by major labels led to the commodification of ‘indie’ or ‘alternative’ cultural scenes by the mainstream popular industry (Fisher 2009; Hesmondhalgh 1999). Over the twentieth century, this blurred the boundaries between authentic DIY and leading to once oppositional scenes becoming a form of entrepreneurship and innovation, providing a means of product differentiation (Heath and Potter 2004) and serving to legitimise popular music industries (McGuigan 2009). In this sense, DIY cultures rarely (fully) exist outside of consumer capitalism despite their attempts to develop music as a form that attempts to bypass connotations of exploitation or alienation within popular music industries (Jones 2021).

Adding to the complexities of this relationship between DIY musicians and popular music industries, the rise of twenty-first-century digital technologies has posed an alternative route to commercial success for musicians from as early as the mid-2000s. At first, digital technologies offered a means of democratising the production and consumption of music, yet has so far resulted in both

DIY and professional musicians becoming further embedded into the ecology of mainstream music industries (Collins and Young 2017). This chapter will focus primarily on how digital platforms have conditioned cultural developments and consider the negative effects these transformations are having on artists and cultural producers. Yet, we wish to also express that the internet and indeed digital platforms maintain a democratising potential and can still offer the possibility of empowering grassroots, societal participation (Van Dijck et al. 2018, Poell et al. 2021).

The first wave of music industry digitisation occurred when illicit file-sharing across early peer-to-peer online networks significantly undermined the value of recorded music (David 2016). During this time, online cultures and communities of reciprocal file-sharing emerged and flourished (Giesler and Pohlmann 2003). In tandem with the digital disruption of the music industry in the late 1990s arose a wave of enthusiasm around the potential for the internet to offer musicians unprecedented access to audiences worldwide, access to which was to be free of interference from major corporations. In music industry studies from this time, scholars spoke of digital disintermediation (Rogers 2013). This concept refers to the potential for the internet to make the roles of traditional music industry intermediaries obsolete.<sup>1</sup> Theories of digital disruption predicted the potential of the internet to facilitate direct-to-fan connections which would mean that such roles would disappear in the future (Kusek & Leonhard 2005). In other words, musicians could become emancipated from the hold of major music corporations, heralding the age of digital democratisation. Essentially, the internet could free music from the clasp of major labels. Digital disintermediation became a key theme in the study of popular music around the turn of the twenty-first century, as scholars, musicians and industry professionals debated the impact of new communicative technologies on the landscape of the music industry (Rogers 2013; Collins and Young 2017; Wikström 2013; Hesmondhalgh and Meier 2018).

We can begin to unpack the complexities of digital disintermediation through the implications of digital software and social media platforms on DIY music culture. The rise of the internet and the growing accessibility of digital programmes such as Pro Tools provided DIY musicians with the possibility of recording and distributing music in ways previously unforeseen (Collins and Young 2017). Due to this, in the post-2000s era of digital platforms there has been a re-configuration of the pre-digital ‘basement’ and ‘garage’-orientated DIY scenes of the past through to today’s surfeit of bedroom musicians. As early as the mid-2000s, the scratchy demos uploaded by Alex Turner to Myspace shot the Arctic Monkeys to the front covers of magazines such as the NME in 2005. Moreover, 2012 saw the rise of SoundCloud rappers like Yung Lean and producers such as the Sad Boys, who changed the hip-hop and rap

<sup>1</sup>Traditional intermediaries refer to key music industry players such as record labels, managers, concert promoters and radio DJs. Digital disintermediation refers to the idea that, in the digital age, music could flow frictionlessly from producer to consumer without any interference from middlemen, see Kusek & Leonhard (2005).

scene. Yung Lean and the Sad Boys expanded the rap genre's cultural and geographical boundaries by incorporating a 'vapour wave' style, slurring mumbled lyrics that lacked a distinct narrative, and merging American pop culture references with emo-influenced, vulnerable lyrics. This SoundCloud rap scene has since inspired many more commercially successful artists such as Travis Scott, who recently collaborated with Yung Lean on the single 'Ghosttown'. The current crop of bedroom pop musicians, such as Clairo and Beabadoobee, have once again pushed lo-fi music to the forefront of cultural popularity. In short, whilst the commercial system remains firmly in place, independent DIY musicians have been increasingly influential, becoming established and achieving success within the mainstream.

To an extent, the internet, the development of social media and streaming services, and growing access to the necessary recording and production tools appeared to allow DIY musicians to retake control of their art and self-manage the direction of their careers in ways not previously foreseen. However, the success of DIY artists is an important driver of the music industry as their success is frequently co-opted as a means of providing new genres and markets of differentiation. This was the case throughout the twentieth century (Peterson and Berger 1975; Peterson and Berger 1971; Gillett 1970; Hesmondhalgh 1999) and continues to be the case today (Hesmondhalgh 2021a; Hesmondhalgh and Meier 2018). The growing availability of social media has opened up new avenues for the popular music industries to identify, co-opt and commercialise the success of DIY artists (Arditi 2020).

This growth in the success of internet-based musicians is often celebrated as an emancipatory development (Collins and Young 2017; Rogers 2013). However, the pressures and politics of DIY alongside the mainstream co-optation of this musical subculture mean major music corporations still hold sway over DIY music culture in the digital age. The number of artists who 'make it' will always be generally few and far between (Osborne 2020). However, the major labels are now joined by a cast of technology entrepreneurs and a new class of media moguls (Rogers 2013; Taylor 2015; Hesmondhalgh and Meier 2018). The growing power of the digital economy means DIY musicians are increasingly beholden to commercial platform services in terms of promoting and releasing their music. As opposed to heralding an age of digital disruption through facilitating direct-to-fan connections as a means of bypassing the commercial infrastructure of mainstream music industries, the growth of the digital economy has provided new avenues for co-opting and commercialising DIY music cultures.

Record label executives have also fallen for the myth of digital disintermediation, restructuring their organisations to adapt to the new demands of twenty-first-century music industries. This involves a process of offsetting any losses incurred by the radical devaluation of recorded music in the digital age by increasing workload expectations on the artist. This means continuing to perform their own marketing and social media promotional activities (MMF 2022). Moreover, labels generally provide musicians with under-resourced,

overworked and often junior (or inexperienced) staff. With less professional support behind them, musicians experience an overwhelming number of digital choices and obligations, and the sheer volume of music and digital content demands are debilitating. This is an issue faced by artists at all career stages and levels of success. Compounding this, both major and independent record labels have increasingly pursued a strategy of reinvesting marketing budgets into the production of new releases, which offloads the responsibility for marketing onto the musicians themselves (MMF 2022). The consequence of this situation is that overworked musicians are increasingly expected to become social media experts, video editors and digital technology gurus (Woods 2023). This problematic situation is exacerbated by the hypercompetitive nature of the digital marketplace and attention economy (Woodcock and Johnson 2019). To fully understand the consequences of this, in the following section, we briefly outline the emergence and development of the internet and the platforms it hosts before unpacking the implications of such developments for DIY artists and the popular music industries.

### DIGITISING MUSIC INDUSTRIES AND THE EMERGENCE OF PLATFORM CAPITALISM

Throughout the late twentieth and early twenty-first centuries, DIY culture was frequently heralded for the formation of ‘free spaces’, within which specific and often subversive values, norms and ideals are celebrated (Culton and Holtzman 2010). This is because DIY historically relies on small-scale spaces, such as through ‘bedroom’ record labels (e.g. Lookout! in East Bay released influential records by Green Day and Operation Ivy in the early 1990s), ‘lo-fi’ home recordings (just listen to Minor Threats self-titled album), and makeshift live venues (such as ‘The Church’, where Black Flag are resident-performers in the film ‘The Decline of Western Civilisation’). While alone these aspects tend to emphasise frugality and self-sufficiency, when combined to form larger scenes—such as the 1980s hardcore punk scene—they operate as the foundation for autonomous activity (Jones 2021). An example of this organisation of free space was mapped in the early 1990s by the music magazine *Maximumrocknroll*, which published a city-by-city guide entitled *Book Your Own Fucking Life* for US-based musicians (Ozzi 2021). With the emergence of the internet, it appeared that connecting DIY cultures and the musicians residing in them would be easier than ever before. Yet, this changed with the rise of the digital economy.

In the early twentieth century and in particular, from 2009 to 2011, the emergence of social media platforms such as Twitter was further hailed for facilitating new modes of social organising and citizen journalism around countercultural movements. This phenomenon became particularly prevalent during the Arab Spring and Occupy protests (Passini 2012). But the celebration of digital emancipation was followed by a parallel of manipulation, due to the

emergence of what has been termed ‘platform’ (Srnicek 2017) or ‘surveillance’ (Zuboff 2018) capitalism. The emphasis of the digital economy on data mining and extraction (from users) provides a new logic of accumulation “which extract value from the production of consumer communication, lifestyles and subjectivities” (Zwick and Bradshaw 2016, p. 96). Moreover, the pressures of the digital economy in producing more, rather than less work coupled with experiences of constant surveillance have been found to erode the resilience of users (Ens and Márton 2021) and encourage the exploitation of the self (Heeris Christensen et al. 2023), blurring the boundaries of work and recreation while isolating the individual from supportive communities.

The growing role of technology entrepreneurs and media moguls arose with the emergence of streaming media technologies and services has installed a new dominant logic of accumulation in the popular music industries (Arditi 2018). This is because the emergence of streaming services and digital platforms offered a previously unforeseen means of gathering very large numbers of data points about their users (Zuboff 2018; Srnicek 2017). The core purpose of these services is to make a profit by encouraging ongoing engagements and subscriptions which foster an endless consumption of music amongst other media (social, televisual, etc.). Through this process, music consumption is heavily shaped by categories formulated and demanded by advertisers which can be shaped via algorithms to the taste of individual consumers (Prey 2018). The integration of personalised digital platforms like Spotify, Amazon or Apple Music into our lives tracks and guides our actions, behaviours, interactions and communications. As a result, the creative output of DIY musicians is now mediated by multiple digital services, and the companies which own them wield a considerable amount of power. This begs the question of whether it is our taste that is shaping what the algorithm shows us or if it is the case today that algorithms are increasingly shaping our taste.

Digital platforms operate through a dichotomy of emancipation and manipulation. In short, digital platforms are structured around manipulative “accumulating tendencies towards power, capital and corporate ownership”, yet they rely on emancipatory “human, cultural practices related to work, democracy, and creativity” (Kiberg 2023, p. 3). Indeed, the success of platforms, such as Facebook and Spotify, lies in their ability to be perceived as an emancipatory or empowering space while extracting value from the individuals, musicians and communities they host. We are entering a world where even our most private and intimate moments become commodified. Technology companies have developed the capacity to capture data by leveraging increased degrees of user participation since the emergence of Web 2.0.

This innovation ushered in an era whereby “life itself, with all its oddities and anomalies, has become a prime source of capitalist exploitation. Data is extracted from tiny differences in taste, consumer behaviour and opinions, then run through various computational procedures, visualized and sold to the highest bidder” (Lovink 2019, p. 82). The information created (i.e., data) from a growing range of social activities is encouraged and shaped by the

algorithms which guide user activity (Zuboff 2018). At the same time, platforms mask their exploitative practices in the language of community, while musicians, promoters, DIY labels and fans may be able to “communicate with nearly anyone across the globe” through digital technologies and their communicative affordances, they “can’t determine the conditions in which we connect” (Muldoon 2022, p. 2).

In mainstream accounts, the true impact of the internet on the profitability of the music industry’s ability to generate value from music-related products was grossly exaggerated (Rogers 2013). However, as Arditì (2020) argues, the crisis of music industry digitisation was less of a crisis and more a rhetorical effort by the recording industry to lobby for greater control over copyright and foster a moral argument for still paying for music (despite being freely available and easily accessible in other sources online). The reality of digital re-intermediation became increasingly apparent as the industry responded to file sharing by pursuing platform providers, individual sharers and Internet Service Providers (ISPs) in the courts while enforcing the licensing of digital providers (Rogers 2013). This trend has only intensified over the past two decades. Of course, we can share our favourite tracks online. In fact, we can share almost anything online, but this always occurs on someone else’s terms. That someone else can usually be found in the Santa Clara Valley.

Both Silicon Valley tech barons and their innovations act as new intermediaries for the music industries, inflating the already sizeable number of barriers and obstacles musicians face in the way of making a viable career in music. Even ‘alternative’ platforms such as SoundCloud and Bandcamp are compromised in the prevailing capitalisation of self-managed DIY musicianship (Hesmondhalgh et al. 2019). More recent innovations such as streaming services and newsfeed curation (i.e., personalisation) algorithms mean that today, these digital intermediaries are not always people. In the past, these roles were played by humans such as those who work as talent spotters for major labels. Whilst traditional roles such as managers and A&R personnel still exist and still have an important role to play in music industries, the role played by algorithms in deciding who hears your music or sees your posts poses a new complication in twenty-first-century music-making.

### ALGORITHMIC INTERMEDIATION AND THE RISE OF DIGITAL BURNOUT

Algorithms are digital computations whose workings and underpinning logics remain hidden in the backend of computer programmes. Importantly today, they are actively shaping social reality by making predictions about what content is most likely to keep us scrolling or listening. More importantly, however, most of us have no idea how they function or by what measures or categorisation they make these calculations about our lives. These technologies control what we see on our phones, which artists are recommended to us, who we



listen to and even frame how we interpret and interact with the world around us. This is achieved through increasingly innovative modes of targeted marketing, nudges and push notifications (Prey 2018). Moreover, these technologies have become increasingly embedded into the popular music industries, which has had dire consequences on the well-being of musicians in terms of the expectations concerning creative output (Karakayali et al. 2018; Seaver 2022).

In 2022, the Music Managers Foundation (MMF) published a report on digital burnout. The report noted recent changes in commitments in musicians' contracts. Workload expectations have rapidly increased to an artist today having to produce around 24 tracks in up to 3 years as well as all the associated promotional content that goes with each release (MMF 2022). This is an increase of up to 50% in terms of musical output if we are to take the standard music industry 12-week release schedule as standard, that is, between 4 and 5 single releases in a year. In music industry terms, recent developments in musical production technologies have seen musicians increasingly evolve into micro-hit factories (Strachan 2007; Collins and Young 2017). This is because the demand for social media and streaming-friendly content has become insatiable, and the MMF report highlights that labels' insistence on increased engagement leads to stress, anxiety and other mental health issues (MMF 2022).

The issue of digital burnout arose when household names began to spearhead a backlash against the demands and pressures labels placed on their musicians to create daily content for TikTok and other platforms. According to the MMF, digital burnout is an issue that's been simmering away for some time, and TikTok obligations are just the tip of the iceberg for this problem (MMF 2022). By requiring musicians to promote themselves commercially without the relevant training or community support, the popular music industries put artists at risk and produces unnecessary and harmful competition. Moreover, the emphasis on social media promotion compromises the protection a community, manager or label can offer musicians which could be achieved by screening, supporting or directing their activities and interactions. This situation also exposes musicians to front-line criticism, trolling and bullying, which affects creative choices and diminishes self-esteem and confidence while isolating artists from previously supportive, autonomous communities.

In line with the increased expectations for musical production, a new development in the music industries is that to access key sources of revenue, musicians must command a significant social media following (Woods 2023). Social media engagement and streaming numbers are essential in determining whether a musician receives playlisting and marketing support. Pursuing the viral route to success in popular music presents musicians with seemingly attractive alternative routes to entering music markets previously reliant upon winning the support of traditional industry gatekeepers (i.e., managers, label owners and A&R reps). This in turn has meant that intermediaries have not been negated at all, but rather new ones have formed within the digital economy. Human gatekeepers are one form of intermediary, but due to the growth in social media and streaming service personalisation, algorithms also function as



inhuman intermediaries. As influential actors in music industries, algorithms retain the capacity to nudge users and affect their judgement by encouraging or discouraging certain behaviours and actions. Producers often need these algorithms to be appeased to ascertain consistent visibility in digital culture. To gain success in the digital age, musicians' output must meet the algorithmic criteria set out by streaming services, social media platforms and advertisers (Prey 2018).

For musicians, the requirement for meeting algorithmic criteria raises additional challenges. In the era of platform-orientated streaming, 'vanilla' releases take priority. The contemporary ecology of music-making encourages the need for more frequent, unchallenging output from musicians who must now seize upon audiences of distracted, perhaps overworked, or anxious listeners through platforms that generate anaesthetised, algorithmically designed playlists (Pelly 2017; Pelly 2018). As such, it has been argued that the growth in streaming culture serves to encourage an increased output of bland and unchallenging music which prioritises a functional rather than meaningful experience for musicians and fans alike (Hesmondhalgh 2021b). This has led to musicians reporting that they have resorted to a *focus-group* attitude towards songwriting (Woods 2023), which refers to a conscious effort to ape or mimic existing popular styles. Furthermore, due to the growing prevalence of streaming services, music is increasingly characterised to be socially functional, endlessly played in the 'background' of other activities which serves to reinforce a market for bland outputs aimed at casual, passive listeners which fit comfortably into curated playlists in the form of 'streambate' pop (Pelly 2018). Both examples show how social media not only shapes taste but also shapes the aesthetic quality of music. In other words, social media and streaming services stifle the creative innovation and output of musicians.

Compounding these issues is musicians' reliance upon algorithmic favour which determines the degree to which their music is played for new listeners (Karakayali et al. 2018). For DIY and professional musicians alike, cultivating an online fanbase relies on their algorithmic visibility. In other words, musicians increasingly depend on social media and streaming algorithms not only to get heard in the first place but also to determine whether or not that music is valuable.<sup>2</sup> The lack of industry-led education around digital media and best use practices means musicians are constantly left second guessing their approach, judging their performance in real time as the likes and shares fluctuate unpredictably (MMF 2022).

Furthermore, producing promotional content costs money, and there is a lack of recognition from the labels seeking to offload as much of these costs as possible onto the musicians they roster. This issue is directly addressed in the MMF report which recommends greater transparency in the relationship between managers, labels and digital service providers, particularly regarding

<sup>2</sup> In a direct monetary sense or in the sense of commercial potential in the *eyes* of key gatekeepers which themselves can be both human and inhuman.

the inner workings of algorithms, which can allow for more efficient planning and strategising. Managers felt like too much time and resources were needed for social media, compromising mental health and commercial decisions and reducing the time and space required for musicians to be creative. Algorithmic openness would leave musicians with more time and space to work on their art.

However, the case of musicians experiencing digital burnout raises the question of why people do things so clearly in opposition to satisfying their best interests. What are we really doing, and who are we actually doing it for? It should be clear from the preceding discussions that increasingly we are doing these things in the best interest of social media and streaming platform moguls whose business models rely on increased engagement. This is due to their principal source of revenue coming from advertising meaning that glueing users to screens is the expressed aim of algorithmic curation. It is screen time and not the content that is valuable in the age of surveillance capitalism (Zuboff 2018). It should have also become increasingly clear that these changes to music industry practices, protocol and business decision-making are resulting in an increasingly difficult situation for musicians who know their job is less about making music and more about making content. Both the physical and mental health alongside the creative output of artists is now suffering because of this situation. So, the final question remains, what can we do about it?

### DISPELLING MYTHS OF CALIFORNIAN IDEOLOGY

Research conducted by Woods (2023) uncovers the extent to which musicians today devote their time to succeeding online. Musicians are increasingly seduced by the myth of the viral route to success, and it is this algorithmic mediation of social reality that compels musical subjects (i.e., aspiring artists) to fall under the spell of the Californian ideology. For the music industry, this myth reads that musicians can unlock doors to progressing their musical careers by accumulating large numbers of likes, shares, comments and streams. In this sense, music takes a backseat as the social media activity of digital promotion is prioritised. If musicians look successful on social media, people will take them seriously, and hopefully, someone will notice them, or they hit the right formula to take their music viral. There is a sense among musicians that with every post or every new release, this could be the one that makes it, but sitting and watching (or manipulating) the stream count will never get them there.

Social media algorithms also give the impression that everyone else is doing better than you are (i.e., that they are going viral). It is tough to remember that when you idly scroll social media and dream of success, most of the time, so is everybody else. We are lulled into the idea (to a much more exaggerated and targeted extent) that happiness or satisfaction is more straightforward and achievable than it is (Manson 2016). In such ways, algorithms help constitute a hyper-illusory and ideological state of digitally mediated un-reality. This is the effect of the Californian ideology which rests upon the idea that for every problem, *there's an app for it*.

Compounding these ideological elements, digital media companies and developers (i.e., Californian ideologues) also retain a physical hold over users. To explain, in the case of social media, we know that receiving notifications releases a micro-hit of dopamine in your brain, enough to keep you coming back for more (Lembke 2021). In this sense, algorithms' contribution to platform architecture notably draws inspiration from the gambling industry in attempts to hook users into the service (Greenfield 2017; Lovink 2019); the drag-down refresh function of social media smartphone apps directly mimics the mechanics of Vegas' notorious slot machines. Instead of zapping your bank balance, social media algorithms in their current usage by platforms such as Spotify can (if approached in the wrong way) lay waste to musicians' creative energies and efforts, leading to instances of digital burnout in their quest for viral stardom. In Woods' (2023) research, it is highlighted how the ongoing pressure of self-promotion across platforms to garner enough followers and streams becomes all-consuming for musicians. These findings are also corroborated by the results of the MMF report. Pursuing the algorithmic (i.e., viral) route to success and the extreme toil, turmoil and exasperation (described above in the case of digital burnout) represents the toll paid by musicians and their music. Algorithms enforce unsustainable behaviours through the promise that if they (i.e., the musicians) follow the algorithmic rules, success will follow.

Algorithmic nudging also influences the music artists produce (Kiberg 2023). We can call this phenomenon algorithmically induced cultural homogenisation. To explain, it has been noted that algorithms contain biases (Noble 2018). In the context of machine learning (i.e., the technology which underpins social media and streaming service curation algorithms), bias means that even after extensive training, an algorithm is unable to learn or acquire anything essential about the object of learning (or the target). One illustrative case of this is when a Google Images algorithm labelled a picture of black people as gorillas (Greenfield 2017). It is not that Google's developers are overtly racist (although some inevitably will be, as is unfortunately the case in any given group or society). The issue at hand is not with the fact that Google used machine learning to identify objects in images, but rather with the biased dataset it used for training. Specifically, the dataset that Google provided for training the machine learning algorithm only included images of people with white skin, which led to algorithmic bias that struggles to accurately identify people with non-white skin as people. In many ways, this is an accurate reflection of the society we live in (and a very poor one), given that the average Silicon Valley worker is much more likely to have lighter skin than dark. In one way, this shows society's deep-rooted and systemic racial profiling and discrimination but also countenances the idea that data are neutral.

To function, algorithms and machine learning systems are fed with data which must in turn be captured by an instrument or some other measurement process. Furthermore, the term 'raw data' is a confusing misnomer because human perception is already a process of editing and curating the reality which produces the data (Greenfield 2017). This degree of editing and curation is

amplified in the digital age where data must become machine-readable (i.e., series of 1s and 0s unintelligible to most humans). What is collected and what constitutes data are subject to ideology, the Californian ideology of digital capitalism. The algorithm will not recognise what it does not already know, seriously curtailing the potential for differentiation and experimentation in the digital age. The choices made in designing an algorithm entail profound consequences for the things it sorts or calculates (Greenfield 2017). This again leads to musicians facing a mediated reality of requiring music to be bland enough to suit the algorithm (Pelly 2017), and be situated in the known field around which the algorithm operates. To be recognised, musicians must consistently ensure their music or promotional posts suit algorithmic criteria (or rules) unknowable to them. This serves to contribute to digital burnout through its lack of transparency. Algorithmic black boxing contributes to the exasperation of contemporary DIY musicianship while limiting the scope for new alternatives to emerge through such structures. It requires musicians to spend more time in front of screens focusing on second guessing what might get picked up by the algorithm, and less time focusing on the production of new and interesting music.

### TRACING ALTERNATIVE PATHWAYS IN THE DIGITAL AGE

How, then, can we begin to overcome these challenges and work towards a form of digital musicianship that is free of burnout and curtailed creative possibilities? In other words, how do we re-emancipate musicianship and foster 'free spaces' for the future? There is no easy answer to this question, and there is likely no singular fix. There are, however, avenues available to us that can be found by focusing on the lost possibilities of DIY culture. This means considering how practices of the past might be re-adapted for musicians in the twenty-first century. A start might be to foreground the voluntarism and mutual aid which facilitate the successful reproduction of grassroots music industries and cultures, on which the mainstream music industries (and by extension, streaming services and digital platforms) rely (Toynbee 2000; Laing 2012). Due to its ideological embeddedness in the system, DIY music has lost its oppositional facets in the twenty-first century.

As such, we require a return to promoting the formation of autonomous communities which address harm and foster well-being through reciprocated care for music and for one another. Care and mutual aid exist in opposition to the commercial forces of the popular music industries and the digital economy around which musical communities are increasingly organised today. By refuting the call for endless, algorithmically guided competition for streams, followers and viral hits, musicians can (at the very least) begin to avoid the trap of digital burnout. While undoubtedly difficult given how embedded DIY artists are into the capitalist digital economy, emphasising the production of alternative structures based on music rather than commercial economic indicators might provide a workable framework for this. One means of doing so would

mean a return to more collective, community-orientated actions by DIY musicians in a fashion that is adapted to the digital age. Such action must be positioned in direct opposition to the algorithmic structures which currently shape musicians' subjectivities and curtail their creative energy. Rather than pursuing short-term viral hits as a central facet of DIY culture, there is scope for longer-term aims in terms of building sustainable, localised DIY cultures which foster free spaces (Trelease 2023; Culton and Holtzman 2010) both in and outside of the digital realm. In our final sections, we outline two alternative pathways for musicians alongside other members of DIY culture (and the popular music industries) which trace an alternative route to collective success.

### PLAYING WITH ALGORITHMS

One option would be to *play* the system or *game* the algorithm. We must realise that those numbers on social media do not really mean very much at all. Particularly to professionals in the industry (Woods 2023). To elaborate, beyond trying to appease the algorithm, musicians also face potential penalisation in the form of shadow banning if they are seen to not play by the algorithmic rules, which can be devastating to DIY artists as it leads them to lose their hard-earned momentum (i.e., digital presence). However, drawing upon personal experiences of being a musician, Woods (2023) remembers releasing a new single and wishing to boost measly streaming figures; his band all began streaming the single on repeat, silently as they went about their days. In such a way, it was possible to accumulate a substantial number of streams (enough to brag about on social media, at least). However, after some time, it was remarked (by the band) that their inclusion in algorithmically curated playlists on Spotify was beginning to drop; related artists features disappeared, and their 'organic' network was neutralised (Woods 2023).

The band decided to obey and stop and allow the accumulation to occur naturally instead. Over time, these features came back, and tracks started being sent to subscribers and listeners automatically, but the numbers racked up by gaming the system were never repeated in this manner. However, in a funny twist of fate, the band became aware of local arts council funding available to musicians who had achieved over 100,000 streams on a particular release. Totting up totals across streaming sites, it was determined that only a few thousand more streams were required. The band returned to silent streaming to win this funding. In essence, it was decided that subsidised recording was worth more than the remote possibility of viral fame. This example illustrates how the value and importance of online figures fluctuate and is changeable based on circumstance or situation.

Another example of gaming the system comes from the American neo-funk outfit *Vulfpeck* who found viral fame on YouTube. Instead of burdening their fans with advertisements and promotional content which would disrupt their lo-fi basement or garage jams, instead turned to Spotify to try and finance their first major tour. The band released a whole album of silent tracks all around 30

seconds long.<sup>3</sup> They asked their followers across social media to stream this new album on repeat whilst they were sleeping or not listening to other Vulfpeck releases (of course). Over weeks and months, the measly amount of streaming revenue most artists receive accumulated into a sizeable amount (\$20,000). Enough to support a tour of the US. That figure could have been made much bigger had Spotify not removed the album (Sleepify) after only seven weeks on the platform (Jonze 2014). This strategy inspired the approach adopted by Woods (2023) and his band but what we are asking you is to be inspired by these ideas and find your own ways of using technologies to your own advantage and not for those who reside in Silicon Valley.

### PUTTING ALGORITHMS IN THEIR PLACE

For another riposte to the argument developed over the preceding pages, we can draw once again from the findings of Woods (2023) who spoke to several managers and questioned them as to how much they looked at online figures when selecting which artists to work with or approach. Examining an artist's socials may or may not be the first thing a potential listener will do, but the industry professionals Woods (2023) spoke to agreed that it would be a foolish decision to work with an artist based on likes (or streams) alone. The most important thing for them, they say, is to simply like the song. Other times they do not even need to like the song (or artist) but to see its potential (to sell). Furthermore, knowing what to do on social media remains knowledge that is often party to only those in the know. One manager spoke of how they were able to boost an artist's social media engagement rates by simply posting only *reels* on Instagram. It is not about hitting upon a formula but simply knowing what the algorithm wants (i.e., what kind of post will be pushed or promoted). Knowing what the algorithm wants, however, is difficult information to come by if you are not in the room. Nevertheless, the consensus seems to be that in the early stages of an artist's career, it is more important to focus on selling tickets (or records) than accumulating social media capital. In fact, several managers discussed how they would prefer an artist to return to an older technology and start building mailing lists (Woods 2023).

Finally, the managers spoken to did not say that their main source of clients was through streaming platforms but primarily through word of mouth from other professionals (producers, gig promoters, etc.). This also suggests a more traditional approach to growing your social network is fruitful: getting out there and meeting people. Go to gigs (not just your own), watch other local bands, support other local artists and musicians and promote local bars and venues. Try to build musical communities in your areas instead of globally dispersed niches. Treat social media for what it is: a message board, not some golden ticket or a safe to be cracked. The time, effort, energy and even money spent bulging the pockets (and datasets) of Californian ideologues and

<sup>3</sup> 30 seconds is the point at which a stream triggers royalty payments.

platform owners would be much better invested in rebuilding the communities and high streets being decimated in the digital age.

## CONCLUSION

In this chapter, we have tried to shine a light on the growing issue of digital burnout in contemporary creative industries. Digital burnout, we argue, is a direct result of artists' over (or surplus) engagement with social media and streaming platforms. We began by tracing the history of the digitisation of music (industries) and showed that the democratising possibilities of digitisation promised by the Californian ideology are curtailed by the soft power tactics of algorithms which underpin the logic of establishing a best or desired practice. As we have discussed, digital platforms consist of a particular system design (i.e., architecture) created to pattern interactions between its users. These interactions are shaped in the sense that they are geared towards the systematic collection, algorithmic processing, circulation and monetisation of user data (Van Dijck et al. 2018). Interactions with (and generation of) content across these platforms have contributed to a growing digitisation and datafication of consumption practices, which generate traces of communications and activities through every song streamed, link clicked, message sent, page liked or post shared (Airolidi 2021; Srnicek 2017; Zuboff 2018). It is this business model to which musicians and fans alike are increasingly bound, through which the industry is offered new forms of competition, control and profitability (Srnicek 2017). Through this technology, the Californian ideology, developed in the 1990s, has changed into a machinic form. The once-promised emancipatory possibilities of 1990s technology in bringing together DIY communities of musicians and fans in ways previously not thought possible have faded over time, confined largely to memories of the late twentieth century. Over the past two decades, our experiences of the digital economy have become entangled in algorithmic chains, which track and direct musicians and fans alike across a range of platform infrastructures that hardly anyone fully understands the workings of.

We have framed the Californian ideology as a form of seductive deception which promises and prevents the possibility of musicians self-managing their careers. This is reflected in the operations of social media and digital platforms, which promise emancipation yet to serve to innovate new forms of social control and profitability via the ideological functioning of algorithms. Through platform mediation, the possibilities of emancipated DIY musicianship are distorted by the inequalities, hierarchies and power relations of ideological, algorithmic frameworks. The experiences of these frameworks are instilled and accepted as common sense by the individual subject, when in fact they are the opposite, leading to a growing prevalence of digital burnout amongst musicians. This results in musicians gambling on viral success when the odds are stacked against them, placing their dreams of success in the hands of algorithmic processes barely anyone understands. This chapter serves to highlight the



need to overcome contemporary architecture through which the free and autonomous spaces of DIY musicianship are twisted in the market logic of the digital economy. This logic emphasises a framework promoting profitability and competition over care and reciprocal support. We wish to end this chapter with a plea for algorithmic transparency. If we must play this game, then let us play it with a rulebook. In the meantime, however, remember that social media is only worth as much to your musical career as the value that you are willing to ascribe.

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PART II

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Music and Technology: From Radio to  
Algorithmic Gatekeepers



## Amplifying Value: Labor, Technology, and Creativity in the Jingle Industry

*Ravi Krishnaswami*

It seems like there used to be more jingles in commercials, doesn't it? This chapter shows how the changing aesthetics of American advertising music have reflected the deteriorating labor power in the creative industries, and disruptive technologies in music and video production. The most recent thirty-year period of advertising music can be historicized as three eras: the waning days of the “jingle” era ending in the late 1980s to early 1990s, the professionalized “underscore” era dominating the mid to late 1990s and early 2000s, and the “licensing” era, from the early 2000s to the time of writing this chapter. While jingle-writing, underscoring, and licensing have all remained viable options, each period has been dominated by one technique, driving production practices and aesthetics.

To illustrate these shifts, I have studied the industry's trade organization, the Association of Music Producers (AMP). As a representative of the major players in the ad music industry, AMP provides a window into what is an otherwise poorly understood and unruly overlap between the music and advertising production industries. I present AMP's history in the words of its leadership, stitching interviews together to document the last thirty years of the organization. Because AMP maintains no archive, its institutional memory is scattered among its past presidents and their oral histories. I will first describe the labor conditions that animated members of the industry to form a trade association in the early 1990s. I will then show how changes in the broader music industry

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and its relationship to advertising threatened composers' creative autonomy and value in the marketplace. The heart of this chapter will show how the shift from studios and full-time composer jobs to a freelance economy built on laptops and file-sharing rendered composers' labor invisible and foreclosed opportunities to build value through co-creation with advertising producers. Finally, I will show how AMP gives a largely scattered and marginalized industry legibility in a post-television advertising world.

## LITERATURE REVIEW

Advertising music, and the technology behind it, has generated interest in numerous disciplines, including ethnomusicology, science and technology studies, and media studies. My research builds on the theoretical and historical foundations of several music scholars who have already studied the industry, its practices, and its history. Timothy Taylor's *Music and Capitalism* and *The Sounds of Capitalism* both portray the advertising music industry and its relationship to the music industry as a symbiotic relationship driven by the advertising industry's conquest of culture, an idea influenced by Thomas Frank's work on advertising in *The Conquest of Cool*.<sup>1</sup> Joanna K. Love's *Soda Goes Pop* takes a longitudinal approach, showing how one brand, Pepsi, has leveraged popular music to reflect the values of each subsequent "Pepsi Generation."<sup>2</sup> In *Selling Out* and *As Heard on TV*, Bethany Klein looks more broadly at the licensing of popular music in advertising, portraying advertising as a new market for the music industry to monetize.<sup>3</sup> And finally, the recent *Oxford Handbook of Music and Advertising* gathers a variety of theoretical and methodological approaches, organized in the categories of "production," "text," and "reception," a framework with roots in British cultural studies.<sup>4</sup> The aforementioned work do heavy lifting but fall short when approaching the material aspects of the composition and production of original music, due to the lack of perspectives from the composers and producers themselves.

A primary theme in this chapter is the role that composing, recording, and postproduction technologies, and their move from elaborate recording studios to laptops running digital audio workstations, has played in deskilling the industry. Economist Harry Braverman developed the idea of "deskilling" in the 1970s. He was primarily concerned with the practice of reducing a skilled job to a set of menial tasks, a Taylorist/Fordist approach to labor.<sup>5</sup> Cyrus Bina places Braverman's ideas within a neoliberal context, arguing that a "skillset" is "a possession that can magically evaporate upon the waving wand of

<sup>1</sup> Taylor, *Music and Capitalism*; Taylor, *The Sounds of Capitalism*; Frank, *The Conquest of Cool: Business Culture, Counterculture, and the Rise of Hip Consumerism*.

<sup>2</sup> Love, *Soda Goes Pop*.

<sup>3</sup> Klein, *Selling Out*; Klein, *As Heard on TV*.

<sup>4</sup> Deaville, Tan, and Rodman, *The Oxford Handbook of Music and Advertising*.

<sup>5</sup> Braverman, *Labor and Monopoly Capital*, 168.

technology.”<sup>6</sup> More recently, David Arditi has argued that many of the tasks of working musicians, from drummers to tape operators, are easy to deskil because musicians are fetishized as artists rather than workers.<sup>7</sup> My own experience has been that music composition, performance, engineering, and production knowledge is less and less necessary as it becomes embedded and consolidated in automated functions within digital audio workstations.

Paul Theberge and Laura Brown have each studied the rise of the “prosumer” driven by new technologies of recording, sampling, and synthesis, arguing that composers are increasingly positioned as consumers, rather than professionals, in an ever-growing marketplace of tools.<sup>8</sup> Similarly, James Buhler’s study of the marketing of “virtual” instruments, downloadable, playable, sample banks of acoustic instruments, also provides critical insight into the discourse and practice of film scoring, showing how “epic” instruments are marketed to amateur composers, selling them the dream of becoming the next Hans Zimmer.<sup>9</sup> Placing these ideas in the broader context of digitization and labor, recent studies on the impact of digitization on professional photographers are also useful as examples that encourage comparison, showing how digital tools often arrive as double-edged swords, making workflows simultaneously easier for professionals, but also and easily adopted by amateurs.<sup>10</sup>

## THE EVOLUTION OF TELEVISION ADVERTISING

While composers and their technologies are at the center of the changes in the industry, it is important to also examine how the status of advertising agency vendors reflects broader economic conditions. Advertising agencies have themselves been changing their ways of working due to media fragmentation, brought on first by cable, and then later by the streaming era. Joseph Turow has written about the advertising industry’s pivot from concentrated media domination toward audience segmentation and targeting, which threatened advertisers’ power.<sup>11</sup>

As the influence of the broadcast of one ad on one network has decreased with the explosion of channels possible on cable, advertising creatives had to generate more content, for more destinations, often within the same overall budget. More recently, YouTube and other streaming platforms have further fragmented the media landscape and exponentially increased the types and modes of media that advertisers need to create for a single brand. This has put

<sup>6</sup> Bina, “A Note on Technical Change, Skill Formation, and Economic Instability\*,” 84.

<sup>7</sup> Arditi, “Digital Downsizing,” 504.

<sup>8</sup> Theberge, *Any Sound You Can Imagine: Making Music, Consuming Technology*; Brown, “The Freelance Economy of Music Composition for Digital Media in the Twenty-First Century.”

<sup>9</sup> Buhler, “Blank Music.”

<sup>10</sup> McDonald, Williams, and Mayes, “How Professional Photographers Engage with and Resist Digital Platform Work”; Patrick-Thomson and Kranert, “Don’t Work for Free”; Klein-Avraham and Reich, “Out of the Frame.”

<sup>11</sup> Turow, *Breaking up America: advertisers and the new media world*, 16.

downward pressure on production budgets, especially as “new media” is still considered experimental and thus poorly funded.

This shift has happened simultaneously with the rise of contemporary procurement, or “supply chain management,” which, broadly speaking, focused brands on maximizing the “value” generated by every expense in creating their advertising content. Gerard Chick and Robert Handfield’s description of procurement makes clear how it would place downward pressure on production budgets and increased scrutiny on associated union contracts.<sup>12</sup> Procurement specialists have forced agencies, and their subcontractors, to quantify and defend the value of their expenditures for originally scored music, an especially difficult task as the quality, availability, searchability, and editability of much cheaper production music libraries has increased, while its price has decreased. This has conveniently happened as production music libraries have grown exponentially with the availability of DAWs (digital audio workstations) and virtual instruments.

My research centers the lived experience of workers that are deskilled. This perspective builds on *Be Creative*, Angela McRobbie’s qualitative book describing the ideologies, pedagogies, policies, and affects, that combine to form the aspirational horizons of middle-class creative workers, who are increasingly being trained to expect their path to involve entrepreneurship rather than apprenticeship.<sup>13</sup> Similarly, David Hesmondhalgh and Sarah Baker use ethnography to document the precarity of current work in media, where the prestige of working media and creating objects with symbolic value often obscures difficult and unstable working conditions.<sup>14</sup>

These conditions are often associated with neoliberalism. Ilana Gershon characterizes neoliberalism as “a move from the liberal vision of people owning themselves as though they were property to a neoliberal vision of people owning themselves as though they were a business.”<sup>15</sup> What will become apparent in the history presented here is that music for advertising is becoming a skill that contributes to a broader career in music, rather than a full-time career offering a port of stability, as it once was. Sociologists Valentina Cuzzocrea and Dawn Lyon have shown how previous generations of workers thought of the career as a “ladder,” with “stages, phases, steps, and turning points,” but an overall “hierarchical” and “linear” trajectory, often within one organization, while the ‘new career literature’ promotes “portfolio career,” especially in the creative and cultural industries.<sup>16</sup>

With all this talk of precarity, what’s the draw? Sociologist Lindsay DePalma has researched creative professionals’ “passion” for “doing what you love.”<sup>17</sup> DePalma argues that neoliberal ideologies of “rational self-reliance and

<sup>12</sup> Gerard Chick and Robert Handfield, *The Procurement Value Proposition*, 16.

<sup>13</sup> McRobbie, “Be Creative Making a Living in the New Culture Industries.”

<sup>14</sup> Hesmondhalgh and Baker, “Creative Work and Emotional Labour in the Television Industry.”

<sup>15</sup> Gershon, “Neoliberal Agency.”

<sup>16</sup> Cuzzocrea and Lyon, “Sociological Conceptualisations of ‘Career,’” 1032.

<sup>17</sup> DePalma, “The Passion Paradigm.”

entrepreneurial risk-taking” are not enough to control workers in the new economy. Rather, the “DWYL” ideology, that is, “do what you love,” is the new “normative work ethic” that “prioritizes the intrinsic rewards of more pleasurable work.”<sup>18</sup>

Further complicating the picture for composers, recorded music operates within several intersecting value systems in United States. The composition itself may be owned by the composer and licensed for usage or sold to the agency or brand as a “work for hire.” In addition to direct payment for the usage of the composition, the owner of the publishing is entitled to royalties paid by performing rights associations (i.e., PROs) such as ASCAP, BMI, and SESAC. The master recording may also be sold or licensed, but its synchronization usage (i.e., usage within a commercial) is always subject to the approval of whoever owns the underlying composition. Musicians and singers hired for the recording may be paid either through upfront “buyout” payments, or through union contracts which include reuse payments (AFM for musicians, SAG for singers). Blurring these boundaries, an advertising composer often composes the work, records it, performs on it, and even sings on it.

While popular songs operate within a broader licensing marketplace that accounts for an artist’s popularity (present, past, or potential) and a song’s familiarity, the value of music originally composed for advertising is harder to determine. In trying to understand how jingle composers have increased the value of their work, Howard Becker’s seminal work on the collaborative social creation of value in the arts is an important starting point. He makes the case that “art worlds produce works, and also give them aesthetic value,” arguing that “the interaction of all the involved parties produces a shared sense of the worth of what they collectively produce.”<sup>19</sup> Sociologist Hannah Wohl builds on Becker, arguing that “face-to-face interactions not only shape how producers make creative products but also how they legitimize this creative output as original to others, including their peers and consumers.”<sup>20</sup>

As I will show, remote collaboration foreclosed these opportunities for validation causing AMP to fill the vacuum with an award show. In their study of advertising award shows, Brian Moeran and Jesper Pederson argue that industries construct aesthetic values and credibility through their events and awards.<sup>21</sup> This effort resonates with the work of Nicole Esparza, Edward T. Walker, and Gabriel Rossman, who have looked at how trade associations build value in entrepreneurial industries.<sup>22</sup> AMP’s small but meaningful contributions tell a wider story about deskilling in the creative industries.

<sup>18</sup> DePalma, 137.

<sup>19</sup> Becker, *Art Worlds*, 39.

<sup>20</sup> Wohl, “Innovation and Creativity in Creative Industries,” 6.

<sup>21</sup> Moeran and Pedersen, *Negotiating Values in the Creative Industries*.

<sup>22</sup> Esparza, Walker, and Rossman, “Trade Associations and the Legitimation of Entrepreneurial Movements.”



## THE 1980s AND 1990s: THE WANING DAYS OF THE JINGLE

Jingle singer Steve Karmen's autobiographical book *Who Killed the Jingle?* describes the 1980s as the "jingle jungle," a period when singers were millionaires arriving to sessions in Bentleys.<sup>23</sup> Because a singer's voice was considered an "on-screen" performance, professional singers hired on behalf of SAG-signatory brands and agencies were paid through SAG contracts, generating lucrative residual payments for each subsequent airing. Most large agencies and brands had to be SAG signatories. Utilization of SAG contracts became a powerful incentive for composers to write big, recognizable, melodies that could translate to various vocal groupings and styles. From the chewing gum Big Red to the automaker Ford, big, earnest songs dominated the commercial breaks. To maximize their income, composers, along with their spouses and friends, could ostensibly join a group background vocal recording session, no matter what their vocal abilities were, and be listed on the SAG contract.<sup>24</sup> These payments provided the economic foundation for entrepreneurial composers and producers to build out their businesses into the first generation of "jingle houses," studios exclusively built for serving advertising clients. Wealth became concentrated in a few influential companies that maintained steady relationships with advertisers and brands. As Karmen recounts, "jingle companies had accounts, just like agencies, that they could rely on for the stability of steady income."<sup>25</sup>

Taylor describes advertising music in the 1980s as a reflection of the rise of the baby boomer generation in the positions of power and influence, leading to more interest in presenting rock music in mainstream media, rather than traditional barbershop-style songs performed by a "Madison Avenue Choir." Yet, the song "Have you driven a Ford lately," the anthem for the massive automaker, ran from 1978 to 1990, and while it went through dozens of stylistic iterations informed by the latest rock hits on the radio, the song always ended with its titular call to action. These songs were still closer in form and function to the jingles of radio and early television than the edgy film and electronic underscores that took over in the 1990s. *Underscores* functioned more like film scores, treating the advertisement like a short film. But more importantly, the aesthetic evolution from overt jingle to "real authentic song" that Taylor describes placed more emphasis on the production quality and of the recording, which created a high demand for arrangers, engineers, newly available MIDI programmers, and session musicians, setting the stage for "jingle studios" to become "music houses" in the 1990s, and providing the infrastructure for a move away from vocal jingles.

<sup>23</sup> Karmen, *Who Killed the Jingle?*, 29.

<sup>24</sup> Karmen, 59.

<sup>25</sup> Karmen, 25.

## ORIGIN STORY: THE ASSOCIATION OF MUSIC PRODUCERS

While AMP existed as an informal group for some years prior, former presidents Jeff Rosner and Jan Horowitz, mark its birth in 1996 or 1997, the point when AMP formalized its relationship with the Association of Independent Commercial Producers (AICP), a larger trade association representing film production companies, and the date its first set of bylaws were written. AMP has never had its own office, working out of AICP's Manhattan office, and holding membership meetings and roundtables at member studios. The twelve companies that gathered in the mid-1990s were facing common risks to their businesses. As independent subcontracted vendors creating music for advertising agencies, they were competitors that guarded their clients protectively, and actively bid against each other to work for the same handful of large, successful agencies managing national clients such as automakers, household goods, and pharmaceutical companies.

Horowitz described AMP and its members as “the thin wedge between labor and management,” with labor being the musicians and singers, and management being the agency.<sup>26</sup> In the mid-1990s, as lucrative vocal payments dried up, jingle composers were fed up with their PRO, ASCAP, due to its paltry rates for jingle and underscore in comparison to famous songs broadcast underneath commercials. According to former president Liz Myers, “ASCAP was not paying us the way they should. In fact, they weren't paying us at all. And [we] said, ‘Our music is running more than anybody else's. And it's just music at the end of the day.’ So, we need parity.”<sup>27</sup> Myer's remark highlights the perceived gap in value between advertising music and artist-driven music, and an aspiration that AMP close it.

Horowitz also recalled,

SAG wanted us to put every demo through the union ... and in those days, there was a lot of singing going on. We were not being paid enough by management, by the advertising agencies, who barely paid [us to pay] the singers scale wage, which we all tried to do. If there were two or three re-sings, you can imagine, everything would have gone through the union, we would have had no operating money, and certainly nothing for musicians, composers, and our expenses.<sup>28</sup>

Pitting singers against the composers that hired them, SAG introduced a draconian policy change that would have destroyed most jingle houses' business model. Horowitz, on the front line of talent payments, organized the resistance. She characterized herself as part of a cohort of female producers and business managers who, as administrators, had every phone and fax number of their competitors in the industry, knew the ins and outs of the financial

<sup>26</sup> Horowitz, interview.

<sup>27</sup> Myers, interview.

<sup>28</sup> Horowitz, interview.

infrastructure of the industry, and could build community by sharing proprietary information.<sup>29</sup>

AICP's President Matthew Miller, who began running the organization in the mid-1990s, explained that by modeling itself on the AICP and not on the film editors' guild, AMP set wide boundaries for its members to operate within, defining the craft of music for advertising as an interdisciplinary production space that involved a variety of labor unions, rather than a monolithic guild of composers who happen to write for ads. This reflected how budgets were often a mixture of hourly talent payments, flat production fees and copyright transfer fees, hourly studio fees, and the promise of future royalties from intellectual property.<sup>30</sup> AMP's formation in the mid-1990s can be seen as the concretization of an industry and an acknowledgment that the favorable conditions its members had enjoyed might be threatened by change.

### THE LATE 1990s AND THE UNDERScore

Describing the vibrant creativity of advertising in the 1990s in *The Conquest of Cool*, Frank describes how agencies shifted their focus from boomers to "an all-new angry generation, the 'Twenty-Somethings,' complete with a panoply of musical styles, hairdos, and verbal signifiers ready-made to rejuvenate advertising's sagging credibility."<sup>31</sup> Concurrently, the widespread adoption of the digital audio workstation (DAW) and its ease of MIDI programming and sampled instruments gave the advertising composer the ability to tightly score ads and rapidly execute revisions, acting as arranger, mix engineer, and music editor, creating a period of transition between Fordist and post-Fordist methods of production. As all-in-one software packages, DAWs paired hard-disk recording (moving to digital audio from analog tape), with MIDI-based composing and arranging (moving from score paper to MIDI "mockup" arrangements with synths and samples). The newly self-sufficient "one man band" advertising composer could churn out demos that sounded closer and closer to final recordings, leaving much less to the imagination during a competitive demo process.

Jingle studios in the 1990s usually housed multiple full-time staff composers, all able to produce high-quality scores at a moment's notice. Clients could then travel to their studios to make small adjustments, experiment with new ideas, and generally turn the process of creating a piece of music into a collaborative practice, a process which enabled agencies to treat commercials like high-budget mini-films in terms of production values. The ability to produce more rapidly and responsively coincided with similar changes in video editing, which was revolutionized by Avid's new desktop editor, released in 1989. This

<sup>29</sup> Horowitz.

<sup>30</sup> Miller, interview.

<sup>31</sup> Frank, *The Conquest of Cool: Business Culture, Counterculture, and the Rise of Hip Consumerism*, 233.

collaborative atmosphere benefited music houses located in media hubs, such as New York and Los Angeles, providing their members ample social opportunities for bonding and relationship-building. There was a mutual sense of accomplishment and ownership that followed a hard day in the studio. Remote collaboration wasn't technically feasible, beyond holding a telephone up to a speaker for an out-of-town client to hear or sending a DAT (Digital Audio Tape) tape via FedEx. These material constraints and social bonds meant that musical flexibility was a vital skill rather than a symbol of inauthenticity: being able to revise quickly, or rewrite in a different style, was important to making the infrastructure work.

Former president Liz Myers explained why agencies preferred music houses over individual composers:

[Agencies] don't want to work with the writer's cousins, friend, because they're not going to have the kind of insurance we need. They're not going to know how to handle these contracts. It's gonna take me more time.<sup>32</sup>

A key aesthetic shift driven by technology was triggered by the rise of video editors as de facto music supervisors. The ease of importing CD audio afforded by computer-based productions meant that editors could drag any existing track into their cut. Editors often acted in their own self-interest, selecting *temp music* that would make their edit as appealing as possible, regardless of whether the music could be licensed. Temp music, also known as reference music or needle drops, has long been a tool that film directors have used to explore what music might work in a scene before engaging with composers.<sup>33</sup> Agency producers received rough cuts supercharged by trendy bands, famous film scores, and well-known songs. As a result of this trend, being able to sound exactly like a referenced artist became an essential skill in the studio. In the years before Napster arrived, artists still often declined requests for advertising placements, and agencies took these projects to composers and asked them for sound-alikes. In advertising's conquest of culture, composers of this era walked a very thin line between being seen as original artists and being seen as expert counterfeiters, so much that music houses began to regularly contract with forensic musicologists, expert witnesses who could "clear" a track, as infringement lawsuits began to emerge.<sup>34</sup>

<sup>32</sup> Bartos, interview.

<sup>33</sup> A classic example of this is Stanley Kubrick's 2001, where he famously used his temp music rather than the original score by composer Paul North.

<sup>34</sup> This section is greatly inspired by my own experience working as an advertising composer beginning in 1998.

## AMP AND THE TEMP MUSIC PROBLEM

To AMP's membership, temp music stifled creativity and put advertising composers, who were usually required by agency contracts to indemnify their clients, at risk for copyright infringement lawsuits. Rosner recalls,

The dangerous part was when technology was able to take music and marry it against film and be able to put it and send it to a client in a matter of minutes. This piece of music that they didn't own became an incendiary device, because if actually confiscated, or used in a trial, can show that *that* was your intent.<sup>35</sup>

Former president Lyle Greenfield recalls, "I feel that AMP was really, really helpful in trying to open the eyes of creative teams and advertising agency producers."<sup>36</sup> In response to Greenfield's speaking tour, several large agencies, such as Ogilvy & Mather, overtly banned the practice. Agency music producers began to push back against their creative teams. AMP's response accomplished two goals: to educate and pressure agencies to refrain from the practice, and also to portray its members as experts, providing "normative institutionalization" for the industry, to use Esparza's language.<sup>37</sup> As Michael Barnett describes, trade associations can protect members by "exerting influence on nonmarket forces," such as the creative practices of composers.<sup>38</sup>

AMP's influence on working conditions likely reduced the number of egregious rip-offs on the airwaves, but it also set the stage for the subsequent devaluing of advertising composers. After AMP's intervention, agencies that became attached to their temp music, afraid to infringe with a soundalike, began to budget more money specifically to license their temp music, and their requests were more frequently approved by labels and publishers, who became hungry for sync revenue after Napster arrived.

## POST-UNIONS AND THE RISE OF LICENSING AND PRODUCTION MUSIC

The music file-sharing website Napster launched in 1999 and the recorded music industry faced an existential threat. Furthermore, radio consolidation in the 1990s, due to FCC deregulation, made it much more difficult and expensive for labels to access fans. According to Klein, advertising offered "a salve for problems faced by the music industries, including barriers to radio play and decreasing music sales."<sup>39</sup> As the digitization of music and other changes in the industry decimated CD sales, artists and their labels, publishers, and

<sup>35</sup> Rosner, interview.

<sup>36</sup> Greenfield, interview.

<sup>37</sup> Esparza, Walker, and Rossman, "Trade Associations and the Legitimation of Entrepreneurial Movements," 145.

<sup>38</sup> Barnett, "One Voice, But Whose Voice?," 215.

<sup>39</sup> Klein, "Popular Music, Advertising, and 'Selling Out,'" 436.

management, quickly reconfigured their priorities and goals for monetizing their musical properties.<sup>40</sup> The same year, Moby released *Play*, an album that would symbolize the shift by becoming the first album to license every song for advertising. A few years later, music mogul Irving Azoff told *Advertising Age*:

Times are not only tough, they're getting harder. We are selling less catalog and fewer new records. With the economy as bad as it is, costs haven't gone down. We need to make up for some of these losses. These types of deals are natural.<sup>41</sup>

The "deals" he referenced were relationships with brands and advertising. With physical sales no longer a guaranteed source of income, synchronization fees became a primary goal rather than a nuisance or artistic compromise. What this meant for advertising's specialist composers was that they were now competing against the artists that were being supplied as temp music just a few years earlier. Advertising agencies, in their conquest of culture, saw additional value in the authenticity of a "real" artist, pursuing "band and brand partnerships" that leveraged an artist's credibility. The availability of "real artists" changed the perception around advertising composers, relegating them to hacks. Artists symbiotically sought exposure via advertising, with many in the industry calling it "the new radio" due to its new ability to "break" artists, demonstrated by television shows such as *The O.C.* and *Grey's Anatomy*, shows that foreshadowed the rise of music supervision as a profession. In Klein's words, "musicians, music publishers, and record companies look to licensing as a source of income," and "creative and commercial clients attempt to import the meaning of preexisting music and the credibility of professional musicians into new spaces," demonstrating the simultaneous push and pull of attraction between advertising and recording artists.<sup>42</sup>

Another technology that drove change was Apple's new iTunes digital storefront for music in 2003. Agency producers now had instant access to any recorded that was distributed digitally, which included all major labels and most indies. In previous years, an agency relied upon its music producer or music vendor. Now, the job of finding the musical direction for a spot was also de-skilled: advertising creatives took it upon themselves to search for music at their desks. This was not only a matter of convenience. As Taylor sees it, licensing has become "the gold standard for an advertising agency," allowing "its client's brand to become part of popular culture, not simply emulate it."<sup>43</sup> Previously, advertising composers provided advertisers value through their attention to the granular detail of scoring film, and their ability to create a custom fit to a brand's ethos and audience. In the new licensing regime, this value disappeared.

<sup>40</sup> Arditi, *iTake-Over*.

<sup>41</sup> Pollack, "Destined to Duet."

<sup>42</sup> Klein and Meier, "In Sync?" 281.

<sup>43</sup> Taylor, *The Sounds of Capitalism*, 206.

In 2000, SAG went on strike, walking off sets filming US commercial productions, which meant that all advertising music productions that used AFM union talent were also halted. Ad agencies quickly figured out how to shoot overseas and form new production subsidiaries that could function as non-union proxies, a practice that has grown despite union attempts to resist.<sup>44</sup> While the union ultimately preserved residual payments for network television and increased cable payment, the strike was particularly damaging for US music houses and musicians. The anonymous session musicians of the AFM were quickly abandoned in favor of sample libraries and non-union productions that either happened overseas or were billed overseas.

After the six-month stoppage, advertising music labor entered a permanent retreat from unionization.<sup>45</sup> While this wasn't the heyday of SAG group vocals, composers would still occupy several "lines" on the AFM contract: keyboards, guitar, contractor, arranger, and so on. A large portion of the durability of a composer's career, and access to professional benefits like healthcare and pension contributions, came through AFM contracts, rather than direct creative fees.

The de-unionization of advertising music dovetailed with the further democratization of music production. While the 1990s-era DAW still required outboard synthesizer and sampler modules, effects units, and a mixing console to create something. In the early to mid-2000s, however, it was possible to create finished recordings "in the box."<sup>46</sup> The composer might still need an audio interface to record and connect with professional quality monitor speakers, but beyond that, all the synthesizing, sampling, processing (reverbs, delays, etc.) and mixing was done digitally and online.

"In the box" production radically lowered the bar for entry. The studio I built in 2002 cost roughly \$40,000, whereas the virtual studio I adopted in 2015 was less than \$10,000 worth of computer, software, and speakers. Broadband file-sharing and "in the box" production triggered a period of decentralization, during which music houses shifted from relying upon "jack of all trade" staff composers to extensive rosters of freelance composers who could be contracted on a project-to-project basis with no guarantee of future work. By switching to a freelance model, music houses eliminated the overhead costs of salary, benefits, equipment, and space, and also addressed the authenticity issue by marketing themselves as networks of specialists who lived and breathed their genres and styles and had distinct artistic personas. Kerry Smith, an independent composer that previously held leadership positions at Elias Associates and Massive Music, told me how decentralization changed expectations for composers.<sup>47</sup> Describing the emergence of Massive Music, one of the first

<sup>44</sup> McNary, "SAG-AFTRA Investigating Ad Agency Grey Global."

<sup>45</sup> McNary, "SAG-AFTRA Advertising Strike Reverberates 20 Years Later."

<sup>46</sup> Brown, "The Freelance Economy of Music Composition for Digital Media in the Twenty-First Century," 206.

<sup>47</sup> Smith, interview.

companies to tout its reliance upon freelance talent as a strength, Smith recounted how music houses now assumed that composers treated jingles as an extra source of income, rather than a livelihood. As remote collaboration grew, the music house as a material, situated, social hub, began a slow decline. Rather than attend revision, recording, and mix sessions, agency teams received and reviewed files and relied on conference calls and emails to convey their notes. This transition made the effort, skills, and unique creative contributions of advertising composers invisible.

### AMP'S STRUGGLE FOR RELEVANCE

While AMP couldn't keep the agencies from working non-union, and while it couldn't keep music houses from shifting to a freelance model, the organization could protect the value of its members' work in other ways. In 2013, AMP created its own award show to highlight its members' creativity and impact in advertising. Esparza et al. argue that award shows are "best understood not in terms of the direct functions of creating status orders," but "can broadly be conceived of as communal rituals that serve a logic of membership by focusing the field's collective attention, and as cultural consecration that serves a logic of influence by elevating the field's sociopolitical legitimacy."<sup>48</sup> Beyond building community within and around the industry, it is important to look at how the categorization of awards helps to define its members' value to agencies in specific ways. AMP awards specifically highlight the *craft* of scoring picture and the *ingenuity* of writing a song from scratch. There are categories for mix, sound design, sonic branding, and other special applications. Esparza et al. argue that award shows create "cognitive legitimacy," which in turn causes those outside the vendor community to think that it is "a high-status field of the sort that has been evaluated with awards."<sup>49</sup> AMP even recruits ad agency executives to its curatorial committee and its honorary "award chair" role. Moeren and Pederson describes award shows as "transorganizational" tournaments of values, arguing that in a mature field, such as advertising music, the shows "contribute to the replication of dominant field norms and logics, and to the protection and reinforcement of field identity."<sup>50</sup> In the case of a field that has become largely invisible due to remote work, and devalued due to an oversupply of options from outside of the music house ecosystem (i.e., labels, publishers, and production music libraries), the award show serves to symbolically reconstruct the creative labor behind the winners by taxonomizing the field's various techniques, while replacing the lost face time of session work, if only for a night.

<sup>48</sup> Esparza, Walker, and Rossman, "Trade Associations and the Legitimation of Entrepreneurial Movements," 153.

<sup>49</sup> Esparza, Walker, and Rossman, 154.

<sup>50</sup> Moeran and Pedersen, *Negotiating Values in the Creative Industries*, 199.



## AMP TODAY

AMP's most recent efforts have been in educating newer members and diversifying its field, "reframing professional identities as they are presented to others outside the profession."<sup>51</sup> Events such as "Black Composers in Advertising: A Panel Discussion," and initiatives such as its diversity-targeted mentoring program and scholarship, put a positive spin on the atomization of creative labor by turning it into an opportunity to address its history as a predominantly white, upper middle-class boys club in New York City and Los Angeles. "This discourse," Greenwood et al. argue, "enables professional identities to be reconstituted."<sup>52</sup>

Smith has created a glossary of industry-specific terminology for AMP's website, another important new AMP initiative. In obscure sub-fields such as jingle writing, industry lingo can play a critical role in codifying an industry's practices, and knowledge of terminology can be an informal credential.<sup>53</sup> Whereas previous generations needed to get "in the door," now anyone can learn the terms. Furthermore, the glossary serves to educate agencies about how to work with original music, a critical resource for young music producers, who are now only trained in music supervision and licensing.

## CONCLUSION

In the last thirty years, the democratization of music production and the decline of labor unions in music for advertising has coincided with aesthetic shifts the creative zeitgeist of advertising. In charting AMP's history, I have demonstrated how industries and individuals adapt to technologically driven democratization and disruption, and how these changes are audible in the commercials we hear, from lush vocals to tightly scored techno, to indie bands. I have also showed how AMP has played an important role in navigating the deskilling of advertising music, fulfilling its role as a trade association in uniting to avoid, as Barnett says, "the tragedy of the commons."<sup>54</sup> Originally representing an elite group of private companies interested in protecting their profitable businesses, AMP's leaders soon pivoted to respond to the technological, legal, and economic forces that would make its workers, in the words of Gill and Pratt, "deterritorialized, dispersed and decentralized."<sup>55</sup>

Digitization, according to Hesmondhalgh, "has led to a proliferation of new forms of amateur and semi-professional production."<sup>56</sup> This is certainly true in advertising, where more semi-professionals and amateurs have opportunities to

<sup>51</sup> Greenwood, "Theorizing Change: The Role of Professional Associations in the Transformation of Institutionalized Fields," 59.

<sup>52</sup> Greenwood, 59.

<sup>53</sup> "Production Guidelines."

<sup>54</sup> Barnett, "One Voice, But Whose Voice?," 218.

<sup>55</sup> Gill and Pratt, "In the Social Factory?," 7.

<sup>56</sup> Hesmondhalgh, "User-Generated Content, Free Labour and The," 268.

place their music in ads. Hesmondhalgh describes the “devaluation of work” as a convergence between production and consumption. Like a modern musical gold rush, there are many part-time composers, and while few can build sustainable careers, the demand for their tools is rapidly growing.<sup>57</sup>

Virtual instrument makers such as Splice, Spitfire, and Native Instruments, market an ever-escalating array of “professional” and “studio quality” digital tools, specifically high-quality sample libraries, contributing to the aspirational feeling in film music communities that anyone can be the next Hans Zimmer with the right brass library.<sup>58</sup> Similarly, Brown’s ethnographic study of film composers and their tools demonstrates how sampled-instrument libraries have evolved to appeal to budding film composers.<sup>59</sup> Composers who aspire to build a career in media are now more often consumers of professional tools than professionals themselves, and in this current neoliberal era, “professional composer for media” is a skill, an income stream and a self-ascribed or community-derived identity, rather than a job title, salary, and long-term career.

Hesmondhalgh explains, “there is a whole representational apparatus in modern societies that emphasizes the potential for pleasure, sociality, recognition, and self-realization in media and cultural work.” In the advertising music industry, the “representational apparatus” can be found in scoring competitions, film scoring degree programs, pay-to-pitch services like TAXI, and various conferences, publications, and Facebook groups, which still portray advertising as a lucrative opportunity for composers.<sup>60</sup> This feedback loop “induce(s) an oversupply of workers (freelancing and internships are now integral to this) that suppresses wages and operates to the advantage of capitalists.”<sup>61</sup> Brown’s notion of a “flood” of user-generated content has come true in advertising, with massive stock music libraries serving agencies that previously hired music houses.

This current dynamic is a gift to advertisers, who leverage this vast supply of music very heavily to sway consumers, with very little thought given to who created it. It is also setting the stage for a further collapse in value as outputs from generative AI populate libraries at exponential rates. The value of background music has always been contingent on market forces and technological shifts, but generative AI has the potential to capture and commodify the labor of generations of composers for media.

<sup>57</sup> Magnusson, *Sonic Writing*, 234.

<sup>58</sup> Buhler, “Blank Music,” 6.

<sup>59</sup> Brown, “The Freelance Economy of Music Composition for Digital Media in the Twenty-First Century,” 120.

<sup>60</sup> “TAXI’s Music Industry Listings: Music Opportunities from Record Companies, Publishers, Film & TV Music Supervisors and Music Libraries.”

<sup>61</sup> Hesmondhalgh, “Exploitation and Media Labor,” 36.

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## “The Numbers Don’t Lie!”: Metrics as Tools for Decision Making and Strategic Planning in Music Industry Organizations

*Ingrid M. Tolstad*

*A few days before the COVID-19 lockdown was imposed in Norway, I found myself in the hallway of a grand old mansion located in one of Oslo’s high-end neighborhoods. The mansion was the long-term location for the Norwegian headquarters of a major international record label. As I looked around at the high ceilings, the dark wooden floors, and the grand staircase with its mahogany banister, I was struck by a feeling of awe. It was my first visit to the label, and the closest thing I had ever been to setting my foot here was the demo tape my band had sent them in my youth (and which was politely declined). I felt small entering this living piece of Norwegian music history, being the industry home of many a Norwegian pop artist and band. As I drenched my hands in the hand sanitizer provided in a dispenser by the door, a young, hip man made his way down the stairs to meet me. It was Tommy, the person I was here to interview about the new “Creative Lab” he was heading. He led me up the stairs and into his office on the first floor. It was a magnificent space. Large, with dark wooden floors and walls, lead glass windows, a big old-fashioned desk, and a retro sofa group. Old school, but in a retro, cool kind of way. As we sat down in the sofa group, I complimented the office. Tommy explained how this had been the office of the former CEO of the label, but after stepping down after many years in the position, the new CEO had offered Tommy to take it over. He described how this was in line with the changes*

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*the new CEO was implementing as part of his new ambitions for the label. They had recently been through some major reorganizations, especially in terms of how they were working with promotion (ads, A&R, marketing) in a digitized music industry. According to Tommy, the “old-timers” had considered form and content to be equivalent and were primarily interested in pushing songs rather than building careers. In a world of social media and people “wanting to connect with other people”, the label had to think differently about how they were packaging, discussing, selling, and developing artists. They had to facilitate artists to build a career. And for the Creative Lab, this implied thinking and working holistically. “People want to be in a universe”, Tommy said, and their job was to strategically build that universe around the artists that made people connect, listen, and click. And the best resource they had for doing that was the collection, interpretation, and creative translation of digital user data and metrics into strategic marketing action.*

The organization and economy of the music industry is fundamentally based on the relationship to (existing and potential) audiences, and the question of how to generate revenue and income through getting people to listen to and buy the music they produce and distribute. A central task is thus the efforts made to understand the preferences and habits of listeners (i.e., consumers) in order to create marketing and distribution strategies that can increase and maximize sales and other types of income.

Data and numbers based on the measurement of activities such as record sales and radio rotation in combination with the (perceived) experience, know-how, and ‘gut feeling’ of industry executives have always been central to strategic development and decision making in the music industry. Or, as *Tommy* put it, “The music industry has always been data driven. [...] The idea of data is not revolutionary, just the type of data”. Here he is pointing to how digitization and the emergence of online media platforms have made it possible to harvest unparalleled amounts of data in continuously new and more accessible ways, significantly impacting relationships, interactions, opportunities, and strategic thinking within the music industries (Hagen 2022: 185).

This has led, among other things, to a “primary shift [...] in] the way labels ‘discover’ musicians from searching for talent on the touring circuit to examining big data and an act’s social media reach” (Arditi 2020: 89). In turn, this creates new demands on artists for focusing on non-musical activities such as self-promotion, audience connection, and content production (Negus 2019) for and through digital platforms—which is inevitably accompanied by increased workloads, needs for a widened set of competences, and emotional labor costs (Baym 2015). Of main interest here, however, is how an increasingly important part of working professionally in a platform-oriented music industry relies on access to data and insights from digital services, as well as on the knowledge and competence to analyze and translate them into promotion and marketing strategies (Hagen et al. 2020: 85). *Tommy’s* takeover of the CEO’s office described above is thus symbolic not merely of the transition into a digitized industry relying on data analysis rather than record sales and

“know-how”, but also of a shift in what competences are considered relevant and valuable, and further, whose voices are more influential when it comes to managerial decisions and strategic thinking.

While the topic of “[h]ow music-industry actors approach these data and can make use of them to inform their work with audiences and markets [...] has been well-covered within trade publications” (Hagen 2022: 185), with a few exceptions (e.g., Maasø and Hagen 2020; Hagen 2022) it remains relatively unexplored within a critical academic discourse. This chapter thus tunes in on how metrics and data are increasingly becoming a key tool in the decision making and strategic planning of music industry professionals, and further how this is redefining positions, relations, and distributions of power within music industry organizations and in the music industry at large.

Methodologically, the chapter draws on the interview with the head of the creative lab in a major label in Norway (during the visit described above), interviews with other music industry representatives, observations of industry conversations in the media and attendance at music industry conferences. The chapter focuses on the Norwegian music industry, which was one of the first markets to adopt streaming (Maasø and Hagen 2020: 20). Spotify established itself in the country already in 2008, and streaming revenues surpassed physical sales in 2011 (Maasø and Hagen 2020: 20). Being early adopters of streaming services enabled Norway to gain international attention and position itself in the global market, and it has long been considered one of the world’s most mature digital music markets (Hagen et al. 2020: 69–71). Or as *Tommy* put it: “One of the exciting things about working in Norway is that we are so fucking digital, and we’re so far ahead”. As other countries and markets have adapted to the use of streaming services, Norway currently finds itself operating within an increasing and intensifying global competition for market shares and attention. However, within the Norwegian music industry, it is considered that the early access to data, traffic and insight from digital platforms and the ability to practice it over time has given Norwegian music industry actors high levels of the competences required to operate in a digitized industry (Hagen et al. 2020: 70–72).

In the following, I first present how the use of data and metrics in the music industries can be theoretically and analytically approached. This is then expanded upon using empirical insight from the Creative Lab to explore how the use of data and metrics in music industry organizations unfolds in practice. Consequently, I explore what the consequences of these practices are, especially in terms of distribution and structures of positions, power, and influence.

## DATAFICATION IN THE MUSIC INDUSTRIES

One of the major consequences of digitization for the music industry is the transition from physical sales of music products (vinyl, CDs, etc.) to the prevalence of online streaming services as main music distribution channels. These platforms normally offer “[a] selection of interactive features [...] that enable



subscribers to share, organize (in playlists, for example), search, and otherwise be creative with their music” (Maasø and Hagen 2020: 18). In addition, social media platforms such as Facebook, Instagram, YouTube, Twitter (now X), Snapchat, and TikTok, have become crucial as channels for content dissemination from artists to fans, from industry actors to audiences, and not least among social media users themselves. *Tommy* describes the significant implications this has had for the role of the record label:

Previously, our task was to take the master tape, duplicate it and get it into the stores. But that is something that anyone can do now. That is not our job now. Anyone can do that [upload a song to Spotify]. But getting someone to listen to it, right? That is the whole point of what we’re doing.

The spread of content and information through social media and other online platforms is clearly important for music industry organizations in terms of promotional and marketing purposes within the new digital landscape of music. They are thus significant not merely for people to follow activities, interact, and share various types of contents and preferences with each other, but also as arenas for artists to interact with fans or as channels for industry actors’ promotion and marketing of releases, concerts and so forth.

When audiences engage with music in various ways on streaming platforms and social media, these users leave trails of digital footprints that are registered and stored as data by the platforms. This includes information about users’ demographic characteristics, such as sex, age, place of residence, interests, networks, and relations. Platforms will also register the range and frequency of their users’ engagement and activity. That is, how often and how long people are on the platform, and what types of content they post, like, click on, comment and share, when and how often. “Digitalization means that we all constantly click on things, [and] they are measurable”, as *Tommy* says. The information that is gathered this way is commonly referred to as *metrics*, defined by David Beer as “a form of data through which value can be measured, captured, or even generated” (2016: 10). The emergence of metrics as a phenomenon reflects a wider societal development of an increasing “availability of massive quantities of information produced by and about people, things, and their interactions [... that] have the potential to be analyzed to reveal patterns, trends, and associations” (Prey 2023: 4). Through analyzing collected data, industry stakeholders gain insights that can be applied in the development of strategies to optimize attention from existing and potential audiences, which in turn generates additional value.

Streaming platforms do have, for instance, what Jan van Dijck (2014: 31) has referred to as an *invisible interface* that enables the platform owner to control and manipulate what users are exposed to (and not). A prime example of an invisible interface is the streaming services’ automated recommendation systems, where preprogrammed algorithms provide listeners with personalized music suggestions based on collected data on users’ listening histories (Maasø

and Hagen 2020: 18, see also Seaver 2022). Such music recommendation systems are but one example of what is commonly referred to as *datafication*, a term first coined by Mayer-Schönberger and Cukier (2013) to describe how everyday lives are “tracked, quantified and analyzed to inform predictive conclusions” (Maasø and Hagen 2020: 20).

In recent years, platforms have increasingly also made their music metrics available to artists, managers, labels, brands, and publishers through additional integrated interfaces. Services such as Spotify for Artists (replacing the beta version Fan Insight), YouTube for Artists, Facebook Audience Insights, and Instagram Insights, provide industry actors with quantified insights into usage, and into audiences and their consumption and communication practices. This enables industry actors to trace the activities of users across platforms, combining data and insight from different sources. The idea is that the team around an artist can use the information provided by these data on audience behavior to “facilitat[e...] their music’s path to its audiences” (Maasø and Hagen 2020: 19). That is, to make strategic decisions about how to most successfully promote and market the artists and their music to existing and potential audiences. *Tommy* describes how the whole point of what they are doing is precisely to

use those data actively that we have on the artists to build artist careers. The goal with that is precisely that everyone out there, who are potentially responsive to listen to your music [...], will know that it is out, and we will be able to reach you so many times that you, that there is no doubt that you know or have received that information. In addition, we want to reach potential people who might like it, and the friends of those who might like it, and spread that information in a creative way to as many people as possible.

Considering the evident pervasiveness of Big Data in the music industry, scholars have recognized a significant challenge. It doesn’t solely revolve around accessing and retrieving various types of user data, but rather in determining how to make sense of this Big Data (McCosker and Wilken 2014). As “it is not always clear what these metrics actually mean” (Prey 2023: 7), the focal point for scholars is navigating the complexities of interpreting the gathered information. The notion of *using* these data thus seems to be to *analyze* them (i.e. make sense of them), and then apply these analyses in the strategic thinking and decision making around how to create increased attention and traction for their artists and their music in the existing market. This has led to an increased demand for competence on how to analyze metrics, and on how to creatively translate the *insight* produced into (online) promotional and marketing action. Thus, we have seen the emergence of a range of analytics companies specializing in the music sector, such as Chartmetric, Next Big Sound, Soundcharts, and Luminate. These companies offer subscription services to music industry stakeholders, providing regular analysis and insight into performance metrics across platforms. Alternatively, specialized analytics and insights divisions are

established within the music industry organizations themselves—such as in the case of the record label’s Creative Lab.

### THE WORKINGS OF A CREATIVE LAB

*Tommy* describes how the Creative Lab is made up of a handful of employees working in two main teams—the analytics and insights team and the creative team—that operate in close collaboration with each other. *Tommy* is very happy with his analytics team: “I have worked with good teams, I have worked in creative agencies also, but I think that the team we have is very strong. They provide very, very, very good analysis and insight”.

The insights team use different analytic tools to collect data from a range of streaming and social media platforms. “We get everything that they’ve got”, *Tommy* explains, “what kinds of music people listen to, when, where”. Consequently, they also gain insight into what people are *not* listening to, and how long they listen to specific tracks before they move on to something else. What people write about, post, follow, and comment on social media platforms like Instagram also provides data. *Tommy* describes how they can follow specific target groups more strategically in their listening patterns and social media actions, or even “follow an anonymized user through an entire day” to see what other songs they are listening to and so forth. “We can actually see what we want from those data”. They can thus collect data on listening and social media use both at a more general and overarching level and with a more specified and narrow scope, such as specific artists, genres, target groups, or combinations of these.

While the insights team can gather information across a wide range of parameters, the main focus of the data collection lies on how their own artists and their music is doing. According to *Tommy*, one of their main strengths, and competitive edge, lies in the ability to use data to analyze when and why things are not going that well: “It is fun and exciting to look at the data, but where I think many are not that good, is when things don’t work. [...] Using those data to find out not only what works, but maybe also what is not working, is quite essential”. This implies that data collection and analysis is also a way of evaluating the promotional and marketing activities that have been put into motion, providing a foundation for adjusting and/or changing their plans for what they want to do next.

The collected data is compiled by the analytics team whose head analyst presents the latest numbers and “the trends they see” in the data to *Tommy* and the creative team. “We are so much closer to the everyday lives of people”, *Tommy* says. “To see those patterns of action. To see something that means a lot to people manifested in numbers. I mean, we can see the spring arrive in Spotify. We know when Christmas is coming”. This statement suggests that collecting these data is merely a question of observing and re-presenting what is out there. However, not only is the data provided by the platforms already limited, it provides information about certain aspects of audiences’ actions and

preferences while omitting others. Further, what the insights team presents to *Tommy* is not raw data, but an analysis of data—a selection of certain patterns and tendencies within the overall amount of data available. The insights provided can thus be understood as the result of the analytics team’s interpretation and attempts at “making sense of” the data, which will naturally be based on the analytics team’s previous experiences, acquired knowledge and interactions with these types of data. *Tommy* himself also emphasizes that once the data is presented, they need to (further) contextualize and interpret them in order to *use* them, that is, to turn them into strategic decisions about how to act.

This interpretive work is, according to *Tommy*, where the creative aspect of the lab’s work is truly activated. This is also the part of the process where *Tommy* becomes more deeply involved, and where his main competences lie. He describes himself as being “driven by a wish to get people to feel something” and that he has been given this position “because I can tell stories”. Using the insights from the data and analyses provided to keep “building a universe, producing narratives around the artist” is at the core of “the creative mechanisms to get people to press play”, that is, deciding “where they want to go” with the chosen target audiences. Here they will also build strategically around various types of events, such as seasonal ones (holidays, after-ski, graduation, summer, and festivals), a specific artist doing a big gig, or the death of a major star. They also target their activities to album releases, and not least to playlist updates (such as Spotify’s Release Radar and New Music Friday). Since they can see where their artists are streamed and mentioned, and which listeners are streaming and mentioning in specific areas, they can also target promotional activities towards specific gigs and tour locations.

In addition, there are all those people who have at some point signed up for a newsletter or pressed okay to that we as a music business can contact them about [an artist]. [...] That becomes our CRM<sup>1</sup>-basis. We have their data, we have their e-mail addresses, we have all kinds of information, which means that we can at any time send them offers on merch, concert tickets, or news.

When the creative team has brought forth ideas about how to promote and market specific artists and songs, these ideas are often tested on audiences and users before they fully launch them. As an example, they will make different versions of music videos or make little snippets they post on various online platforms to see what people click and what works best. Will a red background on the artist or song presentation create more clicks and streams than a green background? This kind of testing gives additional data that in turn are analyzed and used to adjust the promotional activities applied. They are thus active participants in the production of the data that is circulating. *Tommy* statement that

<sup>1</sup> CRM stands for Customer Relation Management. A CRM (customer relationship management) database is a resource containing all client information collected, governed, transformed, and shared across an organization. It includes marketing and sales reporting tools, which are useful for leading sales and marketing campaigns and increasing customer engagement. (ref her?)

“we change as the data change”, simultaneously implies the opposite: that the data change as they change. This implies that the creative lab is involved in a continuous feedback loop with the data, where data influences their choices of action, which in turn produces new data that can be analyzed and acted upon. One might here question whether this creates something of a vicious cycle, where the creative lab’s interaction with the data leads them to continuously reinforce their “creative” and strategic choices.

The strong influence that data have on decision making and the creative development of strategies is also evident in how it has become a vital tool in the timing of releases. *Tommy* describes how “[t]he spectacular flop, the difficult second album—it doesn’t exist anymore. We can sense that the engagement isn’t there until it is there. We adjust the project earlier”. This implies that they will “read” from the audiences’ user data whether listeners are likely to be receptive to the new song material, and if that is not the case, they will go back and “adjust the project”, that is, advise the artist about alternative creative directions for the songs on the album. While *Tommy* states that “their job is not necessarily to curate the music”, this indicates that the insights provided by data collection, analysis, and interpretation also influences the creative processes of music production. In *Tommy*’s opinion, a record label is no longer the best term to describe the organization that he is a part of, as their activities are no longer primarily directed at selling a lot of records or get a lot of streaming on the masters they own. To him it makes more sense to say that he works in a “music company”, where data and metrics are key tools in the facilitation of artist careers and the strategic thinking and decision making around what they are doing, why they do what they do, and how to move forward.

### SHIFTING POWER RELATIONS

As in so many aspects of contemporary society, the use of data and metrics has become increasingly central to music industry practices and its organizing features. Usage data is considered to provide better understandings of audiences and of the effects of the work applied by industry stakeholders (Maasø and Hagen 2020: 20), partly in terms of the ways in which it is considered to help reduce risk—such as in the case of being able to predict and prevent an album flop. One might, however, argue that using metrics for risk reduction is largely a self-fulfilling endeavor, as deploying existing user data patterns to inform what music to produce and release will favor musical expressions similar to what already sells, thereby limiting the options available. The internal music industry discourse around the use of data and metrics does to a large extent seem to focus on how to use the tools available effectively and how it can be productive and beneficial for various industry stakeholders. Simultaneously, there is a remarkable lack of critical reflection and discussion around the potential implications of an increased reliance on data and metrics. As discussed here, we are currently witnessing a considerable shift in and reshuffling of power

relations and structures in the music industry as they become increasingly data-driven.

As *Tommy*’s move into the former CEOs corner office at the label’s building indicates, the ability to collect, analyze, interpret, and translate user data into strategic planning have become key competencies within the music industry. Those acquiring and holding such competencies are also gaining increased leverage in decision making processes and taking more central positions within the music organizations themselves. However, as argued by Hagen (2022) and Maasø and Hagen (2020), being able to analyze and interpret bodies of user data that continue to increase in range and complexity requires particular resources, time, and skills that are reserved for the largest labels and distributors—as well as the platforms themselves. These industry actors not only have access to a wider range of data points about music, but also “have the resources and skills to interpret this data in ways that others do not” and are thus “dominating the metrics race” (Maasø and Hagen 2020: 29). This implies that smaller companies will find it hard to compete on the same terms, something which in turn helps solidify and enhance already skewed balance between minor and major industry actors. In addition, these smaller actors are in competition with specialized analytics and insights companies who offer their services to industry stakeholders—but at a cost that is not necessarily affordable to the same extent as the larger stakeholders.

Another aspect of the increasingly central role data has come to play in the music industry is not merely “how digital music has become valued as data, rather than a (commodified) form of artistic expression” (Negus 2019: 369), but the way in which data *itself* has become a commodity and a source of income for industry stakeholders. This is evident in the emergence of new types of stakeholders offering specialized services to access and analyze data, as mentioned above. Industry stakeholders also increasingly use data as a means of negotiation, such as management using a compilation of metrics on a specific artist to secure a specific gig. Maasø and Hagen (2020) have also shown how stakeholders present various metrics on artists, such as tour success, radio play, and social media presence to Spotify in physical meetings to convince them to push an artist on specific playlists. According to Maasø and Hagen’s informants, Spotify will specifically ask for such metrics, as they provide Spotify with access to data points they do not have in house that can be used to inform the predictions and choices of their recommendation algorithms. Having data that might be valuable to others thus becomes an asset, which creates leverage when maneuvering strategically in the market. Simultaneously, as this tends to be a negotiation card for smaller stakeholders towards larger industry actors, this does in practice imply that the algorithms of larger actors continue to be fed with additional data that consequently consolidate their position as key platforms and providers of data to others. In all of this, there is also a remarkable lack of reflection around the fact that listeners and users largely provide their data, and its inherent value, for free for those who make use of it. One might indeed argue that data and metadata has become “a regular currency for

citizens to pay for their communication services and security—a trade-off that has nestled into the comfort zone of most people” (van Dijck 2014: 198).

The trust that music industry stakeholders have in data and metrics is overwhelming. During my talk with *Tommy*, on several occasions he pointed to how the decisions that were made based on insight from metrics was the obvious choice as “that data right there, I mean, you can’t argue or fight that”. To him, “the idea that the numbers don’t lie has never been more obvious than now”. This lack of reflection or critical assessment of what the “numbers” represent, on how these data were produced or accumulated, and the motifs that data providers might have for making certain metrics available (and not others), seems quite transcendent throughout the contemporary music industry.

When the Norwegian Grammy Awards for 2023 launched a “Song of the Year” category with all male nominees, they were met with considerable public and media scrutiny for a lacking gender balance. The answer from the organizers was that the nomination was based on which artists had the highest streaming and radio play numbers, and that it thus was a matter of which song had been most successful, commercially speaking.<sup>2</sup> This response was in turn critiqued (also by the author of this chapter) for its inherent misunderstanding of streaming and radio play metrics as objective facts.<sup>3</sup> Statistics and Big Data are often presented as being neutral and representative of “reality”, but any numerical foundation is a selection of units that can be counted and where choices have been made. An important question thus becomes what underlying mechanisms can be identified behind the numbers. What songs are streamed on platforms like Spotify is to a large extent a result of how the platform provides music recommendations based on a combination of algorithms and human curation. Streaming services have an obvious market power, and Spotify has repeatedly been criticized for contributing to bias in terms of who and what is being streamed, such as how male artists are recommended and thus streamed more than female ones (Ferraro et al. 2021).

This criticism was met by the Grammy organizers and other industry stakeholders with a mixture of curiosity and incomprehension, displaying a considerable lack of critical understanding and assessment of the interests and inherent biases in the production, collection, and analysis of the data accumulated, used, and profited upon in the industries. There seems to be little reflection around the role industry stakeholders themselves play in contributing with data through the strategic choices they make and how they chose to promote artists in certain ways—based on data and metrics:

When metrics are presented, interpreted and acted upon by numerous stakeholders making decisions that is then fed back to, and doubly reinforced by, algorithms in both consumer and business facing software, we suspect that these

<sup>2</sup> <https://www.tv2.no/nyheter/innenriks/ingen-kvinner-nominert-til-arets-lat-flaut/15650905/>.

<sup>3</sup> <https://www.ballade.no/bransjen/spellemann-svokter-ved-a-ikke-utfordre-plattformene/>.

reinforcing feedback loops may have cumulative effects over time that in turn may impact the diversity of music culture at large. (Maasø and Hagen 2020: 29–30)

While major platforms like Spotify do provide metrics and insight into data from their platform to industry stakeholders, and also recently to researchers through the service “Spotify Research”, they are notoriously known for denying researchers access to their premises, their employees, and their data—as they do not offer transparency into their overall data or to their algorithms. Still, there is little criticism within the industries towards the major platforms, and rather a general acceptance of the rules that have become dominant in the music industry and society at large. For industry stakeholders like *Tommy*, it seems rather to be a matter of taking advantage of the position that his music company and creative lab have achieved through their competence on working analytically and creatively with data and metrics and conquer new industry territories with a sense of entitlement and fairness:

The data that we have access to, and the apparatus we have to interpret the data is much, much, much more extensive than any booking agency in Norway has ever had or will have. And the data we have, is much more extensive than any management will have. That means that with the data and the insight that we have, and our possibility of turning that into strategy, either if it is live or in the artists’ life and work, we should have a bigger seat around the table when it comes to strategic discussion outside the music, or outside recorded music. And I think that is fair and square in a way. We have employed people to do it. We have taken that investment and read and interpreted those data. If those data have a value for others than us, then it is just reasonable that it comes with a price.

This statement from *Tommy* clearly illustrates the ongoing shift in distributions, relations, and positions of power within the music industry, brought about by the increased reliance on data and metrics as sources of information and tools for strategic thinking towards accumulation of value. Here, having access to data and the competence to analyze them is argued to be main qualifications towards acquiring more central positions in the music industry—especially in terms of economic profit.

This development has several kinds of implications for the music industries. One aspect is how it contributes to reinforce and consolidate the position of major industry players, as they have more resources to invest towards acquiring data and developing relevant competence. As data is becoming an increasingly significant commodity within the music industries (at the expense of music itself), we also see how this economically benefits platforms and tech companies rather than the creative producers and copyright holders of music. The latter issue has become even more pressing with the discussions concerning copyright ownership and remuneration that are arising with the emergence of AI.



There seems to be a common attitude among industry actors that this ongoing transition into a data-driven music industry is largely an inevitable development, and that one must simply adjust to and compete on these terms as best one can. The focus thus largely becomes to develop the new (data related) skills and competences that makes it possible to remain relevant and competitive. As described above, there is a great reliance on numbers, data, and metrics as being trustworthy, reliable, and truthful, and as increasingly out-performing humans and their assessments. The metrics “don’t lie”, as *Tommy* says. However, as Nick Seaver has shown in his study of music recommendation systems, human judgment and actions are continually woven into the functioning of the data-driven technologies applied in the music industry: algorithms are “full of people making decisions, changing things around” (Seaver 2022: 6). From the generation of algorithmic systems to the selection, interpretation, and analysis of data and its translation into strategic action, human experiences, interests, positionalities, and biases are deeply ingrained in and impacting how these processes unfold. This has significant implications for the distribution of opportunities, value, and power within the music industries.

This is perhaps particularly relevant in light of how the music industry is currently grappling with and addressing its inequalities and lack of diversity along the lines of gender, color, ethnicity, and class. In order to make genuine efforts towards a more diverse, equal music industry, one could argue that it would benefit from more open internal critique and discussion around the role of data and metrics in these issues. Here, the development of a more critical branch of music industry studies can prove a valuable path. Through incorporating critical perspectives into the education of industry stakeholders, one would be teaching them not merely how data and metrics work and how it can be successfully applied towards financial gain but also provide deeper reflections around why things are the way they are and how they could be different.

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## Sorted: Categorisation and Genre in Contemporary Music Business

*Simon Poole*

It has been suggested in a number of discussions that genre is a hopelessly ambiguous and inconsistent way to organize and explore music. (McKay and Fujinaga 2006, p. 3)

Categorisation is one of the most contentious and wide-ranging subjects in the popular music sector. Whether industry personnel working on the orderly business of marketing acts, fans policing the borders of their subcultural taste-worlds or emerging artists resisting pigeonholing of their work, the inside/outside dichotomy of categorisation is fraught with tensions and multiple competing voices. Arguments of sorting and naming echo across the development and history of popular music theory and practice. Musicologist Franco Fabbri, who features heavily in this chapter, explores categorisation as “a class, a set of objects and events grouped according to some criteria” (1999, p. 2). However, nowhere is this tension of categorisation more evident than in the case of popular cultural genres like music. We might classify ‘genre’ as:

a conceptual tool most often used to classify varieties of cultural products, particularly in the fields of visual art, popular culture, video games, film, literature, and music. It describes the manner of expression that governs artists’ work, their peer groups and the audiences for their work. (Lena, C and Peterson, R. 2008, p. 697)

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The tensions within the use of this conceptual tool, particularly in popular cultural genres like music, are evident. Artists, once contracted and labelled as being within a genre, may face expectations to conform in various aspects, perpetuating the notion that genre rigidity could harm their careers. This practice deeply influences the music industry, as highlighted by various scholars (Frith, S. 1996; James, R. 2016; Silver, D. et al. 2016). Similarly, fans of these genres often find themselves actively resisting market-driven characterisation, striving to stay one step ahead of industry forces (Taylor 1999) and algorithms. Regardless of the resistance of artists and fans, genre remains a “set of conventional and highly organised constraints on the production and interpretation of meaning” and therefore a useful concept (Frow, J. 2014, p. 13). However, the site of meaning in the contemporary landscape of popular music is changing. The relatively recent, but exponential growth, fracturing, blurring and splintering of genres, predominantly although not exclusively driven through the practices of streaming services, has moved from a useful distinction in sub-categorisation within what we might call meta-genres (such as Heavy Metal or Hip Hop) to a world of over-categorisation to the point of meaninglessness.

Beyond the initial historical categorisation of popular music, such as the association of the seven-inch single with rebellion and youth (Osborne 2012, p. 130) in contrast to the more mature positioning of LPs, the growth in genres, especially in pop and rock, progressed gradually until the 1970s. It was during this period that a proliferation of genres emerged, accompanied shortly after by the development of sub-genres. Examples of early sub-categorisation include the case of the New Wave of British Heavy Metal (NWOBHM), in 1979,<sup>1</sup> as a descriptive marker distinguishing it from the recently settled category of Heavy Metal.<sup>2</sup> Or John Savage’s coining of Post-Punk in 1978, a genre demarcation introduced after the split of the Sex Pistols. New genres, or sub-genres, such as these, linguistically marked the passing of time, signalled a break from the old (or old-fashioned) and heralded the emergence of the new (or newly marketed) in the same way that physical records went out of print and were promptly replaced with the latest formats at an alarming pace. Tastes overwriting tastes give form to the palimpsest of popular music history.

In our contemporary context, the ownership of naming conventions has switched from that of the journalist to that of the streaming services. However, the old genre worlds are not replaced, but remain and linger alongside the new; nothing is replaced, nothing erased or written over. This poses new and interesting challenges for thinking about and studying genre in the context of today’s music industry. Every 1.4 seconds a new song appears on Spotify, 60,000 a day, 20 million a year (Benitez, C 2024) that are, in an act of musical and capitalist gluttony, squeezed into playlists, artist radio and listener suggestions. Similarly, the amount of genre categories on the platform have grown

<sup>1</sup> Geoff Barton—Sounds May 1979 although coined by the editor Alan Lewis.

<sup>2</sup> The naming of Heavy Metal explored in Deena Weinstein’s article ‘Just So Stories’.

from 1932 in 2019 to 6302 in 2023, producing more and more categories than could be practically meaningful (at least outside of the world of algorithmic sorting). As musicologist David Brackett put it, “the more closely one describes a genre in terms of its stylistic components, the fewer examples actually seem to fit” (Brackett, D. 2016, p. 190).

Thus, the landscape of music marketing, music fandom, music making, and writing and theorising about music genres is impacted by new practices of naming and categorisation in to genres or playlists. Relentless additions, where the burden of the recent and not-so-recent musical contributions, creates a world where being a music fan is made better every other day due to the increased amount of choice. Or, we might question whether this grossly expanding, laborious behemoth of choice contributes to cultural inertia, a notion referenced by cultural theorists Franco Bifo Berardi (2011) and Mark Fisher (2014) as the slow cancellation of the future.

This chapter explores the ways in which we might think about and theorise genres as well as the practices and cultures of those contributing to the naming and enforcing of genre today. This encompasses actors in the music business, music makers and music fans, while asking questions around who gets to define genres and, indeed, who gets to define genre. Ultimately, I ask if the concept of genre is still useful in the contemporary music industry, and if it is, useful for what? The next section introduces Fabbri’s theoretical model of genre, which centres around five rules. I describe each of them then discuss some problems with this model, namely how the boundaries of each rule category are fuzzy. Then, I turn to more recent developments that problematise the notion of genre itself, such as algorithmic categorisation and the playlist. The chapter ends with reflections on the continued usefulness of genre for contemporary music industry studies.

## NAMING AND FRAMING

Categories, or genres, of popular music exist in an odd kind of limbo in public and scholarly discourse. On the one hand, musicians and consumers often resist requests to categorize themselves, insisting that their tastes are unclassifiable. It is common to hear discussions that have invoked the idea of genre end with the declaration that musical genres do not really exist, that they are mere fabrications of the music industry. (Brackett, D. 2016, p. 1)

We might think of genre as simply being a synonym of ‘kind’ or ‘type’. While this aligns with the literal translation of the nineteenth-century French word, it may oversimplify the question of ‘what type of music do you make or like’. In this context, we’re typically freer to explore various comparators to describe our preferences without constraints. However, digging a little deeper reveals that the concept of genre is much more loaded than in its French usage. It inhabits the Latin ‘genus’ or ‘group’, which complicates our original question, which must now be qualified by ‘what group of music does the music you make

or like' fit in to. This extra qualification highlights the structuralist qualities of the term genre—the hunt for other examples of music in the same family that somehow share laws, rules, principles and uncover the structural similarities of the music. In either case '[g]enres establish horizons of expectation.' (Ballantine 2020, p. 260) And yet, the concept has been underdeveloped compared to other areas in cultural studies and explorations of youth culture in particular have kept pace with the new and more fluid ways of engaging with popular cultural forms, and these practices have been theorised from a number of positions (Evans 1997; Maffesoli 1996; Thornton 1995).

In 1981, Franco Fabbri introduced a new way of looking at music genres. Instead of just focusing on the sounds and conventions of making these generic sounds, he divided genres into five elements beyond the sonic landscape of the genre world. Still today, this idea helps us understand how broad communities of artists and fans define their musical preferences in conjunction with industry practices and how each party contributes to definitions of genre worlds. While some scholars were not completely satisfied by the theory (Frith 1996; Negus 1999; Bannister 2006), Fabbri's approach expanded our understanding shifting our focus to the broader aspects that shape musical tastes within genre communities. This is important for a number of reasons, not least because later in this chapter I will discuss the contemporary phenomenon of software analysing songs and assigning genre and other forms of categorisation.

Fabbri proposed that we might understand any genre through thinking about them as a series of overlapping elements, within which everything to do with that genre world might satisfyingly fit (even if messily). For the purpose of the chapter, Fabbri's five rules might be simplified into the following statements. First, what the music sounds like; second, how the genre makes meaning (including visually); third, how the music(ian) and fans behave; fourth, what beliefs and values are attached to the music; and finally, fifth, how the music makes money. I will outline each of Fabbri's rules with some explanation and examples to highlight their usefulness and limitations.

Fabbri's first rule—"The Formal and Technical Rules" (p. 3), or the conventions that drive 'what the music sounds like', is governed by a series of informed musicological practices and expectations, including a song's tempo, rhythm, melody, instrumentation and arrangement. That is, the sonic content of music revolves around the conventions of how the notes are articulated through instrumentation, timbre, tempo, harmony and so on. The kinds of instruments that are typically used in the making of genres of music fall within this rule, guitars, drums, bass, keyboards, brass, or percussion, for example. The level of detail here includes the brands of those instruments, like Gibson, Fender, Ludwig, DW, as well as the models of instruments such as the Telecaster or SG. These details contribute to the genre-ness in ways that are as important as the songs themselves.

These "formal and technical rules" (Ibid.) drive the making of music inside genre worlds. Whether the acceptable range of beats per minute for genres of dance music or the tones, timbres and tunings in branches of heavy metal, the

internal rule system of musical articulation is transparent. This highlights the overlapping nature of these expectations.

Fabbri's second category—the semiotic rules—is perhaps the most complex and contentious but may be simplified to how it makes meaning. “Of course”, Fabbri States “all the rules of genre are semiotic, since they are codes which create a relation between the expression of a musical event and its content” (p. 4) also carefully pointing out that these rules apply beyond the musical text. In Fabbri's 1981 text and in Simon Frith's (1996) article that draws upon it, both authors focus on the way genres make meaning through words and through a variety of linguistic functions, as does Matthew Bannister in his 2006 application to Indie in relation to the intertextual, the communicative function and levels of intimacy. However, I would suggest that we consider all semiotic codes here and not just the lyrical, or the meaning of notes/notation. I would argue that we consider style, fonts, fashions and artist names under the remit of the semiotic rules, as languages in their own right, as these all have signification within the genre world and as defender of its boundaries. As Caroline Evans suggests “Social meanings are produced through the commodity form” (1997, p. 172). We make genre decisions, assumptions or analysis of the myriad artists presented to us daily, based on how they visually present themselves to us, before we have encountered their ‘formal and technical’ articulations. The font of a Heavy Metal act, is as important a genre identifier, as the tuning, tempo or vocal technique that lies beyond the artwork. Haircuts, jackets and shoes betray the sounds of artists, as well as their politics, as much as the content of their lyrics.

Fabbri, in a third category, “Behaviour rules” (1981, p. 5), also suggests that there are acceptable, or expected behaviours in genre worlds, from artists and audiences alike. For the artist, Simon Frith suggests that “These are gestural rules, then; they determine the ways in which musical skill on the one hand, and musical personality on the other, are displayed” (1996, p. 92). However, in a more clearly demonstrated example, various genres have their own dances associated with them that audiences might engage in at gigs or at clubs and artists too will behave in ways that are expected by their audiences in interviews, onstage, in photographs and in videos—with “aloof rock detachment or ingratiating country familiarity” (Negus 1999, p. 25). Bannister highlights the “shambling amateurism” (2006, p. 80) of indie bands, a behaviour that articulates the politics, beliefs and values of the genre in embodied ways, whilst genres such as progressive rock may well privilege virtuosic gestures or what Lehmann and Kopiez (2013) call ‘show performance’ that highlight the necessary skill to execute the required formal and technical aspects of songs.

The fourth rule that Fabbri explores is the “social and ideological” (1981, p. 5) aspects of genre and how they frame the beliefs and values of genre worlds. These are both foundational and fundamental in taste communities and “reflect what the music is meant to stand for as a social force, its account of an ideal world as well as of the real one” (Frith 1996, p. 93), demonstrating, with various degrees of transparency, the belief systems that unite the fan and

band communities. Straight Edge would be a case in point here “in the proclamation of an aesthetic manifesto” (Fabbri 1999, p. 8) where one must subscribe to an explicit ideology to be part of the community in relation to alcohol, drugs and other substances. Gender, sexuality, politics, the environment are all topics that fall within this rule and all genres have a range of ideological positions in relation to the broader cultural world.

How labour is divided is also within this set of expectations with ‘who does what? And why?’ As ideological questions that we might ask of a genre. How are tasks like this divided along lines of race or gender—who is the artist, or in the band? Who is in the video and importantly, who is making the money are all questions that highlight the politics of the genre world and can be classed as conventional through repeated examples.

Fabbri’s fifth and final rule—the economical and juridical rule refers to questions of money making and of intellectual property and looks at “patterns of ownership and structures of organisation” (Negus 1999, p. 24). On a more granular level, the expectations around the formats that music might be released on that are expected by fans, artists and industry—streaming, vinyl, cassette, CD. And beyond this, whether the genre community might engage in limited editions, multiple variants, etc. and how we might purchase these objects—at shows, via websites or platforms, labels and so on. How does merchandise operate here and are shirts, koozies, patches, pins, hoodies, caps acceptable without crossing the community’s understanding of over-commercialisation? What about calendars, posters or socks? One might compare Kiss’ approach of “licensing its name to carefully chosen products” (Christian 2010, p. 10) and the fiercely anti-corporate legend of Fugazi for oppositional genre conventions here. Beyond the formats, contracts too are covered here—majors or Indies, albums or singles, self-released or corporate, licensed or owned, the relationship between artist and label is a conventional one in genre worlds, as is the type of live show—or whether live shows exist at all—stadiums, clubs, arenas. Some venues—CBGB for instance—become associated with genre and, once this happens, they attract those that wish to tie their allegiance to that world and perpetuate the genre conventions—whether sonic, semiotic or behavioural.

Whilst there is clarity in the structure and detail of Fabbri’s ideas—five rules to understand genre, the model is not without its problems. To illustrate this I want to bring in an example to illustrate the fuzziness of Fabbri’s categorisations, in a way that highlights the intricacies and specifics of genre. I would argue that the length of a guitar strap is a signifier of musical categorisation that crosses a number of Fabbri’s elements and is difficult to definitively home in Fabbri’s model. We might call this example the guitar strap rule. A short guitar strap, placing the guitar at the chest, is a signifier that traces from both The Byrd’s Roger McGuinn and The Rolling Stone’s Brian Jones, among others, through Orange Juice’s Edwyn Collins to Alex Turner of the Arctic Monkeys and beyond in to a guitar convention of contemporary ‘indie’. At the other end of the scale via a heavy metal trajectory, we see players such as Slash, continuing a lineage from Led Zeppelin’s Jimmy Page, where the guitar is worn low. With



the logical end point being an artist such as Tatsu Mikami of Church of Misery who plays his bass with a strap so long that the guitar regularly touches the floor. How long one chooses to wear one's guitar strap reflects the internal logic of genre worlds in ways that notation or sheet music may not. This is a simple correlation between sonic qualities of artists and the positioning of their guitars, but which rule does it fit within? It may be a "formal and technical" rule as it is related to both the level of skill needed to play an instrument as well as being part of an instrument itself, both of which fall within Fabbri's description of that rule. It may be a "behaviour rule" as to play the guitar in particular ways is gestural and portrays those skill levels. It may of course be semiotic as it is a visual cue and not a sonic one. We can assess this through either seeing the guitar strap itself or a photograph of the artist playing. Clearly this is an important part of a genre's articulation and we might suggest that which rule it sits within is not as important as the articulation itself. Fabbri does suggest early on in his paper that "this is not an attempt to resolve the problem of analysis of genres once and for all, but to indicate its complexity" (1981, p. 2). As mentioned earlier, a number of theorists have explored the model and commented upon its uses and flaws. In Simon Frith's revisiting of Fabbri's work in 1996, he suggests and immediately retracts a new version of the categories—only this time replacing the Formal and Technical, Semiotic, Behavioural, Social and Ideological, and Economic and Juridical "by dividing his rules more neatly into sound conventions (what you hear), performing conventions (what you see), packaging conventions (how a type of music is sold), and embodied values (the music's ideology). But this would be to break the connections (if only for analytic reasons) that Fabbri was concerned to emphasize." (p. 94), a model that is more user-friendly than Fabbri's original and one that speaks a language that is more understandable to most genre users.

Whilst deciding which element of a genre's practice might fit in to which rule is not a neat act of analysis, a photograph of a band backstage with their instruments might usefully tell us almost all we need to know about them through their behaved articulation of what they sound like, stand for, look like, and earn. Whilst Fabbri's genre rules provide a robust model for mapping genres synchronically—that is, as a snapshot in time of what a genre may sound like, look like and so on, today or ten years ago, or in the 1990s, it does not easily allow for a neat diachronic analysis where we can explore the evolution of genre and how it might spawn sub-genres, subdivisions and splinters. Exploring the evolution of a genre like hip hop, from the Bronx of the 1970s to the global 2020s. It does, however, give us a framework for areas of study and comparison in a longitudinal study and the areas of cultural practice that we might look at. Hip hop's journey from a cassette-based economy in the mid-1970s (Masters, M. 2023) to a streaming-based one is as fascinating as the stylistic journey through brands that the genre has undertaken across its fifty-year history and gives us five areas of analysis to focus on.

Fabbri's model does not explicitly mention the privileging of one or more elements over others, but we might argue that in some genres there is a

dominant rule. We might assume that indie and punk may have a different relationship with formal and technical aspects of genre than progressive rock does, and whilst progressive rock might have a comparatively longer list of compositional and skills-based rules, punk may well have a greater relationship with the semiotic or ideological aspects. Where it is perhaps most useful in contemporary application where algorithms analyse ‘songs’ to denote genre, is to keep in mind the idea that “music genres are not wholly defined by their sonic qualities” (Silver, D. et al. 2016, p. 3) but are complex sites of meaning that are hard to frame and understand. In later work, Fabbri takes on the spatial metaphors, mapping and descriptions of categories and genres, styles and areas, exploring how these other spatial categorisations impact on genre. Whilst we might suggest that ‘Heavy Metal’ has grown to become one of the global meta-genres (Fabbri 1999) might suggest that this imagining is at a ‘basic level’, with Doom metal being a ‘subordinate’ of this category needing more information to understand it and its parent category. We might suggest that Doom is a genre as a subset of Heavy Metal and that it, itself, has sub-genres—traditional, funeral, epic, etc. which, with further information and detail again, “hierarchically put into order in a system of basic, superordinate and subordinate concepts” (Eco, in Fabbri 1999, pp. 2–3). Whilst this model works, it does seem to suggest a ‘Russian doll’ scenario with increasing levels of detail and knowledge needed to understand genres that have smaller and smaller communities.

I was taken with Fabbri’s geographical and mapping ideas and metaphors when I first read the 1999 article and could not see any new ways of thinking about genre through the rigid hierarchical structural ordering of genres. As Fabbri himself suggests “I have the impression that the usage of terms based in the lexicons of geography and topography became more and more common in the last two decades” (Fabbri 1999, p. 11). Of course genre does not only apply to the categorisation of music but also to television, games, novels and a broad array of popular cultural forms including film, all of which have their own issues of sub-categorisation. Some straightforward and some, more complex. Mikel Koven (2006) suggests a further geographic metaphor for thinking about genre.

“Filone, on the other hand, would tend to be used primarily in a more scientific context, like geology (where filone would refer to a vein of mineral in a rock) or geography (as in the main current in a river) [...] Putting these together, if we think of a larger generic pattern as a river, [...] as genre, several smaller “streamlets” branch off from the genre-river, occasionally reconnecting to the main flow farther “downstream.” Perhaps, in some cases, what we think of as a [genre], may be a cluster of concurrent streamlets, veins, or traditions.” (p. 6)

So we might, using this model, think of sub or micro genres as ‘streamlets’, still fed by and connected to their parental rivers and with the possibility of return, no longer neatly separated, rejected or ousted by a new name and noticeable

differences in perhaps only one of Fabbri's conventions. Instead the umbilical connection remains, along with the notion of return, if only briefly. This notion of fluidity maps against the shifts in thinking mentioned earlier where youth cultural practices exhibit this fluidity and

“do not therefore exhibit stable practices of inclusion and exclusion— they are integrative and distinctive at the same time. These new network socialities seem to encourage plural, fluid and part-time rather than fixed, discrete and encompassing group identities – individuals are able to flow between multiple signs of identity conceptions.” (Muggleton and Weinzierl 2003, p. 12)

Or as journalist Peter Robinson (2016) puts it, “Perhaps, in the age of endless ways to express yourself, it's also less necessary to define your identity in your teenage years by clinging to genres.” Or in the case of the cultures that operate around musical activity and genre: “[I]t is possible to participate simultaneously in the activities of two or more such network socialities. The single members of these groups do not foster their community as a priority but use the group to satisfy their individual needs” (Muggleton and Wienzierl 2003, p. 23).

### GENRE BLURRING, GENRE ERASING: THE ENTROPY OF THE MUSICAL UNIVERSE

[P]laylists increasingly function as a means whereby music consumption taking place within the digital enclosure erected by streaming platforms can be used to track who we are, how we feel, and what we do outside this digital enclosure. (Drott 2018, p. 36)

Whilst the adaptability of Fabbri's model may well be questioned or at least adapted as a way of understanding music genres now and in the future, I now turn to the new ways of categorising music that threaten Fabbri's model and even the notion of genre itself. Specifically, I am interested in the proliferation of genre creation or naming from streaming services and other ways in which music is increasingly categorised in playlists. Perhaps it is not the imagining, theorising and describing of genres that is the problem here but the very notion of genre itself. Perhaps—whilst still a useful way to explore snapshots of musical production and consumption—it is no longer the primary marker for categorising music outside of the portfolios of record companies and their respective marketing and PR departments, who may wish to cling to the orderly business of music marketing via genre and the staunch communities (and therefore consumers) of established genre worlds. There are other ways to describe music that still arises categorisation. The playlist does not necessarily mean the death of genre and many playlists are genre specific. However, Samuel Potts—head of radio for Columbia records suggests “look at some of the top Spotify playlists: Your Coffee Break, Feel Good Friday, Songs to Sing in The Shower. It's a 24-hour service providing a soundtrack to every moment in your life”

(Robinson 2016). Whilst some of the most popular playlists are compiled by task or activity, nostalgia features quite strongly with 1980s, 1990s, and 2000s making the top twenty.

More recently digital technologies have promised to rapidly and deeply transform—and ultimately weaken—systems of musical genre classification. Several mechanisms may be at work. Music scenes are no longer restricted to a specific physical locality. (Silver, D. et al. 2016, p. 4)

Like many tasks, the naming—and decision making—around genre has become one where the labour of computers is becoming dominant and the notion of Music Genre Recognition (MGR) is devolved, in part, to machine learning. Indeed, “Given the steady and significant improvement in classification performance since 1997, we wonder if automatic methods are not already more efficient at learning genres than some people” (Sturm, B. 2013, p. 374). In this world and visualised as a complex map by Spotify ‘Data Alchemist’ Glen McDonald in his *Every Noise At Once* project there are, at the time of writing, 6302 genres named on the platform, a number that has more than quadrupled from the 1371 (Richman 2015) some eight years ago. By comparison, Fabbri named only eighty-eight genres in his study of 1985. Whether the actual amount of named genres is even calculable, is not the point here, but the sheer number means that the relationship between sub-genre and genre or meta-genre has shifted. These genres are different. They are sub-genres, but what do these naming and dividing exercises mean? They arguably link to contemporary ideas of choice, but also raise the question of the tyranny or impossibility of choice. But this, of course, means that musicians who produce music in identifiable micro-genres have limited appeal and markets to those who fully subscribe to their ‘rules’, but allow signposted exploration to those who practise some kind of eclecticism in their music listening or streaming. When a sub-genre only contains one artist however, have we reached the end of community and reduced naming to description? If the logical conclusion of sub-genres is the genre of one, then at the other extreme is the genre of none, another identifiable practice in this ‘post-genre’ world; genre blurring.

With the benefit of time, genres that may have been sites of different or differing politics, geographies, social meanings and so on become, or can become, detached from their contextual anchors and are more known through their aesthetic elements. These can then be matched, blended or blurred together to make grunge-gaze, for instance, a combining of the heavier rhythmic qualities of Seattle bands of the late 1980s and early 1990s, such as Nirvana, Tad, Mudhoney and the contemporaneous UK-based Shoegaze movement with artists such as My Bloody Valentine, Loop, Slowdive and so on who focused on layered distorted guitar effects. Make it heavier? Switch grunge with the slower, sludgier genre of Doom and we have a new sub-genre—Doom-gaze. The differing behaviours, socialities and semiotics of the parent genres are lost to the bricolage of genre blurring.

Two major conclusions flow from this sociological intervention in the analysis of music genre. First, music genres are not wholly defined by their sonic qualities. Second, the non-sonic qualities of music genres often emerge relationally and categorically: relationally, because different musicological genres can share structural similarities and differences with sonically “unrelated” genres; categorically, because any given genre acquires some part of its meaning in virtue of its position within a broad and diverse topology of higher-order genre forms. (Silver, D. et al. 2016, p. 3)

It isn’t just metal or alternative rock genres that have these multiple signifiers of genre but also the broader pop world, where artists like Lana Del Ray listed or labelled as “pop, indie R&B, indietronica, chamber pop, synthpop” simultaneously. Artists “now straddle, or exist beyond, genres that seemed set in concrete as little as 10 years ago. They represent a cross-pollination that makes it harder than ever to definitively state that you like or dislike one genre or another” (Robinson 2016). That is not to say that music is no longer important to listeners: “79% of 13- to 32-year-olds said their tastes didn’t fall into one specific music genre. Just 11% said that they only listened to one genre of music” (Ibid.). So, if at one extreme micro-genres are creating smaller and smaller scenes and at the other extreme multiple genre identities or no genre identity can be ascribed, what theoretical positions are available to analysts of popular music? Is the “entropy of the musical universe” that Fabbri hints at in his 1999 paper working at both ends of this spectrum? Whilst the fracturing and multiplying of genres do not necessarily require new ways of exploring them—Franco Fabbri’s early eighties explorations of the “theory of musical genres” still works in the identification of the sound, image, behaviour, ideology and economics of each of these genres, the imagining and description of the relationship between genres might be worthy of exploration.

Fabbri draws on philosopher Umberto Eco a number of times in his explorations of mapping and musical categorisation. Eco suggests that for things to be categorised they need “to be recognized as such, they need reference to a framework of cultural norms” (Eco 1997, p. 139 in Fabbri 1999, p. 3). The playlist, it would appear, is, or has become, a cultural norm and so can be seen as a recognisable form of categorisation and perform some of the same functions that genre can, where “[l]abels such as genre and mood have the important advantage that they provide one with a vocabulary that can be used to discuss musical categories” (McKay and Fujinaga 2006, p. 4). Spotify users surveyed by Norwegian researchers seemed to need this categorisation and “made efforts to save or stabilize their music listening by creating playlists to combat the tendency for their listening to become fragmented and ephemeral through music-streaming services” (Hagen and Lüders 2017, p. 648). Whilst the playlist is a categorising device, by activity, mood or genre, it—the playlist—differs in a number of respects from genre both as a cultural practice and as a way of marketing music. First, and in relation to cultural practice, a playlist is only recognisable in its totality; individual songs in isolation, removed from

a playlist, cannot be identified as belonging to one or other playlist, whilst they can, using Fabbri's rules for instance, be seen as part of a genre world. Second, the playlist is not defined by the community but by the playlist maker, its popularity might be defined by the community but not its inclusivity. Third, the further reaches of genre do not necessarily apply to playlists. Whilst playlists may link to behaviours, or at least soundtrack them, they do not speak about broader behaviours or ideologies, nor do they link to the visual performance or packaging conventions. It may well be that genre is no longer the dominant way in which we categorise music particularly where it is consumed in online spaces. There are, of course, those genre worlds where the lure of the convenience of streaming services is rejected in favour of physical products where there is "something more human and fathomable about this physicality, about sensing the connection between the observable characteristics of an object and what it does" (Tuhus-Dubrow, R. 2022, p. 102).

Whilst these cultural differences between genre listening and playlist listening might disrupt the orderly business of categorising types of music, playlist listening is making far more radical changes to the musical world and the ways in which the consumer/product relationship is positioned. We might start by looking at the types of playlists that we, as listeners, might engage with on streaming services as a way of choosing cohesive collections of songs. There are broadly speaking only two types of playlist. Those we make ourselves and those that others make. However, this is only a partial picture. Of those that are made by others, there are artists playlists, which we might suggest are made for us, personalised playlists which are algorithmically made for us, editorial playlists that are also made for us. This then leaves within our own practices curated playlists that are made by us for a variety of reasons, sometimes private and sometimes shared with others. Some of these might be aligned with activity, where we have a morning jog playlist or workout playlists. They might be in party playlists or study playlists. There are even showering playlists (39,000 on Spotify in 2018) that the service can see and monitor and measure.

Near the beginning of this chapter I suggested that genre categorisation was most useful to the music business and that it was fans and artists that were resistant to the notion, or the notion of being fixed to one genre. This was because genre offered a stable set of products that were marketable to a (relatively) stable audience, through stable channels of advertising—magazines, television and so on. Genre arguably worked to keep stable capitalist channels of goods working. However, it is not only the number of genres that has shifted significantly with streaming, but another shift in terms of what is being sold to whom. Where genre allowed the selling of CDs, vinyl and cassettes to audiences, now the playlist via the streaming service, sells audiences, or at least their data, to the highest bidder. And this is where the playlists made by others in particular come in where these

[p]ersonalized, context-sensitive playlists hail listeners less as members of some abstract demographic category than as concrete particulars. As such each recom-

mendation may be understood as a proposition about one's musical identity—or, more precisely, about one's identity at a particular moment, within a particular context. (Drott 2018, p. 21)

In this world “brands can be a part of each moment” (Spotify, cited in Drott 2018, p. 40) and so our once private listening habits have become data, our personal tastes now inhabit spaces where “platforms habitually stress music's status as a “passion point” whereby attention may be captured, advertising messages imparted, and valuable consumer information harvested” (Ibid., p. 42). Of course, as mentioned earlier, some playlists are genre based and so this listening is perhaps the sweet spot of capitalist music business production. We are engaged via genre channels with artists who may well be selling their physical products via streaming platforms, whilst giving our data to advertisers so that we might be sold further goods.

## CONCLUSION

To conclude this chapter then, we might usefully look at what genre might offer us, that the playlist does not, to explore if it is a useful categorising concept for music consumption and production beyond the capitalistic practices of those that might attempt to market our resistant tastes back to us (Taylor 1999) in a world where resistant music making has been “made obsolete by technology and capital” and “rock anthems are used to sell banks and cars” (Frith 1988, p. 1). Although, as Sarah Thornton has suggested, this boundary between the commercial and the authentic is a porous one, this is perhaps where Fabbri's understanding and analysis of genre from forty years ago may take on a new usefulness.

If in Fabbri's rule system, the “economical and juridical rules” (1981, p. 5) are the frameworks that deliver the sonic products generated by the “formal and technical” rules to us as communities of listeners and fans, it may well lie in the semiotic, behavioural and ideological realms that the articulation of genre, unmeasurable by the computer recognition of MGR, is enacted through musical performance and fandom of varying degrees. There are still, regardless of the more fluid and part-time involvements in taste groups, definite genres and communities of fans who adhere to the semiotic rules of their genre worlds. Genre-based festivals, radio programmes, club nights, and compilation albums still circulate in abundance. Haircuts, leather jackets, trainers, shoes and jeans are all still powerful signifiers of cultural identity, and along with badges, patches and t-shirts they still act as forms of non-economic capital to be exchanged in the offline world and through the spaces where fandom is enacted in semiotic ways—online or off. Non-economic capital is important to mention here, because although the private lives, spaces and practices of individual listeners might be used by streaming platforms and their advertisers to sell shower-gels and anxiety, creatives are not driven by economic concerns, but rather through the fulfilment that being creative offers. Fans similarly accrue



and display non-economic forms of capital through their cultural and subcultural engagement with genre worlds, which, as Thornton (1995) suggests can be exchanged through the porous boundaries between fandom and industry.

There are further developments in practice that spark return to previous forms of engagement with music; not necessarily in nostalgic ways but, for instance, the resurgence of the cassette as a format that bands can manufacture and sell quickly and cheaply to fans who, in their genre worlds, want physical formats to display their fandom means that cassette sales are at a twenty-year high (Skinner, T. 2023). Genres, as Steve Neale (1980) argued, work through both “repetition and difference” and these repetitions and differences operate through the interplay of Fabbri’s five elements, incrementally nudging the development of types of music forward. Not so different that the music is not identifiable within its genre framing but not so repetitive that it sounds derivative. It is important that we continue to explore, analyse and study music however it might be categorised for us. Whilst the playlist currently offers us insights into the practices of new models of the music business as it has been colonised by the tech companies, genre currently remains key in our ability to understand the musicological shifts of artist practices and the visual, ideological and behavioural world of the whole musical community.

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# Music after COVID-19: Capital, Performance, and Sharing

*Matthew David*

## INTRODUCTION

Getting paid to perform music live makes such performance a form of labour. When performance is recorded, copies of such recordings can be sold, with each additional copy not requiring repeat performance. Such recordings then become a form of capital (capturing the original labour in the form of a fixed asset—capital sometimes then being referred to as ‘dead labour’). Music, as performance, as living labour, precedes and exceeds its capture as recording. As such, music is not reducible to its potential ownership as capital (dead labour) to be owned (by means of intellectual property) as a form of object (generating profit from the reproduction of copies—as regulated by copyright). Most musical performance is not commercial and most income generated from music comes from live performance, not the sale of recordings (physical or purely digital). The self-presentation of the ‘recording industry’ as ‘the music industry’, let alone ‘music as such’, obscures this.

The rise of peer-to-peer online sharing networks from 1999 onwards challenged business as usual for record labels. When recordings could be circulated freely, their potential as capital was reduced. The sale of physical copies of musical recordings collapsed. Record companies claimed such a collapse was bad for artists, but this was not true. Free sharing exposed these illusions, as the free circulation of recordings in fact increases the earnings of those engaged in live

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performance (Krueger and Connolly 2006). Reduced spending on recorded copies (capital, i.e., dead labour) increases spending on live performance (living labour). Returns to live performance artists are better than for recordings where almost all revenue from recordings return to rights holders, usually record companies not artists—and freely circulating copies generate publicity, reducing the power of major record labels as gate keepers (actors who claim to be helping when giving access to that which they themselves act to restrict access to in the first place). Free circulation of recordings also reduces opportunity costs to live performance (opportunity cost being the reduced ability to do/buy one thing if you have just spent your time/money on something else). The rise of sharing networks in the first two decades of the twenty-first century saw the rise in live music ticket sales and ticket prices—benefiting performers.

However, COVID-19 offered record companies a new ‘justification’ for music as capital, with the falling-off of live performance in 2020–2022. Despite a modest rise in income generated by streaming services in the first year of Covid (from spring 2020) overall earnings within the total music industry (live and recording) fell by almost a half relative to what it had been the year before. With live performance killed off, the dead labour captured in recorded works could be revived. However, the scale of the collapse in live music revenues, and its overall impact on total revenue decline, highlighted how live music really was and remains the greater part of the musical economy (whatever might be claimed by record companies). How performers coped during lockdowns, and the revival of live music after Covid, help illustrate that any return to ‘business as usual’ (prioritizing recordings as capital over performance as living labour) is mistaken, whatever the latest excuses might be.

### CAPTURING SOUND: RECORDING NOTES AND NOISES

The capacity to capture sound, to turn performance into something fixed in physical form, is long-standing and widespread. Perhaps the oldest known form of such recordings are cuneiform tablets with markings denoting musical notes, and other forms of written notation existed in ancient Greece, China, India, Japan, Indonesia, etc. Within Middle Eastern Islamic cultures likewise, written forms of musical notation were developed. Late medieval European monks developed a form of notation to record and standardise plainsong, and this form of notation went on to be developed in early modern Europe. It was this notation that was itself revolutionised with the application of the printing press to create mass circulation forms of musical recording.

The development of notation by monks in medieval Europe was for the purpose of standardising performance across time and space, rather than for any kind of identification of origin, and certainly not in any attempt to identify individual authors. Tangible ‘expressions’ (rather than abstract ‘ideas’) became the basis for claiming copyright in the eighteenth century, and only later (in the nineteenth century) came to be framed in the romantic language of creative individuals (not communities) needing to protect their genius in terms of

royalties within a burgeoning publishing industry (Woodmansee 1996). Whilst conceptions of authorship have existed in many civilisations, modern conceptions of intellectual property emerge alongside capitalism and the industrial manufacture of creative works by means of the printing press. The first such law, the Statute of Anne (1709/10), sought to regulate ownership in published works in the newly created Great Britain (disputes between English and Scottish publishers became more significant with the Act of Union in 1706, but such disputes had raged for some decades prior) (see May and Sell 2005). However, the Statute of Anne only covered literary fiction, and musical works were not covered in Great Britain until 1777.

The idea that copyright is the foundational incentive for creativity is, as Jessica Litman (1991) points out, a myth. Shakespeare created his plays before the invention of copyright. Whilst copyright was extended to music in the UK in 1777, the work of Bach, Mozart and Beethoven in German-speaking countries was not. The claim that copyright drove creativity in the eighteenth century is dubious, as is the claim still today. The concept of copyright also draws on diverse elements, an ownership model in the English-speaking world, and a recognition-based model drawing upon a Kantian/Hegelian conception of identity (Ghosh 2015). Naturalisations of copyright as myth (such as are propounded today by WIPO—the World Intellectual Property Organisation—see May 2007) seek to conflate these two divergent elements.

In 1770, it is claimed, the fourteen-year-old Wolfgang Amadeus Mozart recalled from memory (by melodic/harmonic notation) the double performance of Gregori Allegri's *Miserere* in the Vatican's Sistine Chapel. It is then said that he transcribed it later, and the unredacted version was published shortly thereafter in England (though the exact details are open to dispute, see Chrissochoidis 2010). Mozart's transcription, if real, broke the monopoly held on that piece imposed by Pope Urban VIII, which decreed the work only be performed at the Vatican during Holy Week. Shortly thereafter a more serious concern over breaching copyright came about with the mass circulation of infringing copies of sheet music by so-called pirates—music was only at around this time being made subject to copyright protection in any case (see Alexander 2007). Such copyright protection was applied to music in Great Britain in the late eighteenth century, and not elsewhere until much later. Prior to sound recording, such protection as existed only applied to sheet music, but the increased ease of mass printing and circulation of such content made pirated sheet music a large-scale business. The advent of sound recording in the late nineteenth century revolutionised the capacity to reproduce sound (to sell recordings of such sounds as an alternative to hearing live performance). Such recordings could be either legal or infringing of copyright, but the technical infrastructure (fixed costs) required to make such cylinders/disks limited scope for pirates. To make a printed copy of any particular musical composition required a large outlay on physical materials (from the array of types/blocks with letters/notes on them, to the compositing cases required to hold them in place, and the press itself which allows the inked types/blocks to be 'pressed')

against the paper that then becomes the final copy). Such outlay (i.e. the fixed cost or capital), once made, could generate profit, but the risk of being caught for making unlicensed (copyright infringing, i.e., pirate) copies was high given the need for such bulky equipment and relatively local markets. Such ‘piracy’ did exist, as it would later with bootlegged/pirated sound recordings with similarly high fixed costs, but it was the advent of digital compression, storage and distribution that most radically revolutionised the potential for mass copyright infringing copying of musical works.

### LABOUR AND CAPITAL: THE DIALECTIC OF MUSIC

The mass production and circulation for sale of sheet music in the eighteenth and nineteenth centuries enabled an increasing performance of works written by ‘composers’, rather than the performance of works developed within oral and folk traditions. However, the latter did not diminish by necessity. Nor did printed sheet music reduce the need for performers. The development of sheet music and the more complex musical structuring of time, melody, and harmony that such notation structure enabled in fact created new levels of performance and new requirements for multiple performers. Urbanisation, migration, trade, and industrialisation all fed the emergence of new forms of commercial performance and performer. Pirated and lawful reproductions of sheet music fed into a new and expanding space for professional and amateur musical performers.

Records (cylinders and then platters) could potentially substitute for performance (fixing living labour into the dead labour of capital assets), and may have contributed to a decline in amateur domestic performance, even as it may have offered inspiration and opportunity for those seeking to learn to play and to perform. Radio, and its ability to broadcast recordings as well as live performance, did see conflict between those who saw broadcast as publicity for live performance and those who saw broadcast as a threat to live performance as a source of income (Kirton 2015). Technology is always double edged but is also hard to disentangle from wider social relations and conditions (such as the global economic recession in the 1930s that coincided with the rise of radio broadcasts of recorded music).

Economic recovery and the rise of a post-war baby boom generation in the most advanced capitalist economies (and subsequently worldwide) saw the rise of the ‘teenager’ as a new consumer (see Hebdige 1979). With the teenage consumer came the rise of a new pop-music industry. A band like The Beatles was initially a live performing group, and even after becoming famous, it was still their ever-growing live performances that generated most publicity and income. However, playing ever-larger stadiums with relatively weak amplification, The Beatles were drowned out by the screaming of their own fans, prompting them to stop performing live in 1966. They went into the studio to produce their first ‘concept album’—*Sgt. Pepper’s Lonely Hearts Club Band* (at roughly the same time as The Beach Boy’s *Pet Sounds*), becoming the iconic

‘recording artists’ rather than live performers. This very specific assemblage of technical and commercial affordances created, for a very small number of artists, the possibility to become primarily ‘recording artists’ rather than live performers. Whilst this was only ever a tiny minority, the idea of the ‘recording artist’ was promoted by record companies as the paradigmatic figure within the much larger musical economy.

The record industry promotes the idea of the ‘recording artist’ as the pinnacle of the musical world. The Beatles as a band that stopped engaging with audiences through live performance were exceptional in their continued earnings. The reality for all but a very tiny number of musicians is that live performance is their primary source of income. For the musical economy, live performance (living labour) remains far larger than the sum of record sales (Krueger 2005). Nevertheless, record companies became gate keepers for those seeking to earn a living from music. This meant those artists seeking to gain radio airplay and to get bookings at large performance venues, came to require record contracts with an increasingly concentrated set of ‘major labels’. In particular, major labels could demand a high return from artists (so receiving the vast majority of record sales revenues), precisely because such labels controlled access to alternative revenue streams as well (in terms of airplay, large venue bookings and the merchandising income that comes from such bookings). As gate keepers, labels could ‘offer’ access to precisely that which they had themselves come to control.

Even if recorded music was only a small part of the overall musical economy, and (as will be seen in the next section) rewards to artists from record deals are often very poor relative to live performance, record companies came to occupy a dominant position in enabling access/exclusion for performers. In his account of music industry earnings, Brian Holmes (2003) notes that only 2.5% of artists registered with France’s copyright revenue society actually get to vote in the organisation, as to vote one must earn over 5000 Euros a year from such sources. Krueger’s research suggests this figure is about the same for musicians in the English-speaking world. The works of Anderson (2009) and Thompson (2012) suggest this is about the same for authors of literary works.

### CONTRACTS AND PAYMENTS: FAILURE TO RECOUP

Beyond the myth that the recording industry is the greater part of the overall musical economy, the structure of the recording industry itself further diminishes the return to artists relative to live performance. Steve Albini (1994) offers an account of the relatively rare ‘success’ of the fabled million dollar record deal. Such a deal may appear attractive but terms and conditions in such contracts make it less appealing. In return for a million-dollar contract, the artist signs over the copyright in their intellectual property, that is the right to sell recordings and to profit from these. Not only does the artist’s labour then become a fixed asset (dead labour disembodied as capital), that capital is itself further alienated (separated from its creation/creator) by being passed over to

the artist's record company. In exchange for this alienation, the artist receives a royalty on such sales as occur (varying between 5 and 15%). The record company then invests the million dollars in the artist by means of studio production time, publicity and promotion, rights management and distribution/revenue collection on copies sold. This may appear to be equitable, but the artist is then required to repay (recoup) the investment made from their royalties (not from the remaining revenue that also goes to the record company). This contractual arrangement means that artists are required to repay the greater part of the revenues spent by record companies from only a fraction of the income generated from their work, most often leaving artists in debt to their record companies when (as most do) they fail to recoup. This is true even when overall sales do generate more income than was spent (which is only some of the time). The asymmetry of recouping is the twist at the heart of the 'business as usual' of the modern record industry. As Albini (online, 1994) concludes: 'some of your friends are already this fucked'.

Courtney Love (2000) drew out the same conclusion from an account of the record industry standard model, and in addition suggests that most artists are better off giving their music away for free (in the form of free sharing) if that means their music gains publicity and hence a larger live audience. Of course, it might in fact be argued that giving their music away for free is exactly what artists are doing when they sign contracts with record companies if at the end of the day they end up owing their record companies money for doing so. When The Beatles performed on The Ed Sullivan Show in 1964, their manager Brian Epstein agreed for the band to play two performances—one as paid work, and the other for nothing as it would be good advertising for The Beatles' forthcoming US tour. As long as gaining access to airtime and to securing larger and more lucrative performance venues was something that required having a record contract, then record companies could claim to be productive actors in securing publicity and earnings for performers, even if the revenues to those performers from record sales was little to nothing at all. If recordings were not the main meal when it comes to getting paid, such works may still act as a menu widely distributed that then draws in paying customers in terms of live performance audiences. The rise of free sharing software changed this logic as it reduced the barriers to gaining publicity and it increased audience spending power on live music precisely as it reduced the amount of money music fans spent on recordings (reducing opportunity costs).

### FREE SHARING: CHALLENGE TO MUSIC AS INTELLECTUAL PROPERTY

In one sense, the radio broadcast of music was the first form of free media distribution, starting over a century ago. The availability of audio tape for domestic use made it possible to make copies of radio broadcasts, and of commercial recordings. However, it was not until the development of the audio-tape



cassette (in the early 1960s) that it became very easy and relatively cheap to make personal or commercial (copyright infringing) copies of recorded works. In the 1970s the recording associations in many countries claimed such things as ‘Home Taping is Killing Music’ (see Marshall 2004), though the large-scale circulation of bootleg tapes (whether of live performances or studio out-takes), and home taping of records, did not significantly compete with vinyl sales (which were impacted rather by a global economic recession). Bootlegs were a parallel market (delivering alternatives to what record companies were selling) and the quality of cassette tape was nowhere near that of vinyl.

It was the development of digital recording that underpinned a more serious challenge to the recording industry. The compact disc (CD) was introduced in 1982 (see David 2019a) in an unencrypted format to encourage general take up (Sandall 2007), but it was not until the advent of domestic CD burners in the late 1990s, and more importantly the linking up of (1) digital compression formats (MP3 in particular), (2) digital network distribution via the Internet/web, and (3) the creation of exchange software (such as Napster in 1999), that free sharing of digital music content took off. Napster operated a central server through which users could upload and download files, and this saw the service successfully challenged (and shut down) by the Recording Industry Association of America (RIAA) in 2001/2. However, this only led to the development of fully ‘peer to peer’ services where users downloaded the software and exchanged directly between themselves, leaving the software provider not liable for what users themselves exchanged. Legal challenges to uploaders led to the development of torrent services where downloads were compiled from fragments of many uploaded versions rather than from any one liable source. Legal attacks of torrent services led to their servers being off-shored to evade prosecuting jurisdictions (David 2010). Another form of evasion was in the use of streaming channels, where no copy is actually made and so the question of copyright infringement is less easy to establish (though the development of faster forms of automatic notification have reduced this window for evasion—see David 2023). Whilst it is not possible to show that every downloaded copy equates with a lost commercial sale, the creation of free-sharing software to be used over global digital networks did coincide with a very significant decline in earnings for record companies, a decline that has not been recovered from since. The converse of this decline in record sales was a huge increase in the sales volume and price of concert tickets. Money no longer being spent in one way can be spent in another.

### CRIMINALISATION AND THEN LEGALISATION

The coming together of digital compression formats like the MP3 file format, digital networks for distributing files, and the sharing software necessary for users to locate files to upload and download between themselves, saw a rise in free sharing of what would otherwise have required commercial actors to provide. This undermined the copyright-based business model of such service



providers as record companies. The successful criminalisation of one form of free sharing software only saw the development of new forms of distribution that evaded such criminalisation. Whilst Napster was shut down on the basis of contributory infringement in 2001/2, other fully peer-to-peer services, like Grockster, Morpheus and Kazaa, took its place. It was in this situation that record companies were forced to deal with the need to create legal forms of digital music distribution. Major labels in particular have been active in maintaining their position via digital adaptation even as the conditions necessary for their traditional business model (based on physical sales) were themselves undermined by digital network technologies (Arditi 2020).

In 2004, Apple launched its iTunes service which allowed users to pay for legal downloads of music onto Apple's new range of iPods. Where record companies had been unwilling to licence the distribution of their copyrighted musical content to third parties, the rise of free sharing digital network services made the option to licence legal distribution via Apple the least bad alternative. Initially, record companies required that Apple encrypt the files users were able to download from iTunes. However, in 2007 Apple's Steve Jobs announced that the company would be removing this (Fairplay) encryption. Apple claimed that 85% of content on iPods was being downloaded for free from file sharing services and that such free content was itself being uploaded via such services easily due to record companies selling CDs without encryption. Apple claimed that if record companies did not use encryption on CDs, and if this was reducing Apple's market for its iTunes, why then should Apple continue to encrypt? Record companies claimed they would withdraw licencing agreements if Apple removed Fairplay, but when the policy was enacted at the start of 2008 none withdrew. Free sharing in effect created the market for legal digital services (David 2010).

A similar story unfolded shortly afterwards with the initial development of streaming services that allowed users to share content in real time. Such services initially enabled channels of user-generated content and commentary but soon came to carry large amounts of copyright infringing live coverage—such as of sports events. The development of copyright infringement via streaming channels made the prospect of legal streaming services attractive to record companies. As such, a company like Spotify, which offers users free access to stream musical content, could get record companies to licence content in exchange for around a three quarters share of advertising revenues generated by the channel (as well as for shares in the company itself). Around a quarter of Spotify users pay to avoid advertisements and most of this revenue is also returned to rights holders. As rights holders are for the most part record companies and not artists themselves, what income artists receive from services like Spotify is usually as diminutive as revenues derived from physical recording sales. Again, where digital networks enabled copyright infringement, they also enabled and incentivised the development of legal alternatives as documented in David Ardit's (2020) *iTake-Over*. As the same contractual arrangements that limit artists' earnings govern the distribution of revenues in physical sales

and legal downloads/streaming, artists income was not directly increased by such services even if they were not diminished either as they were so often non-existent anyway. Yet, free digital services did offer another pathway to better returns.

### THE RISE OF LIVE: REDUCED OPPORTUNITY COSTS FOR PERFORMERS

One benefit of free streaming and downloading services (legal or infringing) is reduced opportunity costs. When a music fan buys a recording (whether in the form of a physical record, tape or compact disc, or when paying for a download from iTunes for example), the money they spend is money they cannot then spend on something else. That inability to spend the same money twice is what economists call opportunity cost.

Alan Krueger (2005, and with Connolly 2006) illustrates how the decline in money spent on physical records in the years after the development and take-up of free digital file-sharing services, left more money in the pockets of music fans. Krueger and Connolly show how reduced record sales led to (not just correlated with but caused) a huge escalation in the price of concert tickets and an additional escalation in the number of concert tickets sold. Not only did a wider circulation of music perform the function of publicity, such circulation did so at a far greater level than was possible with physical or even paid for digital formats. Greater access to hearing recorded content, combined with reduced cost, created a perfect storm in the live musical economy. More interest in more music, and more money available to pay for access to hear artists performing live, greatly benefited performers.

The possibility of digital post-scarcity (the potential for unlimited simulation, reproduction and modification) offers contradictory affordances (Nolan 2022); free access to that which once commanded/demanded payment (a positive freedom), but also the threat/promise of unpaid labour where loss of (paid) work does not mean freedom from compulsive toil (precarity/destitution). The rise of live in the early 2000s combined new post-scarcity with a new attention to what remained scarce: live performance. The aura of artistic works is diminished in an industrial age, one where mechanical reproduction makes available multiple copies of any such artefact, even as such mass imitation does raise the market value of what only then become an original (Benjamin 2008). The early history of recorded music has some parallels. Digital reproductions of musical content contained within physical objects (CDs) actually raised prices for recordings but did not raise the value of live performances. Interestingly, once digital content no longer required manufactured containers, and could be circulated freely via digital networks, the market value of mechanical reproductions fell away, whilst the aesthetic and commercial value of live performance rose. Artistic performances as living labour, unlike dead labour contained within produced objects, radiate something more akin to

pre-industrial rituals undertaken collectively between priests and worshipers in a specified time and place reserved only for initiates. Where Benjamin suggests Fascism's aestheticisation of politics deploys such ritualistic performance to offer a manipulated form of expression rather than offer any genuine challenge to property rights within capitalism, free digital sharing of artistic IP (intellectual property rights in recorded expressions) does challenge property rights in recordings, even as live performances replicate ritualistic expression within a supposedly authentic (in the sense of a shared), whilst increasingly expensive, experience.

The institutions of private property and of markets are said to be a means of allocating scarce resources (David 2019b), but with the possibility of free circulation of musical recordings with zero marginal cost (if marginal cost is the cost of making the next one copy, this cost falls to nothing when files can be copied digitally: (Rifkin 2014) the value of property and price in such copies are called into question—even whilst what remains scarce is the living labour involved in specific live performances. If everyone can have a copy of a recording, its scarcity value diminishes, even as the value of attending a specific performance increases. Monetary returns to live performers, whilst themselves subject to disputes between venues, promoters, artists and ticket aggregating services, remains better than the often-non-existent returns from record deals, even as digital networks make it increasingly possible to generate publicity for new artists outside of the dominant interplay between record companies, radio stations and large venues/promoters (David 2017). In this context Madonna ditched her record company for a more lucrative management via her tour promoters (LiveNation), Radiohead began releasing their music via their own publicist rather than their former record label, and many other new and established artists found it more lucrative to distribute their recordings freely (or for payment direct to themselves), and to use such recording as publicity to increase their live performance earnings. Just as the feast experienced by record companies in the two decades after the introduction of the compact-disc (the CD) in 1982 (see David 2019a) turned into a famine once the un-encrypted digital content on those very CDs started to be shared freely online; so the 'rise of live' that accompanied the decline in record sales, suddenly went into reverse in 2020. COVID-19 saw the locking down of the live-performance economy in that year (and beyond). The 'rise of live' was stopped dead. If, after 2000, the dominance of record companies in the musical economy seemed like an era that was coming to an end; would 2020 come to turn that very reversal back on itself?

### COVID, CRISIS, AND REACTION

Lockdowns and social distancing measures put in place in the spring of 2020 saw the live music sector almost entirely suspended, and whilst measures came to be eased as time passed, the disruption to the live performance economy was immense. Just as 'the rise of live' offered a positive and growing alternative to

the limits to getting paid that exist in the recorded music side of the musical economy, so it was that the suspension of this avenue had profound negative consequences for artists. Phillip Hancock and Melissa Tyler (2022) conducted a survey of over 200 live performers (musicians and actors, etc.) in 2020. They found that over 80% of respondents saw their incomes collapse, with Covid: ‘negatively impacting on their [artists’] profile as performers and in their relationship with their audiences’ (online Interim Report).

If the living labour of live performance threatened death, might the ghost of dead labour rise again? Given the suspension of the live economy, the rationale for the traditional mediated sale of recorded content might be seen as having to be re-justified, but given how little return such sales make for artists, this is questionable. Denk et al. (2022) found that by the end of the first year of the COVID-19 pandemic overall spending within the musical economy had declined by 45% relative to the year prior to Covid. This fall was almost entirely the result of declining live performance spending. Lockdown did see an increase in spending on streaming services (accelerating the decline in the sale of physical recordings), but as streaming services offer virtually no substantial payment to artists, this is of little comfort to performers.

Hancock and Tyler found that most performers in their study had used streaming platforms themselves to reach audiences, concluding (online, 2022) that: ‘The Livestreaming of shows and artistic performances have been vital to keeping people entertained during lockdown’. However, such entertainment did not often generate significant income for performers. Less than 40% of those surveyed had used online payment systems to generate income from such live online streams, and of these only around 10% found such systems of payment ‘extremely’ or ‘very successful’ (with another 40% finding them ‘moderately’ or ‘slightly’ successful). As such, over 90% of performers either generated no online earnings or did with only moderate, or slight success. ‘Platform capitalist’ solutions to Covid lockdown were very limited indeed, offering no fundamental solution to the very problems that Covid exacerbated within the gig (or no-gig) economy created by today’s precarious labour market (Arditi 2021).

For the most part, the hope was that online platforms during lockdown were a bridge to the future, when the live economy could return:

Live streaming has enabled me to perform for audiences across the world who perhaps would not have had a chance to see me live. This has potentially opened/ increased opportunities for international bookings when live performances are able to resume. (Will Taylor, male, 40–49, singer/musician)

The (inadvertent) creation of a community of fans around the world who are interested in my work and who regularly tune in. Thus, raising my profile, potential income base (CD sales and merchandise) and hopefully a larger potential audience for public gigs when the pandemic is over. (Mark Godiva, male, 30–39, musician)

Performing live but online was not a substitute to live face-to-face musical events, but rather another form of publicity (rather as recording—freely or commercially circulated) for the real-deal, that is live face-to-face performance going forward. Online performance was (like recording) something akin to the menu, rather than the meal. Still, this did assume that at some point it would be possible to go out again and have that meal which the menu had motivated you to want. Where the collapse in physical sales has sustained over time, the collapse in live face-to-face performance due to Covid lockdowns has not.

### RENEWAL AND INNOVATION

Where COVID-19 saw a collapse in live, face-to-face performance in 2020 and 2021, it did see a rise in artists seeking new ways to engage with fans directly via digital channels. Kamran Ahmed (2022) suggests that whilst streaming services increased in use during Covid, the poor returns to artists from such services as Spotify saw the growth in performers using newer more niche services that reward artists better. Henry Yates (online, 2022) writes: ‘With the recent Music Creators’ Earnings In The Digital Era report suggesting that just 0.4% of UK artists make a viable living through streaming, the UK’s live sector remains the cornerstone’. Whilst small returns from online performances do not represent a significant alternative to live music, they have at least increased the scope for artists to establish more independent relationships with fans.

The potential to use streaming services for promotion worked well for some. ‘Before lockdown, we were playing really small venues and getting paid very poorly... It forced us to explore different opportunities. With the help of weekly livestreams, we were earning more at the height of the pandemic than before it. Now, after lockdown, our situation is completely different, and we have our own headline tour’ (blues musician cited by Yates, online, 2022). Nevertheless, the post-Covid performance scene is mixed. During Covid restrictions many live performance venues closed down. On the one hand, the return of live music is one crucial means by which many mixed venues (locations where live music is only one dimension of the business – and this means venues from small bars and clubs to large theatres and sporting stadiums) can return to viability. On the other hand, given the losses ensured during Covid, some such venues have closed permanently.

Larger venues and events have seen a faster post-covid bounce back (with Beyoncé’s Renaissance World Tour selling over one and a half million tickets and generating around 300 million US dollars over around fifty concerts, whilst Taylor Swift’s The Eras Tour’s over 150 concerts are set to generate more than a billion dollars in ticket sales). However, smaller venues have struggled to regain their position. Mark Savage (2023) cites a report by the UK-based Music Venues Trust suggesting that grassroots venues remain at around 90% of their pre-pandemic turnover as of the start of 2023. On the other hand, market research analysts Mintel (2022) found that festivals and large events, whilst falling back to around 90% of 2019 attendances in 2021, had already seen a return

to pre-pandemic revenues in 2022, and predicted significant growth for the years following from that. In this sense, Covid has seen a furthering of already existing polarisation between smaller and larger musical events, venues and acts, even as the increased use of innovative forms of streaming has widened the base for promotion of not already established performers and performance spaces.

Demand for live music after Covid has been high. With a squeeze on spaces due to some locations closing during the pandemic, ticket prices have risen (365 Business Finance 2022). Whether such revenues will return to artists rather than just to promoters and venues remains to be seen.

## CONCLUSIONS

Music is a long-standing site of conflict between labour and capital, a conflict over rewards to live performance relative to rewards to owners of fixed recordings of prior performances. Technology has always been a part of this struggle, acting as amplifier on both sides. Technology can both capture sound in the sense of recording it, and distribute sound in new ways as well. Digital post-scarcity, in the sense of free distribution of recorded music defies control and thereby undermines the economic value of such recordings as capital. At the same time, such digital post-scarcity has reduced opportunity costs to music fans and increased publicity for performers, thereby increasing the economic value of live performance. The ‘rise of live’ in the musical economy has benefited performers (labour) relative to record labels (capital); even as it must still be recalled that the live performance economy involves forms of capital as well (venues, promoter networks and ticketing sites/offices, etc.). COVID-19 appeared to kill off ‘the rise of live’ and potentially renew the arguments in favour of yesterday’s business as usual, the sale of recorded content. The period of Covid-related lockdowns and social distancing saw a collapse in live performance, and an increase in revenues to streaming services. However, such additional income to streaming services provided very little return to performers whose use of new digital channels during lockdown to stay in touch with fans (and find new audiences) acted only as a bridge to a renewal of the live musical economy, rather than any significant transformation away from a reliance on live and face-to-face performance. With a return to live performance after Covid, new struggles over the distribution of resources (between performers, promoters, venues and ticket selling sites) have come to parallel those between performers and record labels. Some of the technical advances developed during the pandemic—such as in the use of live-streaming to reach fans independently of record labels—will be valuable tools in enabling performers to develop their profiles and live performance earnings. However, streaming channels do not represent an alternative to live, in person, performance. They are only a potential amplifier.

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## Formatting Race on Commercial Radio Stations

*Amy Coddington*

Rock band R.E.M. begins their first number-one album *Out of Time*, released in March 1991, with guest rapper KRS-One complaining that he can't find anything to listen to on the radio. As plucked guitar arpeggios swirl around lead singer Michael Stipe's nasal vocals, this initial complaint becomes the song's subject: the radio is unable to solve the band's familiar theme of societal (or personal) ruin. Given the group's role as college radio darlings, Stipe's complaint that "the DJ sucks" isn't particularly surprising, as it echoed a common concern regarding the standardization of commercial radio stations' playlists. But when KRS-One comes in toward the end of the song to deliver a verse, he calls out DJs for a different reason, for not taking their influence seriously:

DJs communicate to the masses  
Sex and violent classes  
Now our children grow up prisoners  
All their life, radio listeners<sup>1</sup>

Prisoners to what? KRS-One may be articulating another fairly common critique, that DJs playing songs with overtly sexual or violent lyrics influence how impressionable young listeners understand the world around them. But it's not just lyrical content that influences radio listeners. Instead, as I posit in

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<sup>1</sup> R.E.M., "Radio Song," track 1 on *Out of Time*, Warner Bros., 1991, CD.

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this chapter, the sound *and* organization of radio broadcasting has shaped understandings of racial identity in the United States throughout the last century.

This chapter offers a critical analysis of how commercial radio programming in the United States has influenced listeners' ideas about race since its inception in the 1920s. Following Michael Omi and Howard Winant's theory of racialization and racial inequality as the products of people's engagement with racially structured institutions, I examine the organization of the commercial radio industry and the tailoring of radio broadcasts for racially defined audiences. I contend that this racial organization limits performers and listeners alike, shaping their sense of belonging within the multiracial United States.

Proceeding chronologically, I first examine how race was portrayed on the medium in the first half of the twentieth century, during what is typically described as the network era.<sup>2</sup> Programs derived from Blackface minstrel shows were broadcast to a mass audience across national networks, regularizing racist depictions of who sounded like what. This programming fashioned a Black/white sonic binary that affected the contours of musicians' careers and the social worlds of millions of listeners across the country. In the second half of the twentieth century and into the present, this racial binary determined not just the sound of radio programming but also the industry's structure. I analyze the technological and industrial changes that contributed to the rise of formatted broadcasting, where individual stations aimed all of their programming at a specific type of listener. This format structure, I argue, also participates in the production (and reproduction) of racial identity in the United States by connecting musical styles and artists to racially defined audiences. Far from simply soundtracking listeners' daily lives, radio programming in the format era constrains musicians' creative practices, influences musical production, and limits opportunities for non-white artists and artists unwilling to work within these racialized structures. For those tuning in, radio programming offers an overly simplistic rendering of the complex relationship between music and identity, teaching what Omi and Winant term racial "common sense" about who listens to what.<sup>3</sup> Together, considering how radio programming articulates race in these two eras demonstrates the extent to which race is a defining quality of how the music industries operate.

<sup>2</sup> Eric Rothenbuhler and Tom McCourt, "Radio Redefines Itself, 1947–1962," in *Radio Reader: Essays in the Cultural History of Radio*, ed. Michele Hilmes and Jason Loviglio (New York: Routledge, 2001), 368.

<sup>3</sup> Michael Omi and Howard Winant, *Racial Formation in the United States: From the 1960s to the 1990s* (New York: Routledge, 1994), 60.

## THE NETWORK ERA

During the network era, lasting roughly from the mid-1920s to the early 1950s, commercial radio stations taught listeners how to place themselves—and others—within a Black/white racial binary.<sup>4</sup> While race in the United States has always been more complex than this binary describes, this simplistic rendering has served as the primary axis for understanding difference in this country since its founding. As Jennifer Lynn Stoeber writes, this binary “has never been about descriptive accuracy, but rather it is a deliberately reductionist racial project constructing white power and privilege against the alterity and abjection of the imagined polarity of ‘blackness.’”<sup>5</sup> As the radio industry became a commercial force to be reckoned with, its programming helped articulate this reductive understanding.

By the late 1920s, three national networks dominated the radio airwaves, broadcasting common programming on clear-channel network stations and their local affiliates across the country.<sup>6</sup> Networks broadcast music, drama, comedy and talk shows, with the exact schedule informed by who the networks believed might be listening at that moment: daytime shows oriented toward stay-at-home moms were followed by short programs aimed at school-age kids before working fathers arrived home to be greeted by real estate and financial news; prime-time programming followed, consisting of family-oriented serials and variety programs.<sup>7</sup> Shows were sponsored by companies that paid to have their products mentioned and recommended on air, and these companies helped determine the content of the surrounding broadcasts. Music and other broadcasting material was chosen for its ability to appeal to the mostly white listeners that companies advertising on network radio preferred. While Alexander Russo has cogently argued that listeners during this era had access to non-network shows, as regional broadcasters played recordings and local performances, network radio programming served to consolidate American culture by teaching listeners about national events and helping the public determine their place within national, rather than local, culture.<sup>8</sup>

Network programming helped define what race sounded like during this era. Almost all shows were aimed at white listeners, as companies sponsoring radio shows preferred to market their products to a white audience; nationally

<sup>4</sup>Alexander Russo, *Points on the Dial: Golden Age Radio beyond the Networks* (Durham, NC: Duke University Press, 2010), 2.

<sup>5</sup>Jennifer Lynn Stoeber, *The Sonic Color Line: Race and the Cultural Politics of Listening* (New York: NYU Press, 2016), 21.

<sup>6</sup>Elena Razlogova, *The Listener's Voice: Early Radio and the American Public* (Philadelphia: University of Pennsylvania Press, 2012), 2.

<sup>7</sup>Clifford J. Doerksen, *American Babel: Rogue Radio Broadcasters of the Jazz Age* (Philadelphia: University of Pennsylvania Press, 2005), 22.

<sup>8</sup>Russo, *Points on the Dial*, 2. See also Dolores Inés Casillas, *Sounds of Belonging: U.S. Spanish-Language Radio and Public Advocacy* (New York: NYU Press, 2014); Lizabeth Cohen, *Making a New Deal: Industrial Workers in Chicago, 1919–1939* (Cambridge: Cambridge University Press, 1990), 142–43, 157–58.

broadcast entertainment, indeed, helped some ethnic groups assimilate into the country's white melting-pot identity. But these shows almost entirely excluded the voices of Black Americans, offering in their place stereotyped depictions of Blackness.<sup>9</sup> In particular, network radio programs took up one of the country's most persistent forms of entertainment, the minstrel show, which by this point had been popular for the past half-century. While Blackface minstrelsy's popularity was fading (as new vaudeville shows featured more ethnic and geographic humor), and while the nonvisual medium of radio didn't automatically lend itself to the visual medium of Blackface minstrelsy, these racist caricatures found a home on network radio. Shows featuring white performers portraying Black characters via stereotyped dialects, vocabulary choices, and musical styles "helped prolong [minstrelsy's] long demise."<sup>10</sup> One of the most enduring of these, *Amos 'n' Andy*, featured white performers playing recent Black transplants to a big city; the show was so popular that many movie theaters and other employers designed their schedules around its broadcast time.<sup>11</sup> This show—and others like it—translated visual Blackface into aural Blackface, adding race to a medium where it might have otherwise been absent.<sup>12</sup>

What were actually absent on the radio were Black performers, writers, and engineers, for networks denied Black Americans access to the nation's airwaves.<sup>13</sup> This exclusion was in contrast to the growing popularity of recorded music by Black artists, whose blues, jazz, and jump blues tunes proved popular among multiracial audiences. But network radio's discrimination mirrored that in the United States more broadly; one Black writer noted in 1950 that the radio industry "takes its cue from the official government."<sup>14</sup> It also took its cue from union policies allocating radio jobs to white local unions, advertising agencies that showed little interest in Black consumers, and consumer goods companies concerned about their products being advertised on shows aimed at Black audiences. Network sponsors preferred shows with white characters, or at least white actors, lest their products become Black-identified.<sup>15</sup> Together, these discriminatory practices and policies restricted Black participation on network radio, limiting opportunities for Black performers and limiting listeners' access to diverse content.

<sup>9</sup>A few jazz and gospel shows featured Black performers. See J. Fred MacDonald, *Don't Touch That Dial!* (Chicago: Nelson-Hall, 1979), 330; William Barlow, *Voice Over: The Making of Black Radio* (Philadelphia: Temple University Press, 1998), 27.

<sup>10</sup>Barlow, *Voice Over*, 8. See also Michele Hilmes, *Radio Voices: American Broadcasting, 1922–1952* (Minneapolis: University of Minnesota Press, 1997), 79.

<sup>11</sup>Douglas B. Craig, *Fireside Politics: Radio and Political Culture in the United States, 1920–1940* (Baltimore: Johns Hopkins University Press, 2005), 254.

<sup>12</sup>Hilmes, *Radio Voices*, 93.

<sup>13</sup>Barlow, *Voice Over*, 27; MacDonald, *Don't Touch That Dial!*, 327. Even by 1950, NBC had hired very few Black employees (35 out of 2000, with only one a trained professional). See Douglas Gomery, *A History of Broadcasting in the United States* (Malden, MA: Blackwell Publishing, 2008), 54.

<sup>14</sup>Carleton Moss, quoted in MacDonald, *Don't Touch That Dial!*, 327.

<sup>15</sup>Barlow, *Voice Over*, 28.

Network era programming reinforced already existent notions about the difference between Black and white Americans, creating what Stoever has termed a “sonic color line” on the airwaves.<sup>16</sup> It denied Black Americans representation on the airwaves, and offered in its place racist minstrel stereotypes—typically voiced by white performers—that helped newer immigrants assimilate into white American mass culture.<sup>17</sup> As Michele Hilmes writes, “by setting up only this category for representation as ‘black,’ radio engineered its freedom to categorize *all other* representations as white. White became the default mode of radio representation, not simply by habit or common agreement or convenience, but deliberately and forcefully through a system of representation that carefully overdetermined this distinction and assigned greater cultural value to all that was defined as nonblack.”<sup>18</sup> And because networks needed to satisfy stations across the country, they carefully managed their programming to avoid controversy and appease southern segregationists.<sup>19</sup> As broadcasts found their way into living rooms throughout the United States, network radio’s standardized representation of race, designed to avoid challenging racist norms, became racial “common sense” for those listening. This programming denied listeners exposure to alternative viewpoints and perspectives and—at the very least—maintained the country’s segregated status quo.

### TRANSITIONING TO FORMATS

In the postwar period, radio stations narrowed their focus to niche formatting aimed at a particular type of listener. The most famous originator of this type of programming was Todd Storz, who started broadcasting what came to be known as the Top 40 format after realizing that women getting off of work at a bar in Omaha, Nebraska wanted to hear the same set of songs over and over.<sup>20</sup> Playing the top hits all day long, rather than featuring them only on shows broadcast during certain hours (as network programming did), created a consistent audience base that Storz could sell to advertisers.<sup>21</sup> Music, here, was a tool used to define sellable audiences. And Storz was extremely successful; his stations regularly captured the attention of more than half of local radio listeners in the mid-1950s.<sup>22</sup> But broadcasting for specific audiences could be heard

<sup>16</sup> Stoever, *The Sonic Color Line*, 7.

<sup>17</sup> Bruce Lenthall, *Radio’s America: The Great Depression and the Rise of Modern Mass Culture* (Chicago: University of Chicago Press, 2007), 42.

<sup>18</sup> Hilmes, *Radio Voices*, 93.

<sup>19</sup> Barlow, *Voice Over*, 28; Judith E. Smith, “Radio’s ‘Cultural Front,’ 1938–1948,” in *Radio Reader: Essays in the Cultural History of Radio*, ed. Michele Hilmes and Jason Loviglio (New York: Routledge, 2001), 211.

<sup>20</sup> Kim Simpson, *Early ’70s Radio: The American Format Revolution* (New York: Continuum, 2011), 10; Eric Weisbard, *Top 40 Democracy: The Rival Mainstreams of American Music* (Chicago: University of Chicago Press, 2014), 4.

<sup>21</sup> Marc Fisher, *Something in the Air: Radio, Rock, and the Revolution That Shaped a Generation* (New York: Random House, 2007), 148.

<sup>22</sup> Fisher, 25.

on other parts of the radio dial, too: in the late 1940s, Memphis's WDIA incrementally increased its programming for Black listeners until it became the first station in the country to aim all of its broadcasting at a Black audience; in 1946, San Antonio's KCOR began broadcasting a Spanish-language format; and in the late 1950s, San Francisco's KABL created a "good music" format aimed at adults.<sup>23</sup> Rather than breaking up the broadcasting day into segments organized by who might be listening, the entirety of these stations' programming was aimed at a specific target audience.

This rise of formatted programming was related to a concurrent change in media consumption: in the late 1940s and early 1950s, network television replaced radio's traditional role as nationally broadcast family entertainment. Families, the generalization goes, had once sat around the radio; now they sat in front of their television sets. Radio's popularity during nighttime hours declined to such a low that by 1955, not a single radio show could be found among Nielsen's list of the top-ten evening programs, and five years later the once-popular evening dramas had all but disappeared from radio's airwaves.<sup>24</sup> Noting this trend, many national companies moved their advertising dollars to television, leaving radio stations to hunt for other sources of revenue and other types of programming that could compete against the new medium. Targeted formatting proved to be one way to differentiate radio stations from mass-appeal television; WDIA's programming shift, for example, was inspired by a convention speech its staff heard about specialized targeting as a potential solution for competition from television.<sup>25</sup>

But television wasn't the only technological change contributing to the rise of formatted stations. After World War II (WWII), the number of radio stations in the country increased nearly fourfold.<sup>26</sup> This increased market competition, together with television's cementing role as mass-appeal culture, prompted station owners to specialize, to target their programming toward specific types of listeners. And three other technological changes facilitated listening to specialized programming. The popularization of cheap portable transistor radios allowed family members of different ages to listen on their own, with teens holed up in their rooms tuning into rock 'n' roll stations while their parents listened to more adult-oriented content elsewhere. And when these listeners found themselves behind the steering wheel of a car, manufacturers made it easier to flip between stations by installing transistor radios with

<sup>23</sup> Barlow, *Voice Over*, 109–24; Mark Newman, *Entrepreneurs of Profit and Pride: From Black-Appeal to Radio Soul* (New York: Praeger, 1988); Louis Cantor, *Wheelin' on Beale: How WDIA-Memphis Became the Nation's First All-Black Radio Station and Created the Sound That Changed America* (New York: Pharos Books, 1992), 1; Teresa Palomo Acosta, "KCOR," in *Handbook of Texas Online*, <https://www.tshaonline.org/handbook/entries/kcor>; Christopher H. Sterling and Michael C. Keith, *Sounds of Change: A History of FM Broadcasting in America* (Chapel Hill: The University of North Carolina Press, 2008), 113–14.

<sup>24</sup> MacDonald, *Don't Touch That Dial!*, 86; Sterling and Keith, *Sounds of Change*, 102.

<sup>25</sup> Fisher, *Something in the Air*, 43.

<sup>26</sup> Fisher, 145.

push-button station selection.<sup>27</sup> Finally, the proliferation of stereo broadcasting on FM stations gave station owners and radio listeners additional options. Until the mid-1960s, duplicate AM broadcasting occupied almost all of the FM frequency band, but in 1964, the FCC forbade this practice in large metropolitan areas. New stations popped up to fill this space. At first, many played classical music showcasing the clarity and sonic scope of FM's high fidelity (and attracted advertisers interested in what they thought were wealthy listeners); later, stations played rock albums often attuned to the possibilities afforded by stereo recording.<sup>28</sup> By the early 1970s, FM programming expanded to include pop, R&B, country, as well as many other genres.<sup>29</sup>

Technological innovation alone, however, wouldn't help the new tightly formatted stations attain the advertising accounts that financed their operations. With national companies moving their advertising buys to television networks, the radio industry turned to local companies, whose spending on radio ads quadrupled between 1946 and 1958, and offered them a refined portrait of just who was listening to the station.<sup>30</sup> The growth of Top 40 stations broadcasting rock 'n' roll in the 1950s "created a need for more specific research" to reassure companies interested in advertising on these stations that their audiences included white adults with disposable income in addition to the multiracial teenage audience reported to like the genre.<sup>31</sup> In response, audience measurement companies like Hooper and Arbitron refined their data collection methods to offer demographic profiles of station audiences.<sup>32</sup> Within a few decades, radio ratings agencies, programmers, and consultants all made sense of local audiences not as a mostly unified mass, but instead as teenagers, Black Americans, white housewives, and young men (among other groups), who would be loyal to a station aimed directly at them.<sup>33</sup>

Radio's move to formatted programming reflected and benefitted from the advertising industry's contemporaneous interest in demographically homogeneous audiences. During the network era, national advertisers and agencies mostly marketed their products to a mass, undifferentiated, presumably white audience.<sup>34</sup> In turn, their advertising helped *create* the white mass market they pitched their advertising to; one advertising professional claimed in the 1920s that the industry was "making a homogenous people out of a nation of immigrants."<sup>35</sup> But as consumption increased in the post-WWII period,

<sup>27</sup> Susan J. Douglas, *Listening In: Radio and the American Imagination* (Minneapolis: University of Minnesota Press, 2004), 226–27.

<sup>28</sup> Simpson, *Early '70s Radio*, 13–14.

<sup>29</sup> Simpson, 2; Sterling and Keith, *Sounds of Change*, 127, 129.

<sup>30</sup> Douglas, *Listening In*, 225.

<sup>31</sup> Fisher, *Something in the Air*, 193.

<sup>32</sup> Fisher, 27.

<sup>33</sup> Simpson, *Early '70s Radio*, 2, 14.

<sup>34</sup> Joseph Turow, *Breaking Up America: Advertisers and the New Media World* (Chicago: University of Chicago Press, 1997), 24.

<sup>35</sup> Quoted in Daniel Pope, *The Making Of Modern Advertising* (New York: Basic Books, 1983), 258. See also Kathy M. Newman, *Radio Active: Advertising and Consumer Activism, 1935–1947* (Berkeley, CA: University of California Press, 2004), 3.



companies fearful of market saturation began offering specialized products for specialized consumers; for example, instead of just producing Tide, Procter and Gamble offered “Tide with Bleach, Tide Ultra, and Tide Unscented.... [each] targeted at differences between segments of women 18 and 49.”<sup>36</sup> Again, this marketing strategy was mutually reinforcing, wherein increased product differentiation and the proliferation of new media outlets helped produce and reproduce a growing impression among advertising professionals that the American public was becoming more divided, a sense that intensified as opinion polls demonstrated divergent responses to the Vietnam War and the civil rights movement.<sup>37</sup> Advertising agencies individualized campaigns for discrete consumer segments as targeted marketing emerged as the advertising industry’s trendiest strategy.<sup>38</sup>

On commercial radio, one of the most durable methods of segmenting local audiences was by racial identity. Race, as Evelyn Brooks Higginbotham writes, “tends to subsume other sets of social relations,” acting as the primary axis of identity in the United States due to centuries of legalized enslavement and discrimination.<sup>39</sup> Even in the network era, when stations were designed for a mass audience, race defined radio’s public: advertisers conceptualized their average consumer as white, and the few agencies interested in reaching Black consumers considered them a separate market.<sup>40</sup> Following WWII, advertising agencies began to notice this separate market’s purchasing power as more Black Americans moved to cities, and a growing number of companies targeted Black consumers via radio stations like WDIA.<sup>41</sup>

Companies’ acknowledgment of this consumer base did not, however, translate to integrated advertising practices. Agencies were “happy to buy time on white and black stations, but they wanted them separate” so that they could advertise to a racially homogenous audience. These preferences created what Marcel Rosa-Salas describes as a “race-based consumer segmentation model” that reflected the country around it.<sup>42</sup> These separate audiences commanded different advertising rates. Agencies paid more to target white audiences; advertisers considered white women in particular to be the most valuable radio

<sup>36</sup> Julie Liesse, “Inside Burnett’s Vaulted Buying Machine,” *Advertising Age*, July 25, 1994, S6.

<sup>37</sup> Elizabeth Cohen, *A Consumers’ Republic: The Politics of Mass Consumption in Postwar America* (New York: Vintage Books, 2003); Turow, *Breaking Up America*, 31, 40.

<sup>38</sup> Turow, *Breaking Up America*, 19; Fisher, *Something in the Air*, 212.

<sup>39</sup> Evelyn Brooks Higginbotham, “African-American Women’s History and the Metalanguage of Race,” *Signs* 17, no. 2 (1992): 255.

<sup>40</sup> Barlow, *Voice Over*, 19; Marcel Rosa-Salas, “Making the Mass White: How Racial Segregation Shaped Consumer Segmentation,” in *Race in the Marketplace: Crossing Critical Boundaries*, ed. Guillaume D. Johnson et al. (New York: Palgrave Macmillan, 2019), 30.

<sup>41</sup> Cantor, *Wheelin’ on Beale*, 145. An influential article in *Sponsor* entitled “The Forgotten 15,000,000” raised the profile of Black consumers. See Barlow, *Voice Over*, 125–27.

<sup>42</sup> Programmer Cal Jackson, quoted in Fisher, *Something in the Air*, 53. See also Rosa-Salas, “Making the Mass White,” 30. By the late 1950s, national advertisements directly targeted Black radio audiences; see Barlow, *Voice Over*, 129.



demographic because they were assumed to be in charge of household budgets.<sup>43</sup> As radio stations narrowed their target audiences, they too defined them by race to better facilitate working with advertisers.

### FORMATTED PROGRAMMING

During the late 1960s and early 1970s, programmers experimented to find the most efficient way to target sellable audience segments. Music proved to be a convenient medium through which stations could define their audience; it was, as one radio station operation textbook put it, an “evocative and economical” method of programming because stations could use it as a “vehicle to reach a particular demographic.”<sup>44</sup> This is a similar finding to sociologist Pierre Bourdieu, who wrote that “nothing more clearly affirms one’s ‘class,’ nothing more infallibly classifies, than tastes in music”: musical consumption, here, signals sociocultural differentiation.<sup>45</sup> On the radio, musical taste is not just a personal preference; it is a marker of allegiance to particular communities, communities that radio stations sell to advertisers.

By the mid-1970s, five primary music formats emerged, each playing styles of music that divided local listeners up into particular audiences whose attention could be sold to advertisers.<sup>46</sup> Radio formats defined their target audiences by race, age, and gender; these demographics acted as proxies for harder-to-measure qualities like expendable income or interest in specific products.<sup>47</sup> Over the next decade, programmers refined their playlists to appeal to particular target demographics, as follows:

- **Adult Contemporary:** The most popular format among adult audiences, and often the format with the largest audience in a given area, Adult Contemporary played softer popular music with a relaxed presentation style for an audience of 24- to 39-year-olds that programmers assumed were mostly white and female, although these stations were often played in offices where a broader public also heard them.
- **Album-Oriented Rock (AOR, Rock):** A descendent of the freeform rock stations that took advantage of the FM band in the late 1960s, Album-Oriented Rock played new and older rock music in long commercial- and talk-free segments. This format was so squarely aimed at white men over

<sup>43</sup> Craig, *Fireside Politics*, 247.

<sup>44</sup> Lewis B. O'Donnell, Carl Hausman, and Philip Benoit, *Radio Station Operations: Management and Employee Perspectives* (Belmont, CA: Wadsworth Publishing Company, 1989), 47, 51.

<sup>45</sup> Pierre Bourdieu, *Distinction: A Social Critique of the Judgement of Taste*, trans. Richard Nice (Cambridge, MA: Harvard University Press, 1984), 18.

<sup>46</sup> Simpson, *Early '70s Radio*, 195–97.

<sup>47</sup> Weisbard, *Top 40 Democracy*, 9.

18 that one programming consultant joked that it could be named Male Adult Contemporary.<sup>48</sup>

- Black/Urban/Urban Contemporary: Playing mostly music by Black musicians to target Black listeners over the age of 16, this format attracted what was often the most racially and ethnically diverse audience on the dial.
- Country: These stations played country music—new or old, depending on the station or hour—aimed at white listeners with rural persuasions of the widest age range of any format.
- Top 40/Contemporary Hits Radio (CHR): “Considered by many programmers and advertisers to be the fundamental format of radio,” Top 40 played nearly all of the most popular new singles in the country and was aimed at a broad, mostly white, audience ages 12–34.<sup>49</sup> During the 1970s, this format was aimed at both children and adults, and by the 1980s, some stations adopted the format name CHR to indicate their adult appeal and their slightly more selective and stylistically cohesive mix.<sup>50</sup>

These formats have maintained their prominent position in the industry into the present; despite massive industry consolidation in the late 1990s and 2000s and the recent switch to Internet streaming services for music consumption, the organizational model of the industry has largely remained the same.<sup>51</sup> Commercial radio’s “playbook,” as legendary programmer Lee Abrams put it, “was written in the early to mid-’70s and it hasn’t been updated.”<sup>52</sup>

## FORMATTING RACE ON THE RADIO, INTO THE PRESENT

At the most basic level, contemporary radio’s “playbook” connects people to playlists. Across formats, programmers carefully select songs that they hope will attract listeners of a particular profile. These audience profiles are defined in

<sup>48</sup> Dwight Douglas in Michael C. Keith, *Radio Programming: Consultancy and Formatics* (Boston: Focal Press, 1987), 90.

<sup>49</sup> O’Donnell, Hausman, and Benoit, *Radio Station Operations*, 83.

<sup>50</sup> Throughout, I capitalize format names to draw attention to their role as categories. For more on the precise targets of radio formats, see Michael H. Adams and Kimberley K. Massey, *Introduction to Radio: Production and Programming* (New York: McGraw-Hill, 1994), 180–86; O’Donnell, Hausman, and Benoit, *Radio Station Operations*, 73–90; Simpson, *Early ’70s Radio*, 6–7, 87–88, 120–24; John Wallace White, “Radio Formats and the Transformation of Musical Style: Codes and Cultural Values in the Remaking of Tunes,” *College Music Symposium* 37 (1997): 3–4.

<sup>51</sup> Simpson, *Early ’70s Radio*, 193; Weisbard, *Top 40 Democracy*, 18. Over the past few decades, there have been a few new formats, such as Spanish Contemporary. To see the most popular formats at the time of this writing, see “Audio Today 2023: How America Listens” (The Nielsen Company, June 2023), 17, [https://content.nielsen.com/1/881703/2023-06-19/4vbk/881703/168719419333sRWi36/Nielsen\\_2023\\_Audio\\_Today\\_How\\_America\\_Listens\\_Jun23.pdf](https://content.nielsen.com/1/881703/2023-06-19/4vbk/881703/168719419333sRWi36/Nielsen_2023_Audio_Today_How_America_Listens_Jun23.pdf).

<sup>52</sup> Quoted in Fred Deane, “Up Close with XM Satellite Radio SVP and Chief Creative Officer Lee Abrams,” *FMQB*, June 9, 2006, <https://web.archive.org/web/20160313114231/http://www.fmqb.com//article.asp?id=226605>.

part by race, as the racial composition of a station's audience determines its advertising rates.<sup>53</sup> Programmers' methods are imprecise. Neither the research supporting their programming choices nor the audience measurement systems they use accurately portray how listeners engage with music, and they regularly simplify listeners' complex identities into simplistic demographic measures. But these formats, John Wallace White writes, act as a "pedagogical force," teaching record companies what styles of music appeal to what types of listeners and teaching audiences the bounds of musical genres and styles.<sup>54</sup>

In this way, commercial radio formatting is a racial project, the key actor in Michael Omi and Howard Winant's theorization of how racial categories are constructed and modified over time. In their work, Omi and Winant write that the process of racial formation is the result of historically specific projects that "connect what race *means* in a particular discursive practice and the ways in which both social structures and everyday experiences are racially *organized*, based upon that meaning."<sup>55</sup> By connecting musical styles to racially defined audiences, radio programming helps connect sound to demographics, normalizing a "common sense" about who listens to what.<sup>56</sup> White men, according to this model, listen to rock and country songs by white performers while white women listen to lighter pop and country by white artists. Black listeners listen to R&B, soul, and hip hop by Black performers.

The latter part of these associations, linking audiences not just to songs but also to performers, is dependent upon the related racial project of the recording industry. In a process that Karl Hagstrom Miller describes as "segregating sound," the recording industry over the past century has categorized artists according to a racial framework where Black artists make specific styles of music that are aimed at Black audiences, and white artists make other styles of music that are aimed at white audiences.<sup>57</sup> A willing participant in this project, the radio industry has been the primary promotional vehicle to market specific artists (working in specific styles) to specific demographics; these two industries' interwoven racial projects simplify the complex reality of musical creation and consumption into a profitable commodity system. As Omi and Winant note, the work of racial formation is implicit, rather than something that is taught explicitly: on the radio, this work is naturalized via the programming of certain artists and certain styles for certain audiences.<sup>58</sup> In this way, the racial project of the radio industry connects not just genre and audience, but also genre and artists, providing links between lived subjective racial experiences and the structures and institutions where power relations are delimited.

<sup>53</sup> Casillas, *Sounds of Belonging*, 145.

<sup>54</sup> White, "Radio Formats and the Transformation of Musical Style," 11.

<sup>55</sup> Omi and Winant, *Racial Formation in the United States*, 56. Emphasis in original.

<sup>56</sup> Omi and Winant, 60.

<sup>57</sup> Karl Hagstrom Miller, *Segregating Sound: Inventing Folk and Pop Music in the Age of Jim Crow* (Durham, NC: Duke University Press, 2010). See also David Brackett, *Categorizing Sound: Genre and Twentieth-Century Popular Music* (Oakland: University of California Press, 2016).

<sup>58</sup> Omi and Winant, *Racial Formation in the United States*, 60.

The effects of the racial project of the contemporary radio industry are far reaching. At the most basic level, it constrains what radio stations sound like, as only specific artists and styles are deemed appropriate for certain types of listeners. This racial gatekeeping is most obvious on white-oriented stations, which typically limit their programming of music by Black artists. On these stations, programmers refuse to play songs that they think sound “too Black” for their audiences and/or advertisers, and thus Black artists aiming for these playlists are often told to aim for more of a “crossover” sound that reduces musical elements associated with Black genres. In majority-white areas, Top 40 playlists often skew whiter than those in more racially diverse areas, and even when these stations play genres primarily performed by Black artists such as rap, they often are more willing to play songs featuring white artists than those featuring Black artists.<sup>59</sup> For Black musicians who opt not to try for a crossover sound, the formatting structure blocks their access to white audiences.

This racial project thus offers a narrow, racially defined, portrait of who listens to what. While almost all radio listeners switch back and forth between stations, busting through the conception of what someone like them is supposed to listen to, racial profiling is how the record and radio industry work together to sell their products. Indeed this norm is so well engrained that radio scholar Susan Douglas uses the metaphor of a trapdoor to describe white Americans “listening in” on Black culture via the radio; this medium, she writes, lends white listeners interested in jazz, rock ‘n’ roll, soul, hip hop, and other Black genres an opportunity to engage in “auditory voyeurism.”<sup>60</sup> As Douglas’s metaphor makes clear, the onus is on individual audience members to open the trapdoor—to engage in non-race-based listening practices—because the industries’ organization has naturalized racialized consumption. Radio formats limit listeners’ opportunities to expand their musical—and perhaps even social—horizons, as they are confined to formats made for people like them.

The radio industry’s racial project also constrains who participates in musical genres. While the recording industry is directly responsible for signing and developing artists, major labels pay close attention to what radio formats play

<sup>59</sup> Amy Coddington, *How Hip Hop Became Hit Pop: Radio, Rap, and Race* (Oakland: University of California Press, 2023); Anne Danielsen, “The Sound of Crossover: Micro-Rhythm and Sonic Pleasure in Michael Jackson’s ‘Don’t Stop ’Til You Get Enough,’” *Popular Music and Society* 35, no. 2 (May 1, 2012): 151–68, <https://doi.org/10.1080/03007766.2011.616298>; Richard Harrington, “Race Lines on the Radio: What Color Is Pop?,” *Washington Post*, February 7, 1982, <https://www.washingtonpost.com/archive/lifestyle/style/1982/02/07/race-lines-on-the-radio-what-color-is-pop/c2adc312-6f30-4680-90a4-fde4d2c5971f/>; Elias Leight, “Top 40 Radio Has a Rap Problem,” *Rolling Stone*, May 31, 2018, <https://www.rollingstone.com/music/music-news/top-40-radio-has-a-rap-problem-630658/>; Kelsey McKinney, “The Very White Ways of the Top 40,” *The Outline*, February 24, 2017, <https://theoutline.com/post/1148/the-very-white-ways-of-the-american-top-40>; T. Carlis Roberts, “Michael Jackson’s Kingdom: Music, Race, and the Sound of the Mainstream,” *Journal of Popular Music Studies* 23, no. 1 (March 1, 2011): 19–39, <https://doi.org/10.1111/j.1533-1598.2010.01262.x>.

<sup>60</sup> Douglas, *Listening In*, 18.

because radio was the industry's primary promotional partner during the second half of the twentieth century. Record labels tailored musical releases for radio formats aimed at racially defined audiences, pushing Black and white artists into distinct stylistic boxes. One of the most notable examples of how a radio format's ideal audience constrains major label releases is evident in the scarcity of non-white country artists signed to major labels.<sup>61</sup> Despite years of research describing the size and dedication of non-white fans, the country music industry has largely ignored its non-white audience and non-white artists in favor of promoting a whiter identity more amenable to what advertisers anticipate. Even as market research in the 1990s, for example, demonstrated that a sizeable portion of Country radio's audience was Black, Country stations failed to encourage Black listeners' participation in local events.<sup>62</sup> More generally, the industry has marginalized Black country artists because it is advantageous to radio stations and record companies to maintain the genre's white identity.

Finally, this racial project doesn't come close to describing the actual diversity of the United States—a country whose racial and ethnic makeup exceeds the Black/white binary—or the musical tastes of its diverse public. Until the 1980s, the radio industry barely registered the presence of what is now the country's largest minority group, Latinx listeners. Even as the radio and record industries have more recently capitalized on this audience, they have been regularly criticized for their rudimentary understanding of Latinx listeners' diverse musical interests, categorizing stations, artists, and playlists via language and/or ethnicity rather than by musical style.<sup>63</sup> What's more, commercial radio stations have almost entirely ignored other ethnic or racial groups, and the industry's formatting also doesn't account for the growing percentage of the population who identify as multiracial and/or multiethnic. But even were the radio industry to design stations for these groups, their programming would only reinforce the racial project of the radio industry, assigning particular styles of music to particular types of people.

## RADIO'S SONG

Racial projects aren't just organizational systems that explain how particular people get slotted into roles and institutions. As Omi and Winant write, a racial project is also “an effort to reorganize and redistribute resources along

<sup>61</sup> Jada Watson, “Redlining in Country Music: Representation in the Country Music Industry (2000–2020)” (Ottawa, Ontario, Canada: SongData Reports, March 12, 2021), 16; Jada Watson, “Redlining in Country Music 2.0: Representation in the Country Music Industry in 2021 and 2022” (Ottawa, Ontario, Canada: SongData Reports, March 17, 2023), 8.

<sup>62</sup> Amanda Marie Martinez, “‘The Industry Is Playing the People Cheap’: Race and the Country Music Business From Nixon to 9/11” (Ph.D., University of California, Los Angeles, 2022), <https://escholarship.org/uc/item/7rn5f287>.

<sup>63</sup> Casillas, *Sounds of Belonging*, 140, 142.

particular racial lines,” meaning that they create social and economic inequality.<sup>64</sup> The racial project of the United States’ commercial radio industry unfairly advantages white artists by limiting opportunities for Black artists.

With the release of *Out of Time*, R.E.M. would officially cement their role as one of the most beloved rock bands of all time; the album’s lead single “Losing My Religion” crossed over from white-oriented Rock stations and noncommercial College radio stations that “shie[d] away from programming black music” onto Top 40 stations.<sup>65</sup> The success of this song drove the album to the top of the charts, resulting in access to new audiences. As lead singer Michael Stipe put it, “I went from being recognisable to a relatively small, predominately white audience of 20- to 35-year-olds, to having everyone from old Black men to young Hispanic kids, checking me as the guy who sang that funny song.”<sup>66</sup> As a white group performing in a predominately white genre, the radio industry’s racial project provided R.E.M. with a pathway for success, offering them entry onto multiple formats aimed at different types of people.

KRS-One wasn’t afforded the same opportunity. Given the industry’s racial organization, the song from the album that *he* was featured on would go virtually unnoticed by radio programmers, as it featured the unlikely pairing—at least by the standards of the radio industry—of a white alternative rock band and a conscious Black rapper on a “most curious and out of character” funk track.<sup>67</sup> Mixing these people and these genres together exceeded the narrow norms of the industry; according to R.E.M.’s guitarist Peter Buck, “radio stations wouldn’t play it, because it had rapping on it.”<sup>68</sup> This glimpse into the workings of the racial project of the commercial radio industry makes clear that Michael Stipe’s lyrics had it wrong: it wasn’t the DJs who sucked, it was the organization of the radio industry itself, and the economic realities that undergird it.

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<sup>64</sup> Omi and Winant, *Racial Formation in the United States*, 56.

<sup>65</sup> Dele Fadele, “Singles,” *NME*, November 9, 1991, 23.

<sup>66</sup> Quoted in Johnny Black, *Reveal: The Story of R.E.M.* (San Francisco, CA: Backbeat Books, 2004), 186.

<sup>67</sup> Terry Staunton, “Long Play,” *NME*, March 16, 1991, 30.

<sup>68</sup> Quoted in Black, *Reveal*, 178.

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## Surveillance of and through Music

*Eric Drott*

### INTRODUCTION

It shouldn't be controversial to say that corporations—above all tech companies—engage in widespread user surveillance. The growing prominence of tracking technologies since 2000 has been such that some authors have argued that it marks a fundamental transformation in the economy, ushering in a new regime of surveillance capitalism (Zuboff 2019). In response to such bold pronouncements, historians have noted that corporate surveillance is hardly unprecedented; credit bureaus and insurers, for instance, have long made use of consumer profiling as a means of managing risk (Bouk 2015; Lauer and Lipartito 2021). But if history teaches us that current practices of digitally mediated surveillance didn't appear out of thin air, the scale of data collection undertaken at present might have reached the point where a change in degree has tipped over into a change in kind. Music offers a vivid illustration of this dynamic. As one of the earliest sectors to undergo widespread digitization, the record industry has also spearheaded efforts at monitoring the circulation and use of its intellectual property online. Yet the digital technologies that track music's dissemination and use across the Internet have precedents that stretch back at least 150 years, to the development of performing rights organizations (PROs) devoted to monitoring public performances of music in the mid-nineteenth century. While more recent developments at tracking music online thus continue along well-trodden paths, responding to many of the same incentives as in the past (i.e., ensuring that rights holders are compensated for

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use of their intellectual property), the scale and the degree of granularity at which such tracking can now be conducted nevertheless marks a significant break.

In this chapter, I offer an overview of this longer history of surveillance in the music industry, as well as considering some more recent developments of the practice on platforms like Spotify, TikTok, and the like. The chapter unfolds in two parts. In the first section, I provide a brief survey of efforts to track music use by copyright holders from the 1850s to the 2010s, focusing on the United States and western Europe, where globally dominant forms of copyright enforcement were first developed and implemented. The second part of the chapter turns from the surveillance of music to consider surveillance conducted by means of music, focusing on how online platforms exploit the listening patterns of users to infer details about their selves, their states of mind, and their activities. Finally, the conclusion contemplates the possibility of how music surveillance might be used not to squeeze more data and revenue out of people for the purposes of private accumulation, but to promote the public good instead.

### SURVEILLANCE OF MUSIC

The commercial monitoring of musical activity has been a fixture of the copyright industries since at least the mid-nineteenth century, though music's entanglement with practices of surveillance arguably have a much longer history (Szendy 2017; Amsellem 2022). With the steady expansion of copyright's scope over the past two centuries, musicians, publishers, and other rights holders have gained a growing range of property claims on music. But it is one thing to have such claims encoded in law, and quite another to make them stick in practice. Important here is a contradiction intrinsic to copyright, what Blayne Haggart refers to as its "protection-dissemination paradox" (2017, 219–220). Because it is much cheaper to reproduce cultural goods than it is to produce them, the temporary monopoly that copyright law grants to rights holders is deemed necessary to incentivize the production of such goods. Yet for a piece of music or any other cultural product to find an audience, copies need to be produced and put into circulation. Thus, while the use value of a cultural product is proportional to its social circulation, its exchange value will likely go unrealized absent the capacity to control or place limits on this circulation. Whence a constant source of tension in the copyright industries, between a drive to maximize circulation and a counter-drive to restrict or at least control it. Exacerbating this tension for the music industries more specifically is the vast range of occasions, spaces, and contexts of use that music routinely traverses, a state of affairs that has led to a perennial drive among the holders of music rights to seek out new and ever more sophisticated techniques of surveillance. After all, it is only possible to either extract payment or bar unauthorized use of copyrighted music if one knows who is using it, where, and under what conditions.

It is telling, then, that the origin story of the first performing rights collection agency, France's *Société des auteurs, compositeurs et éditeurs de musique* (SACEM), centers on an accidental act of sonic surveillance. According to an oft-repeated anecdote, in 1847 the composers Ernest Bourget, Victor Parizot, and Paul Henrion attended a show at the Caf' Conç' des Ambassadeurs in Paris, where they happened to hear some of their music being performed. Having received no compensation for the use of their works, the three composers responded in kind, refusing to pay their bill. Vindicated in court, the composers along with publisher Jules Colombier went on to establish SACEM in 1850 (Attali 1985, 77–78; Laing 2004, 71).

While composers, songwriters, and publishers elsewhere eventually followed SACEM's lead and established performing rights organizations (PROs) in their own countries, this did not happen overnight. Motivating this lag was a reluctance to pursue this novel and risky revenue stream so long as the sales of sheet music remained brisk. Levying a license fee on the owners of establishments where copyrighted works were performed was deemed counterproductive, since public performance was the main way songs were advertised to potential buyers (if anything publishers were more likely to pay performers to "plug" songs, rather than seek payment for its performance). However, once mechanical and broadcast music began to displace domestic music-making, sales of sheet music eventually declined, obliging rights holders to make up for their losses via other revenue streams, above all the exploitation of performance rights. It was in this economic context that a spate of PROs were founded across the globe in the first decades of the twentieth century: ASCAP was established in the United States in 1914, the Performing Right Society (PRS) in the United Kingdom (UK) in the same year, the *Círculo de Autores y Compositores de Música* in Argentina in 1930, the Japanese Society for Rights of Authors, Composers and Publishers (JASRAC) in 1939, to cite just a few.

A few things are worth highlighting about the methods copyright collection agencies employed to monitor music use, and the reasons for their adoption. First, the underlying rationale for PROs was grounded in a simple economic calculus: considering the prohibitive transaction costs involved in tracking music use at an individual level, it made sense for composers and publishers to band together to lower these costs and disperse them more widely (Peacock and Weir 1975, 26). Second, since what was at stake was public performance, the music users that PROs targeted were mainly public institutions and/or commercial enterprises (municipal halls, hotels, bars, nightclubs, radio, film, etc.). Third, the number and variety of music users meant that it was exceedingly difficult for PROs to keep tabs on every single performance of every single work. Consider the UK's PRS in the years before radio's takeoff in the 1920s. Information about performances was gathered in a number of ways: PRS agents crisscrossed the country surveying venues, musicians were asked to fill out forms listing the music they played, and programs were solicited from venue operators (Ehrlich 1989, 26, 40). The amount of data thus collected was considerable. But it was also incomplete, because musicians and music users

had little incentive to provide detailed accounts of what they played. Additionally, this data was costly to both procure and process, requiring a considerable expenditure of labor. While acting collectively may have helped composers and publishers defray some of the costs required to enforce their performance rights, it did not eliminate these costs altogether.

The consolidation of radio in the United States and Europe during the 1920s and 1930s proved both a blessing and a curse for PROs. At the same time as the rapid uptake of broadcast media depressed sheet music sales, it also made surveillance far easier for PROs to conduct by concentrating a greater proportion of music use among a smaller number of institutional music users (Ryan 1985, 36, 38). Even in the United States, which lacked a centralized public broadcaster like the BBC in the UK, the formation of the radio networks during this period—NBC, CBS, and Mutual—helped simplify the tracking of public performances. Also reducing the costs of data collection was the sense that broadcasters weren't just large-scale music users, but were understood to be *representative* ones. This understanding encouraged the adoption of statistical sampling by PROs, which had the advantage of reducing the scale—and thus the costs—of tracking music use. Typically program logs, cue sheets, and recordings of broadcasts would be collected from a handful of radio stations, which would then be analyzed to extrapolate music use across the jurisdiction in question (Wallis and Malm 1984, 171).

Over time, new technologies for tabulating music usage were adopted by PROs, not only to improve the accuracy of their accounting but to persuade the composers and publishers they represented that their distributions could be trusted. A pamphlet published by the US-based PRO Broadcast Music, Inc. (BMI) in the early 1960s, for instance, exclaimed that by “using batteries of electronic data processing machines,” BMI was capable of “survey[ing] about thirteen times as many hours of broadcasting and detect[ing] performances of four times as many songs as any other performing rights organization in our country” (Broadcast Music, Inc. 1960, 29). With the exception of classical music and jazz, non-broadcast performances were notably absent from the surveys conducted by PROs around the world. While largely a question of expediency, the omission was premised on the idea that radio airplay accurately reflected music usage across both live and broadcast settings. The result was a tally of music use—and hence payouts—that skewed in favor of chart-topping artists (Wallis and Malm 1984, 171).

Compared to the publishing industry, the recording industry was less keenly interested in monitoring music use for much of the twentieth century. Not only was it difficult in the pre-Internet era for record companies to glean exactly what consumers did with albums beyond the point of purchase (Anderson 2014, 22). Just as importantly, there was little economic incentive for them to do so, given that the bulk of the record industry's revenue from its inception to the early 2000s came from the sale of tangible goods (shellac discs, vinyl records, cassettes, CDs, etc.). As was true for the publishing industry in an earlier epoch, the licensing of intangible assets like music rights remained

marginal so long as this core business activity stayed healthy. A vivid expression of the industry's priorities can be seen in the willingness of labels in the United States to cede royalties on the radio broadcast of their music, working on the assumption that the benefits of advertising outweighed any lost licensing fees (Zak 2012, 31). For the pre-Internet record industry, the main interest in data collection lay in its ability to inform business strategy, with popularity charts (like those compiled by *Billboard*) shaping decisions about which artists and genres to invest in, which to disinvest from, in which markets to promote which music, and so on.

Like the surveys conducted by PROs, most popularity charts relied on techniques of statistical sampling. Typically, weekly questionnaires were solicited from a handful of record stores in large urban markets, though in the United States the playlists of major radio stations also figured into the tabulation of chart rankings. Also reminiscent of PROs' surveillance of music use, the data gathered—and hence the rankings produced—were riddled with gaps and inaccuracies. Notably the identity of the stores surveyed was an open secret, which made it easy for labels to hype a single by padding its sales figures, for instance by bribing employees or paying people to buy copies from a particular store (Osborne 2021, 22). More problematically, the emphasis paid to major retailers and radio stations meant that regional and local outlets specializing in less mainstream genres were underrepresented in the charts, a case in point being hip hop through much of the 1980s.

These racialized and classed patterns of exclusion continued even following the adoption of digital technologies beginning in the later 1980s and 1990s. In 1986, the company Broadcast Recognition Systems (later renamed Broadcast Data Systems) was launched, which used an early form of algorithmic audio recognition to automate the monitoring of radio airplay. A year later, in 1987, the company Sound Data was formed whose proprietary SoundScan technology used barcode scanners to track record sales. In both cases, the computerization of data collection was believed to impart an objectivity hitherto absent in the charts, consigning human error and misconduct to the benighted past. “Human beings are a lot more corruptible than computers” one BDS executive declared (Taylor 1999, 87). Yet notions of accuracy and objectivity remained moving targets. On the one hand, there was some evidence indicating that the technology better captured public interest in genres hitherto marginalized by the mainstream record industry, like country or hip hop, whose broad popularity earlier measures had underestimated. On the other hand, the uneven distribution of barcode scanning technology among US retailers served to amplify the consumption patterns of certain groups over others, with the tastes of white, middle-class, and suburban consumers overrepresented compared to Black and Latino consumers (McCourt and Rothenbuhler 1997, 207).

By the end of the 1990s, new technologies like CD ripping and file sharing helped to catalyze a more far-reaching transformation in the music industries' data collection practices. One effect of these new technologies was to thwart

the material conditions that had previously served to prop up copyright protections at a practical level. Digital audio files could be burned to a CD or hard drive in a fraction of the time it took to dub a cassette, while file-sharing sites like Napster reduced the discovery and transaction costs involved in finding and copying music. The *de facto* weakening of copyright protections that resulted was a problem for the industry not just in terms of lost revenue but also in terms of lost control. To recall Haggart's "protection-dissemination paradox," digitization and the internet had thrown the balance between these two forces off-kilter. Unable to rely on the materiality of physical formats to ensure that recorded music moved through prescribed channels, the major labels were obliged to lean more heavily on legal means to enforce their property claims.

Significantly, the same technology that facilitated file sharing—peer-to-peer (P2P) networking—gave the record industry one of its most valuable tools in enforcing copyright. Thanks to the openness and decentralization of P2P architecture, music consumers could be monitored at a far more granular level than had been feasible in the past. Because the individual computers that form a P2P network commonly act as servers as well as clients, allowing others to scan the contents of their hard drives, the Recording Industry Association of America (RIAA) could dispatch a small army of web crawlers to seek out individuals engaging in file sharing (Katyal 2003, 313; Arditì 2011). The immediate impact of this intensified corporate surveillance was a wave of lawsuits the RIAA filed in the mid-2000s against individuals accused of music piracy. Such legal actions sought to deter file sharing by demonstrating its potential costs. But they also had the additional benefit of publicizing the scope of the industry's panoptic gaze. Unable to tell whether their activities online were being tracked or not, many listeners were nudged away from open file-sharing communities and towards the closed ecosystem of commercial music outlets, most notably the iTunes store and, later, streaming platforms like Spotify. In this way, as Arditì (2011, 172) notes, record labels were able to harness peer-to-peer technology "to re-create their dominant position in the production and distribution of music."

The shunting of listeners into commercial "walled gardens" was both symptom and cause of the broader commercialization of the Internet that was well underway by the mid-2000s (Lingel 2021). And while the development of an online market for digital audio files may have helped stave off the changes to major label business practices in the short term, it didn't address other issues changing the industry in the medium to long term: the unbundling of albums, increased competition from other media for consumer attention, or the exhaustion of the format-replacement cycle kicked off with the introduction of the CD. Making matters worse from the industry's perspective was the fact that the download market was never fully watertight. While the embedding of digital rights management code (DRM) in audio files sought to preempt file sharing, it was scarcely hack-proof. More importantly, the imposition of DRM met with

significant backlash, not just among ordinary consumers but among powerful corporate figures as well (most notably Apple's Steve Jobs). As a result of these continued headwinds, the major labels were increasingly amenable to alternative distribution methods, setting the stage for the licensing deals they struck with the spate of streaming services founded in the late 2000s and early 2010s, including Spotify (Eriksson et al. 2019).

From the perspective of the record industry, the streaming model offers a near-ideal balance of protection versus dissemination. Music can flow freely, but only within the confines of the platform. Furthermore, as part of the licensing agreements struck between majors and most streaming services, they are entitled to not just a share of revenue but access to certain kinds of data pertaining to the performance of their catalog. By means of platforms, rights holders can track where songs and artists are streamed the most, which tracks are going viral, which are failing to gain traction, how an artist has performed over longer time-spans, and so forth.

Platforms, for their part, have assumed a role akin to the PROs at the turn of the twentieth century, tracking music use and calculating what proportion of revenue (minus operating costs) are owed to rights holders. Tasked with monitoring their customers, platforms enact a subtle yet significant change in the latter's status. No longer just listeners, they are recast as music users, relating to platforms in a manner that recalls the relation that nightclubs, concert halls, radio stations, and other public venues have traditionally had with PROs—with the result that the surveillance that had previously been reserved for institutions is now extended to individuals.

Yet streaming platforms also go beyond the mandate traditionally assumed by PROs, creating infrastructures for data collection and tracking on a scale without precedent in the history of the music industries. Furthermore, the data thus collected is used for purposes that extend far beyond the calculation of revenue shares. This mass of user data is what makes possible the sort of personalized recommendation and curation services (Spotify's Discover Weekly, the Tiktok "For You" feed, etc.) that are a major draw of streaming platforms. Extensive user tracking has even become a selling point for platforms: the end-of-year "Spotify Wrapped" campaign, for instance, offers the platform's customers a summary of their listening statistics from the past year. Repackaging the information collected on users in the form of a gift, Spotify is thus able to recast data extractivism as an act of altruism.

While streaming does much to mitigate the dissemination-protection conundrum that has long vexed rights holders, the shift from a purchase-based download model to an access-based rental one hasn't diminished the desire among major labels, publishers, and other industry representatives for expanded online surveillance. The uneven penetration of streaming across the world market means that organizations like the International Federation of Phonographic Industries (IFPI) continually lobby for more intensive monitoring of alleged piracy in various parts of the global South. Other challenges are presented by



social media, in particular upload sites like YouTube or TikTok, where music abounds. Encouraging the pervasive uploading of copyrighted content are legal protections granted by the “safe harbor” provision introduced in the 1997 US Digital Millennium Copyright Act (similar regulations have since been adopted by other countries). According to this provision, site owners aren’t liable for hosting unauthorized material that users upload, provided they promptly remove offending content upon request by its owners. To facilitate the takedown process (and avoid legal trouble), YouTube’s parent company, Alphabet, has developed an automated copyright detection system, Content ID, which scans each video that users upload and checks it against a database of registered content to verify that it isn’t infringing.

Other digital media companies have followed suit and implemented their own systems to automatically flag potential cases of infringement. TikTok, for instance, was initially ill-prepared to address copyright claims lodged against videos uploaded to the site. But following the licensing deals it reached with the major labels in 2020, it developed its own digital fingerprinting technology. The result was a more than tenfold increase in takedown notices issued by the company (Kaye et al. 2022, 178). At the same time, several startups have been launched in recent years whose bots scour the Internet on behalf of clients, identifying any and every use of their IP. A case in point is Fairphonic, whose pitch revolves around its ability to “track your content across music & media platforms,” detecting not just originals but also covers, remixes, and mashups. And once Fairphonic flags an unauthorized use, it encourages rights holders explore novel types of music licensing arrangements, as a way of further diversifying their revenue streams.

To track down every potential instance of music use both online and off is an impossible task. But even if rights holders could identify and collect rent every single time their IP is used, this might only give space for other kinds of uncertainty to flourish. Consider, for example, streaming services, where it is feasible to register each time a track is played. At least this is true in principle. In practice, it isn’t at all clear what listening metrics signify. After all, can one know for sure that the figures reported by platforms are reliable? This is a question that has preoccupied the record industry to an increasing degree since 2020, as a new threat to profitability—so-called streaming fraud—has become its latest source of anxiety. Corrupting the smooth operation of the streaming economy is the alleged use of bots as well as poorly remunerated clickworkers in the global South to boost the playcounts of particular tracks or artists. How widespread these practices are remains uncertain (Drott 2020). But the perception that streaming metrics can be and frequently are gamed calls into question their validity as a means for making all kinds of critical decisions: how high or low a track is placed within a platform’s algorithmic feeds, what proportion of a service’s revenue different rights holder deserve, and so forth.

Under the pro rata system, until recently the principal method streamers use for calculating revenue shares,<sup>1</sup> such tweaking of streaming metrics can have significant repercussions in the zero-sum competition among artists for user engagement. Thus, running parallel to the growth of startups specializing in copyright detection has been a growth of others specializing in automated fraud detection (e.g., Beatdapp). What such companies surveil aren't unauthorized instance of music use, but anomalous patterns of listening activity. In either case, what motivates the expansion of such outsourced corporate surveillance is a desire to protect what the copyright industries believe to be rightfully theirs. The difference lies in the object they wish to protect. In the case of unauthorized use, it is their intellectual property and the value it represents. In the case of streaming fraud, it is the engagement of listeners, necessary for rights holders to realize this value. Put otherwise, what record companies and rights holders seek to claim ownership over is not just the content they produce, but the user attention this content is designed to attract.

### SURVEILLANCE THROUGH MUSIC

If the rise of digital platforms has enabled a far more comprehensive tracking of music consumption than ever before, the data thus collected has a utility and a value that go beyond the specific interest that rights holders have in monitoring (and monetizing) use of their intellectual property. True, platforms may perform functions analogous to those historically performed by PROs, gathering data on music use and determining how much revenue ought to be distributed to which rights holders.<sup>2</sup> But platforms collect information on far more than just how many times different tracks have been streamed. And rights holders aren't the only parties that have a keen interest in the kinds of information that platforms accrue. So too do advertisers, other third-party entities, and not least of all platforms themselves.

The publicly acknowledged reason why platforms collect and exploit so much user data is that doing so makes possible the kind of personalized experience that is one of streaming's distinctive features. As noted above for example,

<sup>1</sup> At the time of writing a handful of platforms, under pressure from Universal Music Group, have indicated that they will adopt a new, so-called artist-centric method of revenue sharing. Under this scheme, tracks have to reach a certain threshold (1000 streams) in order to be eligible to receive revenue, with the money that would have gone to tracks falling under this threshold pooled and redistributed to tracks that exceed it. The justification for the change is to minimize streaming fraud and payments to individuals posting "non-artist noise audio" on the one hand and to reward "engaging content" on the other, though the main beneficiaries will almost certainly be major label artists and the major labels themselves. See <https://www.universalmusic.com/universal-music-group-and-deezer-to-launch-the-first-comprehensive-artist-centric-music-streaming-model/>.

<sup>2</sup> Notably, however, platforms have been much less scrupulous in tracking publishing rights than master rights, with Spotify in particular coming in for criticism from songwriters, composers, and music publishers for inaccuracies in its calculation and distribution of their share of revenue. Such negligence may be a result of the relatively weaker position of publishers in the post-1950s music industries.

Spotify uses it as the basis of music recommendations and marketing campaigns like Spotify Wrapped. On those occasions when platforms seem to go too far in collecting excessive or sensitive data on users, they will typically justify their actions by appealing to the improved customization and hence improved customer experience they are thus able to provide. Such was the case in 2015, when a seemingly routine update to Spotify's terms of service significantly expanded the range and sources of the data it extracted from users' devices. In response to the public outcry that ensued, the company reversed course, issuing a press release that explained that the expanded data gathering was only meant to better serve Spotify's customers: "[T]he data accessed simply helps us to tailor improved experiences to our users, and build new and personalized products for the future" (Green 2015).

Given that customized playlists and other types of music recommendation are the principal way that personalization is experienced on streaming services, the data most directly relevant to such tasks are those which platforms collect on users' musical preferences. These may be directly expressed, via liked tracks, followed artists and playlists, or the items a user has opted to save to their library. They can also be expressed indirectly in the form of revealed preferences, such as whether a user actually listens to a track they have saved, or if they habitually skip over it partway through. In either case, the data can be used not simply to recommend new artists or tracks a user might like, but also to classify what kind of listener a platform believes the user to be. Nick Seaver (2021, 778) notes how the computer scientists who construct recommender systems frequently make recourse to crude classificatory schemes to facilitate their work. According to one of his informants, "the biggest challenge for recommender system design [...] was the fact that listeners were not all alike." At one end of the spectrum are the "musically indifferent," at the other are "musical savants," with "casual" and "engaged" listeners falling somewhere in the middle. While these categories ostensibly describe different listening styles and nothing more, they are laden with gendered, racialized, and classist assumptions. Within this imaginary, the paradigmatically indifferent listener is a young, female pop fan, while the quintessential musical savant resembles nothing so much as the predominantly white, male, twenty-something "music and data geek[s]" who are overrepresented within the world of music recommendation design (Seaver 2021, 780–781).

In addition to data related to musical preference, services extract other kinds of data as part of their efforts to make music recommendations as relevant as possible to the specific user, at a specific moment in time. The 2015 controversy over Spotify's data collection practices gives some indication of the range of data that companies seek to exploit. Among the data the policy would have given the platform access to were GPS information, motion sensor data (to determine whether users are walking, jogging, driving, etc.), as well as voice commands. Rival platform Deezer has also expressed interest in honing its recommendations by means of alternative types of data. For instance, the company has openly entertained the idea of using facial recognition technologies to

determine how users are feeling at a particular moment in time, so music might be recommended on the basis of mood (Gwynn 2017). By the time Deezer eventually did introduce mood-based recommendation in autumn 2021, it had apparently decided against trying to infer users' emotional states in this way, opting instead to elicit this information in a more direct fashion, simply asking them to indicate which among a list of six different moods best described the way they were feeling.<sup>3</sup>

While the public-facing statements made by platforms tends to depict such data collection as strictly a question of better serving users, it also functions as a means of better serving specific categories of users to advertisers. Consider Deezer's mood-based recommendations: among the six "Flow Moods" that users can choose from are "Focus," "Chill," "You & Me," and "Motivation." By responding to these prompts, users provide platforms real-time information about both their actual or desired state of mind, as well as what kind of activity they might be engaging in (working or studying in the case of focus, working out in the case of motivation, etc.). This information can then be used to target specific advertisements to freemium tier users, based on their presumed receptivity to one marketing pitch versus another. Similar kinds of information can be gleaned in other ways as well, in particular through the various mood- and activity-based playlists that populate streaming services. Clicking on a playlist like Spotify's "sad girl starter pack," for instance, signals something about a user's mental and emotional state, while clicking on a running playlist signals something about what a user might be doing while its tracks play (Prey 2016; Drott 2024).

Such real-time information about users' feelings and behaviors has become all the more highly prized as digital platforms have adopted techniques of programmatic advertising over the past fifteen years, that is, auction-based systems of real-time ad placement. In trying to attract the business of digital advertisers, streaming services have made much of their ability to capture users' behavioral and mood data, and to do so in the moment. Key to their appeals is the notion that music can reflect the feelings and personalities of listeners with unparalleled precision. Speaking at a media confab in 2018, Danielle Lee, then-VP of Partner Solutions at Spotify, framed her remarks around a core thesis: namely, that "music is a mirror," which "uniquely reflects who we are, what we're doing, and how we're feeling."<sup>4</sup> Put differently, what makes music special from a marketing perspective is its singular capacity to register not just demographic information about users ("who we are"), but also psychographic insights ("what we're doing" and "how we're feeling"). Furthermore, these qualities set the information generated by means of music apart and above that gleaned from other media. Music, Lee adds, "gives us the opportunity to

<sup>3</sup> Isobel Hambleton, "Get in Touch with Your Feelings with Flow Mood." Deezer Newsroom, October 6, 2021. At <https://www.deezer-blog.com/press/flow-moods>.

<sup>4</sup> Lee's remarks begin roughly 3'22" into the video. See <https://www.youtube.com/watch?v=9e1hzvRQjg>.

connect in [...] real-time moments. You're not posting or snapping about these things, you're just using music to soundtrack your life." Beyond the importance attached to "real-timeness," also noteworthy here is Lee's emphasis on music's connective powers. Streaming, by this account, offers direct, unmediated contact with the user, building upon long-standing discourses that cast music as a privileged means of accessing the innermost depths of the individual's psyche (Drott 2024).

Elsewhere in the same presentation, Lee makes another key point about music streaming's affordances for targeted advertising. "Spotify goes with you," she notes, citing music's capacity to accompany us across not just physical space but different social settings as well ("when you're working out, studying, doing chores, you're listening to music"). Making possible such portability has been the expanding consumer market for smartphones and other wireless devices since the late 2000s, along with the building-out of the infrastructures that provide near-constant access to data networks in many parts of the world. If commercial and technical developments like these make it feasible for a service like Spotify to "go with" users as they traverse physical and social space, making it desirable to do so has been a longer-term process of "mobile privatization" (Williams 1974), with music cast as a key means by which individuals can carve out for themselves a small, private bubble within public space. Notably, the kind of social and physical circulation of music that has historically posed a challenge to rights holders seeking to control their IP represents a ripe commercial opportunity for streaming platforms and advertisers. The frictionless flow of digital music—a quality that weakens music's status as a commodifiable private good—also makes music a convenient tracking device, relaying information about where a listener is, why they are there, and what they are doing.

Streaming platforms seldom broadcast to the public the fact that the same personalization and connectivity that underpins user-facing services like algorithmic recommendation and ubiquitous access to music also drives targeted advertising. Yet the dual mandate of platforms' data collection practices is something of an open secret. While the recycling of user data for personalized advertising is a reality of which many users are at least dimly aware, there are still murkier ways that platforms exploit and potentially monetize users' streaming data. Critical in this connection is the burgeoning number of data-sharing agreements that different corporations have entered into as a way of improving operations, expanding their customer base, and above all building out their data assets. Research on the market for data indicates that the principal type of transaction involves a two-way exchange between otherwise independent firms (Elsaify and Hasan 2021, 1). Often parties to such transactions are active in the same overall sector, without being direct competitors. This stands to reason: it makes little sense for a streaming company like Spotify or Deezer to divulge proprietary data with a rival streaming service, though it may be strategically beneficial to partner with companies working in other corners of the music industry (ticketing, promotion, merchandise sales, etc.). A case in point is the

partnerships Spotify has with event promotion platforms like AXS and Eventbrite. For Spotify, integrating links to concerts hosted by AXS or Eventbrite on artist pages provides the company with another way of measuring the intensity of fan engagement, while for AXS and Eventbrite the alliance provides access to information like “listening behavior, artist preferences and user location.”<sup>5</sup> But as we have seen, what makes music useful for platform surveillance is its ability to point beyond itself, to other activities and contexts indexed to particular music and modes of listening. For this reason, music platforms have entered an exceptionally high number of cross-sectoral partnerships, as can be seen in the strategic alliances Spotify has forged over the years with such companies as Uber, Waze, [Ancestry.com](https://www.ancestry.com), Capital One, and Facebook, to cite but a few.<sup>6</sup>

Of all these partnerships, arguably the most significant are those that streaming platforms have with data brokers like Acxiom, Experian, and WPP. For it is through such arrangements that the data music platforms collect on users can be aggregated with other kinds of data about the same individuals, gathered from other sources both online and off. From there one potential fate of this data is to be integrated into the different consumer scores that data brokers develop and sell to clients in finance, healthcare, and the insurance industries, as well as certain governmental agencies (in the United States, these include local police departments and immigration enforcement). It is necessary here to underline the word “potential”: given how opaque the inner workings of data aggregators are, to say nothing of the agreements that govern their relations with platforms, it is impossible to tell with any certainty how music data might inform the products developed by a company like Acxiom. Some suggestive clues do exist, however. Take automotive insurance: over the years the industry has cited and even sponsored research into which kinds of music are associated with risky as opposed to safe driving behaviors. A brochure published by the insurer Allianz in 2012, for example, illustrated the findings of some of this research, using a color-coded bar going from blue (“safe”) to red (“dangerous”) to indicate which artists and which kinds of music were correlated with which kinds of driving behavior: the safe side was dominated by classical and easy listening, while the dangerous side was dominated by hip hop. To drive the point home, the infographic reproduced images of artists associated with these genres (and by extension these driving behaviors): Jay-Z, Eminem, and Dizzee Rascal represented “dangerous” music/driving, while Mozart, Barbara Streisand, and Andrea Bocelli represented “safe” music/driving. In addition to revealing how racialized categories purportedly excluded from risk assessments might surreptitiously find their way back in via music, the infographic

<sup>5</sup>“Spotify Partners with AXS and Eventbrite.” *Billboard* June 15, 2017, <https://www.billboard.com/music/music-news/spotify-axs-partner-personalized-event-recommendations-7833033/>.

<sup>6</sup>In the case of streaming services integrated into larger platform ecosystems (e.g., Apple Music, YouTube, Amazon Music), such data-sharing arrangements with external firms are largely obviated by the fact that their different divisions already span so many different markets.

also underlines the social logic operative in surveillance. It may be individual drivers who find themselves either burdened with higher rates or the beneficiary of lower ones, depending on the music they consume and where they fall with respect to the racialized line separating “risky” from “safe” driving. But it is only in reference to the aggregated data of other drivers thus monitored that these categories can be constructed in the first place. The discrepant social impacts that surveillance makes possible hinge upon its being conducted on a population as a whole, even if it is at the level of the individual where these impacts are experienced.<sup>7</sup>

Major streaming platforms are scarcely the only companies exploiting music for the purposes of profiling users. Of particular importance in this regard are the innumerable startups that have emerged in the past fifteen years that promise to personalize music in relation to other activities, such as fitness, wellness, gaming, and so forth. For example, a number of wellness-based apps highlight the alleged therapeutic benefits of music and sound, offering to provide a bespoke musical accompaniment to help users sleep better, work more productively, improve cognitive function, and so forth. One of these startups is Berlin-based Endel, whose “personalized soundscapes” promise regular users to increase focus sevenfold, while decreasing stress levels by 3.6 times (compared to what is unclear).<sup>8</sup> Explaining the motivation for their service, the company’s manifesto declares that humans aren’t “evolving fast enough,” with the result that “our bodies and minds are not fit for the new world we live in.” Endel thus treats music as a means of closing this widening gap, casting its soundscapes as a “tech-aided bodily function,” a kind of cyborgian enhancement that can help people cope with the intensifying demands placed upon them.<sup>9</sup> But for such enhancement to be maximally effective, it requires a steady stream of biometric data (heart rate, gait, location, etc.). Headquartered in Germany, Endel is subject to the EU’s more stringent regulation of personal data. As a result, their terms of service offer users numerous opportunities to opt out of such invasive data collection. Yet the rhetoric surrounding the service makes it seem as if choosing to withhold any data, especially biometric data, will put the user at risk—of poor health, of poor sleep, or of being left behind in a world where “tech-aided” enhancement isn’t a luxury but a necessity.

### CONCLUSION: SURVEILLANCE FOR THE COMMON GOOD?

Having devoted the bulk of this essay to detailing some of the ways the music industries have deployed surveillance in furtherance of their economic interests, it is vital to note that the inequities, power asymmetries, and other

<sup>7</sup>To be noted is how this implicit social dimension of surveillance goes against the grain of commonsense understandings that treat surveillance as a form of trespass, which are in turn premised on an equation of individual privacy with individual property (see Katyal 2003, 301–303).

<sup>8</sup>These claims can be found on the Endel homepage. See <https://endel.io/>.

<sup>9</sup>The manifesto can be found here: <https://manifesto.endel.io/>.



injustices that this practice facilitates aren't the fault of surveillance per se. The fault lies rather in how and why surveillance is used, and the broader socioeconomic environment in which it is deployed. Surveillance is a means; what matters as much if not more are the ends to which it is put.

It is productive to contemplate what an alternative and public-minded form of music surveillance might look like. One possibility would be to undertake a type of sousveillance, that is, a practice of counter-surveillance from below (Mann and Ferenbok 2013). In a way, much critical research on contemporary music platforms adopts this tactic. It might involve the use of technologies that can detect the various cookies, trackers, and digital fingerprinting tools that music services install on users' devices, as for instance the authors of *Spotify Teardown* have done (Eriksson et al. 2019). Or it might involve tracking the various partnerships that platforms have entered into with other corporate entities. Sousveillance has its limits, however, above all the fact that so much of the information surrounding the music and tech industries is spotty, unreliable, and/or inaccessible—a reality that individuals have little power to do much about, so long as they act in relative isolation. Hence it is necessary to complement practices of tracking from below with more robust oversight from above, whether by existing government agencies and regulatory bodies, or by building up alternative sources of grassroots power (unions, social movements, etc.).

Among the subjects we most desperately need data about is data itself—precisely which kinds do music services collect, how exactly are they used, and where they end up as a result of the data-sharing agreements that underpin the growing market for data. While the material presented in this chapter hopefully offers some suggestive clues, much more work remains to be done to fully disentangle contemporary practices of music-based surveillance and to grasp the full extent of the data music platforms and other corporate actors expropriate from individuals.

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PART III

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Cultural Production and Consumption



# The Establishment of K-Pop: K-Pop's Main Characteristics

*Gyu Tag Lee*

## INTRODUCTION

Since the 2010s, K-Pop has been gaining international popularity beyond East Asia. As a result, fans, media, critics, and scholars have started using the term “K-Pop” to describe the broad category of modern popular music originating from Korea.<sup>1</sup> It’s important to note that the term “K-Pop” has a relatively short history compared to Korean popular music in general. The term was first used in the late 1990s, and it only recently gained popularity in Korea. It’s also worth noting that K-Pop doesn’t encompass all Korean popular music but rather refers to a specific type of music that is produced, distributed, and consumed in a particular way. K-Pop songs are recognized as a sort of electronic dance music mixed with hip hop and R’n’B (Lee 2016; Anderson 2020), performed by musicians called *idols*, and produced and distributed by *entertainment agencies* that manage those artists. The usual discourse used by popular music studies about musicians and recording companies doesn’t fit the K-Pop industry. K-Pop idols and the agencies operate in ways that are distinct from most other industries.

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<sup>1</sup>For instance, See ‘The 100 Greatest K-Pop Songs of the 2010s: Staff List’ (2019) from Billboard.

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The idol–agency system in the K-Pop industry is highly influenced by the American and Japanese cultural industries. Basically, it is the way entertainment agencies produce K-Pop idols based on their own ‘in-house’ system. Agencies are involved actively from scouting prospects to training and teaching singing and dancing, managing and even controlling public and private lives with their own system. Though sometimes those agencies co-work with international music conglomerates (the ‘BIG 3’ record labels) or distributors, they produce and circulate their idols on their own. It began first as a way to produce local music for the local audience, but thanks to the development of communication media, including social media and other Internet-based media platforms, K-Pop received a chance to achieve global success.

In this chapter, I will discuss the main industrial and musical aspects of the K-Pop industry. This will reveal K-Pop’s uniqueness that has enabled it to become popular first in East Asia, and then broader parts of the world. First, I explain the definition of K-Pop and how it has developed from the local to global popular music genre, influenced by the American and Japanese music industries. Then I move into a discussion of K-Pop’s business model, the most unique aspect that differentiates K-Pop from global pop music. It includes the detailed explanation how idols are produced by the entertainment agency based on their own ‘total management’ business strategy.

### K-POP AS MUSICAL GENRE

New Generation Dance Music from the first half of the 1990s served as a precursor to modern K-Pop (Lee 2021). The beginnings of contemporary Korean dance music styles can be traced back to the late 1980s when the music of Sobangcha, PARK Nam-Jung, and KIM Wan-Sun swept the country. The period between 1996 and 1998 marked the emergence of several boy bands (such as H.O.T., N.R.G., Sechs Kies, and G.O.D.) and girl bands (such as S.E.S., Fin.K.L., and Baby Vox) who produced hit songs. This era is widely regarded as the dawn of K-Pop as a genre. These boy/girl bands are usually called ‘First-generation K-Pop Idols’ (Cha and Choi 2011).

In his book *Music Genres and Corporate Cultures*, Keith Negus defines a popular music genre as “the way in which musical categories and systems of classification shape the music that we might play and listen to, mediating both the experience of music and its formal organization by an entertainment industry” (Negus 1999, p. 4). In other words, the genre labels applied to music answer “what type of music do you listen to (or play)?” For example, when we call a specific music ‘grunge’, that music usually includes distorted, fuzzy electronic guitar tones, contrasting song dynamics, apathetic or angst-filled lyrics, as well as a fashion style and attitude expressed by wearing things like flannel shirts.

If K-Pop is a popular musical genre, it also has distinct musical characteristics and cultural aspects. What are the musical and cultural things that

characterize K-Pop? When, how, and why has a specific kind of Korean music begun to be called 'K-Pop'?

While the term K-Pop has recently come to represent all Korean popular music, this is an inaccurate understanding of the genre. It is different from a geographically specific term like Swedish Pop (Johansson 2010). Rather, the term K-Pop is similar to Britpop and J-Pop in that they do not indicate all popular music in Britain or Japan. However, like Britpop and J-Pop, K-Pop relates to its distinct geographic origins—South Korea. For example, music that has similar musical characteristics to Britpop but is not produced by British musicians or music industry is usually not regarded as Britpop. The same has been true of K-Pop.

The Korean word indicating general Korean popular music is *Gayo* (가요), not K-Pop. In *gayo*, popular musical genres such as rock, blues, pop ballads, country, R'n'B, hip hop, dance music, and *trot*<sup>2</sup> are all included. Like these genre names, K-Pop is one of *gayo*'s genres, not the *gayo* itself (Cha and Choi 2011; Lee 2016; Kim 2018).

The origin of the term K-Pop can be traced back only to the late 1990s, when the Asian cable/satellite music network Channel V named one of its television programs 'K-Pop Station'. It was the time when some Korean popular music musicians began to be noticed by young audiences in Chinese-speaking regions of East Asia and Southeast Asia. The term began to be widely used in those regions in the early 2000s. For example, titles of joint concerts in China and Japan featuring performances by a number of Korean musicians were given titles such as 'K-Pop Super Live Concert',<sup>3</sup> 'K-Pop All-Star in Japan',<sup>4</sup> or 'Feel the K-Pop in Shanghai'.<sup>5</sup>

But even after "K-Pop" caught on throughout East Asia, the term was hardly used by the media, musicians, the industry, critics, or even fans in Korea until the late 2000s. When searching the keyword 'K-Pop' (or the Korean word '케이팝') in news libraries, the first article is about a boy band whose name was 'K-Pop' in 2001. The first media usage of the term in Korea was in 2004, and even after that the term did not appear often. K-Pop began to be widely accepted as an official name of a specific genre in Korea only after the year 2007–2008, when some K-Pop musicians such as Rain, BoA, Wonder Girls, and Se7en began introducing their music to international audiences outside East Asia (especially the United States and the West). This means that

<sup>2</sup> *Trot* is the oldest genre of contemporary Korean popular music. While the name *trot* derives from a shortening of 'foxtrot' (a ballroom dance that influenced the simple two-beat of elements of *trot*), it does not have a similar musical structure except for the two-beat rhythm. Besides its unique rhythmic pattern, it has its own melody and vocal style—melancholic melody lines in a minor key, and a unique vibrato. *Trot* was shaped during Japan's colonial period and since then, it has been one of the most dominant musical genres in the Korean music industry.

<sup>3</sup> See the news article <https://entertain.naver.com/read?oid=117&aid=0000050022> (in Korean).

<sup>4</sup> See the news article <https://entertain.naver.com/read?oid=117&aid=0000030183> (in Korean).

<sup>5</sup> See the news article <https://entertain.naver.com/read?oid=001&aid=0001438187> (in Korean).

media, music industry, and fans in Korea did not actively create or use the term but have followed the usage of the term by media and audiences outside Korea. In other words, the label ‘K-Pop’ only emerged once the music itself began to be recognized by global audiences then was reversely ‘imported’ by South Korea, not intentionally ‘exported’ by them.

Why has the term K-Pop been used so much later, and reluctantly, in domestic cultural industries? Interestingly, in addition to the fact that the term was not used in Korea, it even drew unpleasant and unwelcome responses (Shin 2013; Lee 2016). This dynamic is germane to the fact that the term K-Pop originated from the term ‘J-Pop’. Fans, music industry insiders, the media, and critics in Chinese-speaking regions (especially Taiwan and Hong Kong) named the new type of Korean popular music after J-Pop, the most popular East Asian regional popular music that they enjoyed in the 1990s. However, the media, musicians, fans, and the music industry in Korea were dissatisfied with the term because the term looks like mimicry of Japanese music and, therefore, lacks originality. Korea has considered Japan a rival since its independence from Japanese colonialism, and intense debates have sprung up when Korea tries to refer to Japanese culture because many Koreans still have negative attitude toward it (Kim 2023). For example, since 1998 when a Korean professional soccer league began to use ‘K-League’ as its official name, many fans and media opposed the naming because it imitated the official name of Japanese professional soccer league ‘J-League’.<sup>6</sup>

However, it is not so strange that East Asian media, music industries, and audiences compare K-Pop to J-Pop, because there are several similarities between K-Pop and J-Pop rooted in an acceptance and consumption of them. The difference is that while the term K-Pop was first created by international audiences and media, J-Pop was not. When discussing the origin of the term J-Pop, Ugaya (2005) notes that the term was created by ‘J-Wave’, a popular FM radio station in Tokyo since the late 1980s. It was the period when the Japanese media was seeking to find a new musical category that distinguished Western/global-sounding Japanese music from both Euro-American music and older Japanese domestic popular musical forms (ibid.; see also Mori 2009). Therefore, though the term J-Pop might seem like an abbreviation for ‘Japanese popular music’, it was not created to represent every genre of Japanese popular music. Ugaya (2005) notes that the initial English letter ‘J’ from the word ‘Japanese’—instead of the letter ‘N’ from the Japanese word ‘日本’ (pronounced as *nihon/nippon*)<sup>7</sup>—implies “this new Japanese music is different from old and traditional Japanese popular music”, and moreover, “the new

<sup>6</sup>When Korean professional soccer league was established in 1983, its first official name was ‘Super League’. In 1986, the league soon changed its official name into ‘Pro Soccer Championship League’. However, when J-League, which was established in 1993 and became popular right after its establishment, some Korean media and fans quietly began to use the term ‘K-League’ to indicate Korean league. And suddenly, the association changed the official name into ‘K-League’ in 1998, without any public discussion. See Kim, H.H. (Kim, 2009) for details.

<sup>7</sup>A term referring to Japan in Japanese language.

Japanese music is global-quality music in range with Western (mostly Anglo-American) popular music that has dominated the global music industry” (2005, pp. 20–24). According to the definition of this “newness, modernity, and internationality”, the trendy popular music produced after the late 1980s was categorized as J-Pop. This newly developed genre replaced elements of the non-global and domestic adult-oriented *enka* (演歌) style with contemporary global styles such as electronic dance and rock music. After branding the term, J-Pop soon became a regional popular music in East Asia in the late 1980s.

Just like J-Pop, K-Pop only includes specific styles of music created and enjoyed since the mid and late 1990s. Like J-Pop, the English term K-Pop and not Hanguk (한국)<sup>8</sup> pop or H-Pop also implies a global Korean-ness different from previous *gayo*. In fact, genres in Korean popular music such as rock, R’n’B, acoustic folk, jazz, dance music, and pop and rock ballads all came from the Anglo-American music industry. This means that, until that time, there was no ‘Made in Korea’ genre except for *trot*, usually considered being originated from Japanese *enka* (Son 2009). Therefore, K-Pop is the first Korean-born genre that is global. Despite the uncomfortable reference to J-Pop, the branding of K-Pop emphasizes its globality, which no Korean popular music had ever achieved before. Ironically, it is a genre ‘Made in Korea’ but named and recognized outside its domestic market.

### MUSIC OF BOTH TRANSNATIONALITY AND NATIONALITY

One of the key aspects of K-Pop is that hybridity and transnationality seem clearer than in other Korean musical genres. Importantly, there are very few elements of traditional Korean instrumentation, melodic modes, or compound rhythms in K-Pop, though it is considered ‘Korean music’ by Koreans. Often the way music from different countries has been mixed in K-Pop is considered ‘Korean’ since K-Pop has its own characteristics different from its references.

Musically, most K-Pop songs have a sort of electronic dance music base but also integrate elements of American contemporary R’n’B and hip hop. And yet, it is distinct from American-styled music because it often has melody lines influenced by *trot* or other Korean *gayo*. Moreover, the blending of various genres in one song and excessive repetition of the chorus (aka hook) is very unique in Korean music. Lyrics consist of Korean and English, but Japanese, Chinese, and even Spanish words are freely used. For instance, a global K-Pop hit song “I Got a Boy” by Girl’s Generation combines nine genres in its four minutes and thirty seconds length.<sup>9</sup> It is considered a musical hybridization—a blending of Korean, American, and other musical aspects to create something new, creative, and ‘quite but not the same’ with its references.

<sup>8</sup>A term referring to Korea in Korean language.

<sup>9</sup>See Netflix documentary *Explain*. [https://www.netflix.com/watch/80216753?trackId=14277283&tctx=-97%2C-97%2C%2C%2C%2C%2C%2C80216752](https://www.netflix.com/watch/80216753?trackId=14277283&tctx=-97%2C-97%2C%2C%2C%2C%2C%2C%2C80216752).



K-Pop is similar to New Generation Dance Music because they both are dance music primarily based on European electronic dance music, R'n'B, hip hop, and Japanese dance music. However, while creators and producers of New Generation Dance Music were heavily influenced by *gayo*, K-Pop creators and producers developed their musical sensibilities and skills from global popular music. Many K-Pop creators and producers are non-Korean, with several of K-Pop's biggest hit songs written by American, European, and Asian composers and producers.<sup>10</sup> Also, K-Pop musicians have more international and cosmopolitan backgrounds than those of New Generation Dance Music. Countless numbers of creators and musicians are first- or second-generation Korean immigrants living in North America and Australia, or 'foreigners'. There are even a few K-Pop bands consisting of only non-Korean performers such as Way-V<sup>11</sup> or Black Swan.<sup>12</sup> Due to their global/transnational backgrounds, they are bilingual and bicultural. Moreover, a number of CEO, managers, creators, and industry insiders in the current Korean music industry have studied and experienced music production and management of entertainment business in foreign countries (mostly in the United States and Japan).<sup>13</sup> They 'imported' music cultures and blended them with Korean based on its local context. Additionally, they have created a unique business model of K-Pop by mixing US, Japanese, and Korean industrial aspects, characterized by a standardized, systemized, Fordist model, which I discuss later in this chapter.

As a result, K-Pop is more transnational (or de-national) than many other global popular music genres. With this hybridity and transnationality, K-Pop can be seen as one of the clearest examples of 'hybridity-as-origin'. The relative de-nationality of K-Pop is constructed not only by its musical hybridity, but also by its demographic transnationality. The genre has drawn on such a wide range of popular music and that is hardly anything recognizably traditional 'Korean' about K-Pop.

### K-POP'S BUSINESS MODEL

One of the important aspects that differentiates K-Pop from other global popular music and *gayo* genres is the business model in which it is produced, distributed, and consumed. This model is often called an *idol-agency system*—the system to produce and distribute idols (artists) and their music used by K-Pop entertainment agencies. Idol and agency are the two main axes of K-Pop industry.

<sup>10</sup> For instance, <Butter>, one of BTS's biggest hit songs that topped Billboard Hot 100 for ten weeks total (seven consecutive weeks and additional three weeks) in 2021, was composed by eight songwriters among which a member RM is only Korean.

<sup>11</sup> A boy band consisting of Chinese, Thai, Taiwanese, and Macanese.

<sup>12</sup> A girl band consisting of Senegalese-Belgian, American, Brazilian, and Indian.

<sup>13</sup> For instance, LEE Soo-man, the founder of one of the 'Big 4' K-Pop agency SM Entertainment, studied at Florida Institute of Technology.

The idol–agency system is the product of transformations in the Korean music industry during the first half of the 1990s when Korean popular music began to be influenced more directly by globalization (Lee 2021). This system has been influenced by many other national music industries that have achieved global success including American and Japanese cultural industries such as American record label Motown or Japanese entertainment agency The Johnny's. However, the Korean music industry is distinct because it is not limited to record labels but also includes musicians, audiences, and media related to popular music.

Of course, the idol–agency system does not represent the entire Korean music industry, but rather it is unique to the K-Pop genre. In the domestic market, some musical genres such as indie rock, and hip hop are still produced, performed, distributed, and consumed outside the idol–agency system and they attract a considerable number of fans. However, most Korean popular music in East Asia and other parts of the world has been rooted in the idol–agency system to achieve success, which makes K-Pop based on global recognition and the idol–agency system inseparable. This business model has not only influenced the ways music is produced, distributed, and consumed, but also the identity of K-Pop music to its musicians. In other words, the idol–agency system is the result of shifts in the industry and has come to change the industry in which it was born.

### *Idol*

Most of the active musicians on the K-Pop scene are boy or girl bands called ‘idol group (아이돌 그룹)’ or individual performers referred to as ‘idol (아이돌)’. The terms ‘idol’ and ‘idol group’ were not created by the K-Pop industry, but in the Korean context, they take on meaning that are distinct from other cultural industries. In Western cultural industries, the term ‘teen idols’ refers to celebrity actors, musicians, and sports figures who appeal to and are idolized by teenagers. Some contemporary American teen idols include musicians (such as Billie Eilish and Olivia Rodrigo), movie stars (such as Millie Bobby Brown and Jahlil Abdol), TV stars (such as Maddie and Mackenzie Ziegler), etc. In the Korean cultural context, however, the term ‘idol’ usually indicates musicians in idol groups on the K-Pop scene specifically. In contrast to Western cultural industries, the term ‘idol’ is not usually applied to other entertainment fields or music styles. Moreover, not only stars in their teens and early twenties can be idols. It is not uncommon for fans to call some musicians in their forties idols.

The meaning of the term ‘idol’ in the K-Pop scene is closer to the Japanese usage of idol (アイドル) rather than that of Western cultural industries. However, Cha and Choi (2011) note that while Japanese idols are actors (or actresses) as well as musicians, Korean idols mainly focus on the role of musician though they sometimes also act. For example, a case study comparing the Korean boy band BigBang to the Japanese boy band Arashi, both of whom are considered ‘idol groups’, showed that BigBang focuses on music while Arashi

branched out to variety shows, dramas, movies, theater, voiceovers, and even news and weather reporting (Han 2011). In this study, Han argues that Korean audiences, media, and cultural industries generally expect idols to have competence in musical activities (not just limited to musicianship, but also including dancing or rapping) more than their counterparts in Japan.

### *Agency: Total Management Strategy*

Agency is the shorthand for “entertainment agency 연예기획사” for organizations that produce and manage K-Pop idols. More than 4800 agencies officially registered, and among them the big 4 agencies—HYBE, SM Entertainment, JYP Entertainment (hereinafter JYP), and YG Entertainment (hereinafter YG)—have many big-name K-Pop idols and possess most of the market share.

In many ways, these agencies do the work of record labels in other countries. Generally, record labels mainly focus on making music, recruiting potential stars, and designing, producing, and circulating records (Toynbee 2000; Shuker 2016), all of which are also done by K-Pop agencies. However, in addition to these functions, K-Pop agencies perform activities that are more extensive than ordinary record labels.

The primary design of K-Pop agencies is called *total management strategy*. This strategy aims to combine all sorts of music and entertainment business aspects—such as training musicians, marketing and promoting their music, creating and producing songs, music engineering, choreographing group dances, coordinating fashion and costumes—under the same management system. Each agency is based in a big building in *Gangnam* or the *Hongdae* (the area around Hong-Ik University), which are two representative areas of trendy youth culture in Seoul. These areas are home to clubs, live bars, and trendy fashion shops. Almost every facility and office related to produce the idol is located in these buildings including recording studios, dance studios, practice rooms, conference rooms, wardrobe department, etc.

Though there was a similar tendency in the early idol–agency system (e.g., H.O.T. was managed by the SM having its own producers, composers, and choreographer), the strategy became more thorough and sophisticated with the second-generation K-Pop era. The total management system of the Korean music industry today resembles the star-system from early Hollywood studios in the 1920s and 1930s<sup>14</sup> and the Fordist system introduced by Motown in the 1960s.<sup>15</sup> First, every part in the agency has a discrete role to develop an idol from the ‘raw material’. Second, individual idols are ‘assembled’ into one idol group according to a highly standardized process. And third, the standardized idol group is mass-consumed by the audience through the mass distribution and consumption system that has capitalized on technological development.

<sup>14</sup>See Christopherson and Storper (1989) for details about Hollywood producing system in that period.

<sup>15</sup>See George (2007) for details about Motown’s producing system.

### *Recruiting Yunsupseng: Finding Promising Youngsters*

The 'yunsupseng' [j3:nsupsæŋ] (연습생 in Korean) academy' is one of the most important systems that operates in this Fordist-like total management strategy. *Yunsupseng*, best translated as 'trainee', is another essential part of the idol-agency system to discover talent and teach various skills, the first step in making an idol.

In the first, the Artists & Repertoire (A&R) department of the agency scouts prospects who seem to have the possibility to be developed. On the surface, the selection procedure of the trainee seems to be similar to that of the A&R departments of most record labels, but it is actually quite different. A&R departments do not usually focus on developing raw talent. Rather, they find musicians who potentially possess enough musical talent to succeed. However, prospects chosen to be trainees by the A&R departments of K-Pop agencies often do not have notable musical competence at the time they are picked up. Also, different from those picked up by most record label A&R, those selected by a K-Pop agency are granted trainee status—not 'musician'—after recruitment. The contract between the agency and the trainee does not guarantee their official debut as a musician.

Applicants for trainee are usually teenagers from 13 to 17 years old. Once recruited, they are offered an exclusive contract tied to the agency for up to three years.<sup>16</sup> However, in the contract, their debut is not guaranteed. They are more like 'employees' rather than artists and are paid small stipends for food and transportation.

### *The Process to Educate and Assemble Trainees into Idol Bands*

The general procedure of producing idols is as follows:

1. Recruiting trainees and signing them to a contract
2. Basic training in singing, dancing, and rapping
3. Monthly evaluation of each trainee
4. Arranging trainees into idol groups and preparing them for their official debut

Generally, trainees are trained in the three talent departments: singing, dancing, and rapping after they are accepted by the agency. Some big agencies often teach them other non-musical subjects such as English and other foreign languages,<sup>17</sup> acting, interview and speaking skills, pronunciation, and correcting local dialects. Even they sometimes teach school subjects (such as mathematics!) for their trainees not to fail the school, since it would be a big disadvantage

<sup>16</sup> The new regulation was enacted by Korean government regarding the maximum contract year of trainee. Before that, there was no limit and some had a contract longer than five years.

<sup>17</sup> Usually, Chinese and Japanese languages are selected among others because of their future international activities.

**Table 18.1** Weekly training schedule of a teenager trainee<sup>a</sup>

	<i>Mon.</i>	<i>Tue.</i>	<i>Wed.</i>	<i>Thu.</i>	<i>Fri.</i>	<i>Sat.</i>
6pm-7pm	Weekly review	Dance lesson	Vocal lesson	Dance lesson	Vocal lesson	Voluntary practice
7pm-8pm		Vocal lesson				
8pm-9pm	Dance lesson		Dance lesson	Rapping lesson	Rapping lesson	Dance lesson
9pm-10pm		Weekly review			Weekly review	

<sup>a</sup>Excerpt from the table in Nega Network (2012, p. 268)

after their debut if they are kicked out of the school—K-Pop fans will not like it. The detailed daily training schedule depends on the individual talents of each trainee, and what stages in the process they are in at a given moment. Every trainee must participate in intensive training every day from 6pm to 10pm except Sunday.<sup>18</sup> Agencies are afraid of their idols being criticized as musically incompetent, they intensively train their trainees in both dancing and singing (and rapping). An example of a typical trainee schedule is shown in Table 18.1.

During that period, the agency invests large amounts of money in training them to produce them into idols. The training procedure is extremely intensive, tough, and long. For this reason, many *yunsupsengs* give up and leave the agency during the training stage. If a *yunsupseng* leaves, they are required to pay penalties to the agency unless they were fired.

The agency regularly evaluates all its trainees once a month. Trainees are given a week's notice of what songs they should sing, rap, and dance to in the monthly evaluation. All senior staff such as the CEO, general manager, executive board, music producers, and directors of each part—singing, dancing, rapping, and acting—participate at the evaluation. During the evaluation, the trainees show how much progress they have made compared to the past month. The monthly evaluation is recorded and shown to all the parties involved. Trainees review their performance with instructors and discuss their strengths and shortcomings after the evaluation. If they fail to show their improvement three or four times, they are told by the director that they might just as well leave. This means that the agency gives them up, and they should look for another agency if they still want to be an idol.

Besides failure in training process, trainees can also be dismissed by the agency if they cause disharmony with other trainees or violate rules including smoking and drinking, committing crimes, school bullying, and gaining too much weight, etc. Generally, Korean audiences have a very strict moral

<sup>18</sup> In the case of adult trainees, they come to the practice room located in the agency building at 8am and practice individually until 6pm. From 6pm to 10pm, they get the same training courses with teenager trainees. See [https://www.chosun.com/site/data/html\\_dir/2017/12/20/2017122000253.html](https://www.chosun.com/site/data/html_dir/2017/12/20/2017122000253.html).

compass on K-Pop idols. Therefore, the agencies put stress on reputation and tightly manage their idols through the trainee period. Even their school life is strictly supervised as some agencies hire instructors for several school subjects (such as English and math) and give special lessons to trainees to get reasonable grades in their middle/high school.

If a trainee passes monthly evaluations successfully, they are advanced to the 'qualified trainee' stage and put into one of the idol group projects of the agency. The agency carefully selects prospective idol group members from these qualified trainees through an elaborate plan of clearly divided roles (often called 'concept'). For instance, an agency may choose two trainees who are very good at singing, two who are good at rapping and dancing, and one whose excessively attractive to compose a five-member idol group. However, not every qualified trainee can be chosen to become a member of an idol group even if they perform well or has a charming appearance. For example, if the agency is planning to produce an idol group that has a rebellious, wild kid image, it chooses appropriate members from qualified trainees. Therefore, if someone who advances to the qualified trainee stage does not have that kind of image, then he or she may have to wait months or years.

After the selection process is completed, the prospective idol group is organized and begins preparing for their debut. Members of the idol group may be friends or share musical interests; however, this is not a factor taken into consideration and usually the relationship between members in a group is primarily business. The unity is not constructed by the members, but rather by the agency's will. The organization of the group—including musical genre, fashion concept, group dance style, and role of each member—is almost entirely determined by the agency. In addition, when establishing an idol group, the agency requires all members to live together in a house designated by the agency for a period of time (usually three to five years). Even after making their debut, both their official and personal schedules are tightly managed and controlled by the agency.

### *Agency and the Television Industry: Interdependence Relationship*

To become famous and successful in the local and international market, the agencies and idol groups use several avenues to reach general audiences such as appearances on films, musicals, dramas, etc. Among them, appearances on television programs are the most important and effective ways to make groups known to the general audience. Though agencies have their own channels such as official YouTube pages or social media accounts to promote their idols on their own, the importance of appearing on TV cannot be underestimated. Many Korean TV shows on which idols appear get distributed right after their appearance not only to a domestic audience, but also to international fans via YouTube and other Internet-based media platforms due to the globalization of media.

There are three major broadcasting networks—a public broadcasting system (KBS), a quasi-public broadcasting system (MBC), and a private broadcaster (SBS). There are also several cable networks, the largest of which is the CJ ENM which has fourteen entertainment-related cable channels. These television networks are the most powerful and overwhelmingly influential communication media entities in Korea. However, as the music industry continues growing, globalizing, and gaining influence because of the worldwide success of K-Pop, the television industry needs the music industry to garner views. To get higher ratings and export their programs to the global market, television networks need K-Pop idols as much as the idols need them. According to the Korean antitrust law, agencies cannot own television networks, and vice versa. However, the market has necessitated that they develop an intimate and interdependent relationship because of mutual interests, and this interdependence is getting even deeper.

While the early K-Pop idols usually appeared on television networks' music chart programs, K-Pop idols since the late 2000s have been appearing on several popular variety shows as well as music-related programs. Another distinction from the first wave is that current K-Pop idol groups do not always appear on television programs as a whole. Usually, one or two members from a group who can do funny, appropriate jokes and other witticism appear as guests on variety shows as the representative. Sometimes a K-Pop group will make several appearances on variety shows even before officially releasing their very first single.<sup>19</sup> Television networks not only invite idols to be guests on their shows but also cast them as hosts and actors/actresses in their dramas. Though not every program featuring K-Pop idols gets high ratings, their inclusion usually guarantees a program 'not to fail', especially, when more international fans consume more TV shows in which K-Pop idols appear. It is an important advantage in the high-risk and competitive television industry. For instance, Chinese investors which financially support producing Korean TV series often ask Korean TV networks to feature K-Pop idols who are especially popular in China, expecting that those idols will help the series not fail.

Sometimes one agency has a deeper relationship with a specific television network, and rather a strained one with others. Though not official, it is widely recognized that each big agency has a partnership with a particular television network. For example, SM Entertainment works closely with JTBC, one of the biggest general programming channels, while Starship Entertainment has a close connection with the CJ Media Group. HYBE does not have a good relationship with MBC<sup>20</sup> which has a good relationship with YG. However, these unofficial partnerships are not fixed. Both agencies and television networks sometimes change their relationships according to their needs and strategies.

<sup>19</sup>For example, T-ara, a female idol group of six members, made their official debut not by releasing a digital single or appearance on the music program, but appearance on MBC's popular talk show *Radio Star*.

<sup>20</sup><https://www.hani.co.kr/arti/culture/music/1047667.html>.

These symbiotic and interdependent relationships began getting stronger in the mid-2000s—around the start of the second-generation K-Pop era. Since then, several variety shows became popular with general audiences. Among others, MBC's *Infinite Challenge* and *Radio Star*, KBS's *Happy Together* and *One Night and Two Days*, and SBS's *Running man* and *Strong Heart* had greater influence than any other previous shows because they attracted not only young audiences (teenagers and people in their twenties), but also viewers in their forties and older. Therefore, K-Pop idols could expand their fan base outside teenagers by making more appearances on those variety shows to promote or maintain their name value, and TV networks could maintain their viewer ratings and to export those programs overseas.

In addition to variety shows, some television series have been coproduced by the K-Pop agencies and television networks since around 2010 when K-Pop went global. These series are funded by the agencies in return for casting their idols as main and supporting characters. And they are preordered by other countries due to a considerable fan base of K-Pop idols. For instance, *Dream High*, one of the most popular television dramas in 2011, was funded by one of the 'big 4' agencies JYP, and broadcasted by KBS. Even before it was released, television networks of many East Asian countries preordered it because of the appearance of K-Pop idols in that series.<sup>21</sup> As is seen in this example, the television industry is one of the most influential partners of the K-Pop industry both in domestic and global markets.

### *How to Make an K-Pop Band: The Case of the First K-Pop Idol Band H.O.T.*

H.O.T., a boy band of five members who made their debut in 1996, is usually considered as the first idol group in the history of K-Pop and are among the groups that have come to be known as the 'first-generation K-Pop idol' (Cha and Choi 2011; Lee 2016). There are several reasons that H.O.T. is considered the first K-Pop idol group. First, while previous teen *gayo* stars had begun their career from the bottom of the ladder,<sup>22</sup> the members of H.O.T. were selected, trained, and made their debut according to the deliberate and thorough planning by their agency—a key aspect of the idol–agency system. Therefore, contrary to previous teen *gayo* stars, they did not have any musical career before their official debut.<sup>23</sup> Also, H.O.T. successfully tapped into the East Asian markets and became one of the first successful K-Pop band overseas while previous teen *Gayo* stars had been limited to their domestic Korean market. And finally, H.O.T. became the precedent for the composition of K-Pop idol groups and many bands who subsequently made their debut were modeled after them.

<sup>21</sup> [https://kofice.or.kr/c30correspondent/c30\\_correspondent\\_02\\_view.asp?seq=1080](https://kofice.or.kr/c30correspondent/c30_correspondent_02_view.asp?seq=1080).

<sup>22</sup> Members of Sobangcha, the representative teen idol group in the 1980s, began their careers as backup dancers. Also, many teen *Gayo* stars in the early 1990s also were backup dancers, backing vocals, and club DJs before they made their official debut (Lee 2021).

<sup>23</sup> Every member of H.O.T. was a high school student when they made their debut in 1996.



The model for idol groups that was pioneered by H.O.T. and their agency SM Entertainment (hereinafter SM) had several distinct characteristics.<sup>24</sup> When analyzing the way they were organized and performed, we can see the general characteristics of a typical K-Pop band since the late 1990s to the present since the basics haven't changed dramatically.

Explained below is how H.O.T. became a band, divided roles to each member, and performed music and dancing in a unique style.

### 1) Band organized and managed by the agency

Since the emergence of H.O.T., K-Pop idol groups have been made up of more than three members, generally four to six (H.O.T. consisted of five members). Some popular idol groups have even more members. For example, Girl's Generation and Super Junior, two of the most popular K-Pop bands of SM in the 2010s, had nine and thirteen members when they made their debut. Also, roles of each member of H.O.T. was set and assigned by the agency, not by their own will. Among the five, Gangta was appointed as the 'main vocal (primary or lead vocal in K-Pop, often called 'Mevo 메보 by fans)', Tony Ahn and MOON Hee-jun as 'sub-vocal (secondary or tertiary vocals in K-Pop)', and JANG Woo-hyuk and LEE Jae-won as rappers and dancers. Like H.O.T., each member in subsequent idol groups has his or her own specific role. For instance, among the seven members of BTS, Jungkook is the main vocal while Jin and V are sub-vocals. RM and Suga are rappers and other two members (Jimin and J-Hope) are dancers. Though all members participate in singing and dancing, the singer, rapper, and dancer roles are often strictly divided and members who perform one role do not take great part in the other role. For example, Hyoyeon, one of the dancers in Girl's Generation, usually did not sing in some songs and when she did, only few seconds were given to her in a song. Additionally, in H.O.T., other non-music related roles were important. For instance, Tony was a symbol of 'trendy American culture' since he was a Korean American, along with a good-looking member (often called 'visual member'), Hee-jun as a witty raconteur, Woo-hyuk as a mysterious and charismatic member, and Jae-won as 'the cute youngest (*maknae* 막내)'. This format is still found in almost all K-Pop bands these days.

### 2) Dance and performance as a key aspect

Though each member has his own role, when together on stage, H.O.T. performed an exuberant and sometimes even acrobatic type of group dance in unison, wearing uniforms. They performed unique styles of dance for each single. Therefore, audiences could associate each song with a specific kind of group dance, similar to the way people associate *Smooth Criminal*, one of Michael Jackson's hit songs, with moonwalk dancing. One notable difference between Michael Jackson and H.O.T. is that while not every single of Michael

<sup>24</sup>First and second aspects will be discussed later in this chapter.

Jackson has a specific dance, every song by H.O.T. has specific choreography associated with it. Synchronized group dancing is an important feature for H.O.T. and other idol groups.

Even in the dance music, usually music is composed and produced first, and then a dance and stage performance is developed according to the style of the song for the stage and/or music video. However, in the case of H.O.T. and other K-Pop bands after them, most of their songs were influenced by the role of each member and the group dancing. According to YOO Young-Jin—the main composer, writer, and producer of SM who composed many of the hit songs for H.O.T. and other SM musicians—said he has always composed and produced songs only after forming the performance, taking into consideration the group dancing, the shape of the stage, and even the position of each member on stage.<sup>25</sup> This means that the dividing roles in an idol group determines the structure of songs, not vice versa. Producers must consider the basic format of the K-Pop band—singer, dancer, and rapper—and how it is shown on the stage and music video when making music

In the first big hit song of H.O.T. <Candy> produced by CHANG Yong-jin, you can see how it was actually embodied. The introduction is made for group dancing, which every member does. After that there are usually two verses—the first verse is for the main vocal, and the second verse is for lead vocals. This is followed by the chorus, which features all vocals (main vocal sings the main melody lines with high notes while lead vocals and others sing harmonies) with all-group dancing. Before or after the chorus, or between the first verse and the second verse, there is usually a rap bridge featuring rapper members. After completing the chorus, then there will be a ‘dance-break’ for dancer members to show off their dancing skills. In this song structure, we can easily find the basic principle of K-Pop music: ‘the performance is firstly created and then the music is produced’. This song structure has become the general norm for K-Pop since then and even K-Pop is called ‘music of performance’ (Kim 2021), which makes K-Pop unique from other musical genres.

After the big success made by H.O.T., others followed the model that they had set with a few changes as differentiation strategies. Among them, Sechs Kies, G.O.D., Shinwha, and NRG were popular boy idol bands, and S.E.S., Fin.K.L., and Baby Vox were the most successful girl idol bands. During the period between the mid-1990s and the early 2000s, these idol groups gained tremendous popularity both inside and outside of Korea. After the term ‘K-Pop’ became widely used, they came to be called ‘the first-generation of K-Pop idols’ by the audience, media, and the academy.

### *The Limits of the First-Generation K-Pop Idols*

Despite their enormous popularity, some audiences, media, critics, and even fellow musicians raised questions of whether these idols were musicians. It

<sup>25</sup> <https://tenasia.hankyung.com/topic/article/2020012282334>.

should be noted that members of those first-generation idol groups seldom wrote their own songs apart from changes to some lyrics. Instead, professional composers and producers wrote songs for them. Though it is a general practice in the global music industry that not every popular artist writes their own music, K-Pop idols in the earlier generation were often excluded or even not allowed to participate in the producing process since it was not a part of their job and even considered presumptuous when raising their voices in the process.

However, this was not the focus of their criticism. As with other global teen pop bands, both critics and fans did not expect K-Pop idols to be ‘great artists’ with exceptional songwriting or instrumental skills. Yet K-Pop musicians did not even sing their songs well, let alone write songs or play musical instruments. These idols usually lip-synched when they performed both on television shows (where some musicians lip-synch due to the limitation of sound systems) and even at live concerts. The only live performance they embodied was dance. The pervasive use of lip-synching was sneered at by audiences and critics, who often referred to these idols as ‘Goldfish’. The nickname meant that these idols just opened and closed their mouths without making any sound, like a fish in water.<sup>26</sup>

In contrast to previous *Gayo* musicians who had musical training and performed live at venues such as small-scale live clubs or concerts halls before their major debut, first-generation K-Pop idols did not have enough experiences to develop their musical competence. Though agencies devised songs, music, and roles for members of idol groups, they did not give much attention to their musical abilities. Rather, both the agencies and idols in the first-generation era focused on creating ‘entertainers’. For example, LEE Soo-Man, a founder of the SM and one of the most important figures in the history of K-Pop, stated in an interview that SM developed its idols to be ‘entertainers’ rather than ‘serious musicians’.<sup>27</sup> Therefore, for most first-generation K-Pop idols, the songs often became just ‘background music’ for their choreography and stage performance with elaborate costumes. Without a solid grounding of musical competence, those idols and their songs could not help but decline in popularity soon after their heydays. After the early 2000s, most popular K-Pop bands disbanded, or went on a hiatus.<sup>28</sup>

### *Wonder Girls and the Second-Generation K-Pop Idols*

During the early and mid-2000s after the demoralizing decline that resulted from debates about their artistry, idol groups did not achieve popularity nearly as significant as in the late 1990s and the early 2000s.<sup>29</sup> However, this all

<sup>26</sup> [https://www.ohmynews.com/NWS\\_Web/view/at\\_pg.aspx?CNTN\\_CD=A0000173929](https://www.ohmynews.com/NWS_Web/view/at_pg.aspx?CNTN_CD=A0000173929).

<sup>27</sup> <https://www.donga.com/news/Entertainment/article/all/20060216/8275829/1>.

<sup>28</sup> For instance, H.O.T. disbanded in 2001 and Sechs Kies in 2000.

<sup>29</sup> In fact, some idols such as TVXQ—an idol group of five male members produced by SM Entertainment—Shinhwa, BoA, Rain, and Seven were popular and made several hits in both domestic market and international markets. However, their popularity was sporadic and did not become the continuous tide such as the first- and second-generation K-Pop idols.

changed in the fall of 2007 when the second single of a new idol group, Wonder Girls, became the biggest hit in the Korean music industry. After the success of Wonder Girls, more male idol groups—such as 2PM, 2AM, Shinee, BEAST, MBLAQ, U-Kiss, Infinity, and B1A4—and female idol groups—such as Girl's Generation, Kara, 4 Minutes, 2NE1, After School, T-ara, f(x), Miss A, Sistar, Apink, and Girl's Day—debuted and achieved popularity. Some idol groups who made their debuts before Wonder Girls such as Super Junior (debut in 2005) and BigBang (debut in 2006) became widely successful after the Wonder Girls' fad. In this period, as mentioned above, the music performed by idol bands got a new name, 'K-Pop,' and 'Gangnam Style', BTS, Blackpink, and many more reached global stardom.<sup>30</sup>

### IDOLS TO THE BROADER AUDIENCE

Through the active appearance on various television programs such as variety shows and TV series, viewed not only by young audiences but people of all ages, K-Pop idols have succeeded in widening their fan base. Compared to the early K-Pop idols whose fans were generally teenagers and people in their early twenties, since the late 2000s K-Pop idols have fans in their forties and older. Reflecting this phenomenon, two neologisms were coined—the terms 'uncle fan' and 'auntie fan'. The term 'auntie fan' refers to women in their thirties or older who love male K-Pop idols, and 'uncle fan' means middle-aged men who are fans of female idols. The reason they are called 'uncle' and 'auntie' is that (1) they are usually more than 15–20 years older than K-Pop idols they love, and (2) those 'uncles' and 'aunties' insist that they love their idols not because they are sexually attractive, but because they are cute as their nephews/nieces therefore they only 'support' them and do not have any sexual attention on them (Kim 2010; Kim and Yang 2013). They are more active than younger fans based on their stronger purchasing power that they spend a lot of money listening to their digital music sources, buying physical albums and concert tickets, and sometimes they even send their idols various gifts from fan letters to expensive things like the latest laptops, smartphones, or table/tablet PCs, or even luxurious goods from expensive brands.

Whether their assertion that they love these idols as an uncle or aunt is true or not, it is certain that current K-Pop stars in its domestic market have broader fandom than previous idols. On the one hand, their music is getting more powerful, transnational, and contemporary, and their looks more charismatic and trendier. But on the other hand, K-Pop idols are also constructing their images as more familiar—like guys/girls nextdoor—to approach general

<sup>30</sup>Now in the early 2020s, it is said that K-pop is in the fourth generation. See Lee (2023) for details about classifying generations.

audiences.<sup>31</sup> This ambivalence is another unique and important aspect of K-Pop that has been established according to the specific environments of Korean cultural industries alongside the idol–agency system, and the intimate relationship with the television industry.

## CONCLUSION

K-Pop is a result of the globalization of the Korean music industry. Musically, it is more hybridized and transnational music than any other Korean musical genres. From the name of the genre to players on the scene, it is ceaselessly de-nationalized in spite of attempts to re-nationalize by some media and audiences, and to some extent, the nation-state.

However, the industry has strengthened its locality even while adopting global systems by indigenizing the industry. Compared to the New Generation Dance Music era in the early 1990s, the industry has established a more localized and mature system to produce their music and stars—the idol–agency system. The agency directs the entire process of making idols including recruiting trainees, training them in everything from singing to academic studies, forming a group, producing music, liaising between television networks, etc.—the total management strategy.

It is a localized industrial strategy in the era of globalization. One noticeable aspect of K-Pop agencies is that domestic capitalists own and manage these agencies. In Korea, global popular music has lost its popularity since the late 1990s in contrast to the expansion of the K-Pop market share.<sup>32</sup> Additionally, the Korean music industry is one of the rare markets where multinational recording conglomerates attempted but failed to successfully enter the market and withdrew some of their business projects after the early 2010s. For instance, the ‘Big 3’ global record labels—Sony Music Entertainment, Universal Music Group, and Warner Music Group—have not successfully produced any notable K-Pop musicians, though they have tried.<sup>33</sup> There are several reasons for their failure including the outdated distribution system and a clannish attitude toward foreign companies, but Shin (2002) argues that the most important was that those multinational conglomerates were not ‘localized enough’. According to Shin, they neither tried to make alliances with local Korean agencies and/or recording companies, nor paid much attention to the voice of their local employees and music workers. Moreover, they were not enthusiastic about catering to the preferences of local audiences. Shin notes that

<sup>31</sup> There are some ‘rebellious’ idols on the K-Pop scene, but even these ‘bad boy/girl’ idols do not emphasize their rebellious characters and try to maintain the friendliness toward the audiences. See Kim and Kim (2015) for details.

<sup>32</sup> In 1995, the market share of global/international popular music products in the Korean music industry was 32%. However, in 2010, the market share fell down to less than 10% (Shin 2002; KOCCA 2011).

<sup>33</sup> For instance, Universal Music Korea produced a K-Pop boy group ‘Boys Republic’ in 2013, which was unsuccessful and disbanded in 2018.

“multinational conglomerates could not, or worse, did not even try to understand the taste of East Asian audience, different from both Western audience and other Third World audience” (2002, p. 164). He continues to argue that East Asian “local nationalism” and their “tradition of national popular music” is “far from what Anglo-American understanding of popular music industry” could comprehend, and that multinational music conglomerates were “too confident in their strategies towards general international markets” so they did not listen carefully to local voices (p. 165).

On the contrary, domestic K-Pop agencies have utilized different strategies. Interestingly, founders and owners of the ‘big 4’ agencies all originally started their careers as popular musicians.<sup>34</sup> Therefore, they know a lot about the Korean music industry and the preferences of their local and regional East Asian audiences. They have been actively participating in scouting prospects, and often writing songs for their K-Pop groups with competent music writers, who are sometimes exclusively attached to each agency.<sup>35</sup>

In foreign markets, those same agencies establish strategic alliances with local recording and other entertainment companies. For instance, while SM was in a partnership with Avex Trax (one of the largest recording companies in Japan) for several years in Japan and East Asia, it also set up a cooperation system with Capitol Music Group in North America when launching its project K-Pop boy band Super M in 2019. JYP also co-worked with Universal Music Group when it debuted a new K-Pop girl band VCHA consisting of American and Canadian only in 2023. With these alliances, K-Pop agencies can use the local and global distribution and promotion networks of their partners and respond promptly to each local audience. Additionally, joint ventures are also forged with international composers, producers, and choreographers to be used for certain songs to expand the cultural outreach by inviting them to their songwriting camps.<sup>36</sup>

In short, the current K-Pop music and its business model is a result of hybridizing both music and industrial aspects. Learning a lesson from the relatively rapid decline of first-generation K-Pop, the second-generation K-Pop industry has established a more elaborate and more balanced – between global and local – system. Within this system, it seems that idols are produced, distributed, and consumed like industrial products in Fordism. They are standardized in the process of being recruited, trained, produced, and worked. However, be

<sup>34</sup> The founder of SM LEE Soo-man was a contemporary folk singer during the 1970s and 1980s; the founder of YG YANG Hyun-suk was a member of the most famous Korean band in the 1990s, Seotaji & Boys; the owner of JYP PARK Jin-young is still an active contemporary R’n’B singer-songwriter as well as producer of K-Pop bands; lastly, the owner of HYBE BANG Si-hyuk was a successful composer and producer during the 2000s before founding his own agency.

<sup>35</sup> Some famous songwriters are working almost only for a particular agency. For example, BANG Si-hyuk, now an owner of HYBE, worked exclusive for JYP while YOO Young-Jin, a popular R’n’B singer-songwriter in the 1990s, has been working as a songwriter exclusively for SM.

<sup>36</sup> See <https://laist.com/news/arts-and-entertainment/the-making-of-a-k-pop-hit> for details about the songwriting camp and how it works to make a K-Pop song.

it ever so standardized, K-Pop is still a kind of popular culture that cannot be totally standardized or de-humanized like industrial products. The unexpected success of K-Pop in global markets is not entirely due to its industry-like standardization, but also its cultural characteristics and advantages such as cultural hybridity and active communication with local and international fans, which could appeal to them in a more humane way. K-Pop is both Korean local and global popular music, as well as both standardized and humane music.

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## Dance Music Reckonings: Authenticity, Whiteness, and Toxic Masculinity

*Danielle Antoinette Hidalgo*

Imagine being a DJ, club, or clubber in today's digital age. DJs, for example, are expected to post content, interact with online fans, promote their brands and those of their friends and collaborators, and make their online presence known. To “make it”<sup>1</sup> in dance music today, an online presence is imperative. Via this ongoing, 24/7 imperative, there are additional expectations for how to be online, fraught with tension, ambivalence, and multiple iterations of authenticity that require constant curating and monitoring—time, effort, and strategic maneuvering that was unthinkable even ten years ago.

To navigate this digital media terrain while also building one's career and brand, DJs have utilized what I call authenticity maneuvering, carefully enacting strategies to gain and maintain legitimacy or maneuvering to project authenticity (Hidalgo 2022). This chapter extends my work on authenticity maneuvering by interrogating how authenticity operates across whiteness and masculinity in today's dance music culture. Applying Rachel E. Dubrofsky's

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<sup>1</sup> In *Digital Feudalism: Creators, Credit, Consumption, and Capitalism*, Arditi (2023) writes: “As the entertainment industry turns to content creators and influencers as celebrities, more people try to achieve their dreams of ‘making it’ by posting videos, pictures, and music online” (105). Dance music content creators such as DJs are also doing all those things to “make it.”

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(2022) “authenticating whiteness” to dance music culture, I show how her framework can be used to examine how whiteness and masculinity typically operate and, in the process, challenge the harassing and terrorizing tactics used by harassers and predators. I aim to make visible what is often treated as invisible—whiteness, masculinity, and straightness—offering tools for challenging problematic interactions and larger cultural patterns that perpetuate inequities in dance music.

Dance music—like so many industries today—is in the middle of multiple reckonings. Heated discussions about everything from gender and sexual harassment to celebrity DJ culture to racialization and racism in the industry are often front and center, where whiteness, cisheteronormativity, authenticity, branding expectations, and commercialization are all on the table. This chapter offers some tools for making sense of these ongoing reckonings while also suggesting some strategies for resistance. To start, I outline the ongoing importance of authenticity to digital media broadly and dance music specifically. Next, I connect digital media with dance music scholarship, calling for work that interrogates how digital media is impacting dance music and vice versa. Returning to authenticity, I outline Dubrofsky’s (2022) authenticating whiteness—a theoretical framework that shows how authenticity is often used as a strategy of whiteness. I then apply this theoretical framework to a few moments in dance music culture, examining how whiteness and masculinity operate and, relatedly, how industry workers, clubs, and fans alike are resisting and reshaping problematic cultural trends attached to whiteness, authenticity, and masculinity. My work aims to directly address unrelenting inequities in dance music spaces, calling for future work that continues to interrogate whiteness and (toxic) masculinity.

## THE AUTHENTICITY IMPERATIVE

### *Digital Media, Dance Music, and Brand-building Expectations*

Authenticity is the expected backdrop to all content creation and branding work, yet it is not marked equally. As scholars have noted, authenticity is a central feature of content creation and online life and far from neutral (Dubrofsky 2022). First, authenticity is a key strategy digital media creators use to create content (Hund 2023); dance music content creators are no exception (Hidalgo 2022). Second, authenticity matters because it is central to dance music culture’s history (Thornton 1996; Anderson 2009; Hidalgo 2022) and often rears its head when criticisms are lodged within the culture. Given authenticity expectations in digital media generally and dance music specifically, authenticity requirements seem to be everywhere now, requiring dance music creators to be reflective about the content they produce, concerned with how their brand is perceived, and prepared to respond to potential missteps. Also, there is an overarching music industry expectation to be on the right side of history, another brand-building imperative that requires careful curation and

work. For example, DJs have been discussing this imperative, often frustrated by the ongoing expectations of their work as DJs/producers; while posting about social and political issues remains important to many DJs, it is the 24/7 imperative to post that can be exhausting and debilitating (especially if DJs must navigate hate on their pages or in their DMs).

There has been a proliferation of writing on authenticity (Bernstein 2007; Banet-Weiser 2012; Jones 2020; Berg 2021; Hund 2023; Banks 2023; Serazio 2023; Gerosa 2024) and branding (Banet-Weiser 2012; Hund 2023; West 2022), particularly as these discourses dominate digital media and as we continue to see an increase in precarious labor. Likewise, digital media research has proliferated, capturing trends ranging from platformization (Arditi 2023) to creators' labor and precarity (Glatt 2022) to the influencer industry (Hund 2023). In dance music culture, nightlife, and (dance) music industry writing, a steady stream of books have been published, some focused on trends over the last few decades (Conner and Dickens 2023; Gillett 2023; Rifkin 2023), many on queer nightlife (moore 2018; Salkind 2019; Khubchandani 2020; Adeyemi et al. 2021; Adeyemi 2022; Mattson 2023; Ghaziani 2024), and others on general trends in culture (Collin 2018), such as queer rave culture in New York (Wark 2023), connective dancefloor experiences in Chicago, Paris, and Berlin (García-Mispirota 2023), and dance music as everyday culture (Gadir 2023). Given this research and digital media's undeniable and prolific presence in dance music, it is time to connect these seemingly disparate literatures.<sup>2</sup>

As I was writing my first book on dance music (Hidalgo 2022), I started the project by following The Blessed Madonna, Honey Dijon, and Peggy Gou at shows, and very quickly realized that there was a digital media story to be told about how these DJs are expected to navigate their careers and interact with dance music culture. As digital media proliferated in everyday life, so too did it proliferate in dance music. For example, to collect information about the DJs, clubs, and festivals where they performed, a lot of that information was available and accessible on major platforms like Instagram, Twitter, and Facebook (at the time). Since Instagram dominated these DJs' social media content, I spent a lot of time there and noticed a few central patterns. DJs were synergistically building their DJ brands on these platforms with club brands, festival brands, their collaborators' brands, clothing brands, influencers' brands, and even fans' brands (however big or small their following). These collaborative interactions were undeniable and shared many of the qualities that I was also seeing and experiencing as a personal consumer and user of these platforms in my everyday life.

<sup>2</sup>A rare exception is Jessica Lyle Anaipakos's (2012) MA Thesis, "Celebrity and Fandom on Twitter: Examining Electronic Dance Music in the Digital Age."

### *Performing-Not-Performing: Fuel that Generates Creator Content*

What are some central behaviors that creators are expected to display on these platforms? I soon realized that a key set of discourses and practices—authenticity work—was fueling content creation on any one of these platforms. Authenticity is the fuel that keeps the brand-building system going, and it often dominates how content creators build their brands. It is the fuel because, like whiteness, it is treated as natural/normal/business as usual, a common-sense mechanism operating in the background. It is organizing how creator content is marked, understood, consumed, created, and marketed.<sup>3</sup>

Within the first few sentences of a *Rolling Stone* magazine article about Emma Chamberlain, a mega-influencer who built her massive following as a YouTube creator, the journalist describes her uncanny ability to “be authentic,” a secret sauce that has propelled Chamberlain into mainstream stardom. She now hosts elite fashion events such as The Met Ball, has started her own coffee company, and has a brand partnership with Louis Vuitton. In short, Chamberlain’s authenticity work—her “very authentic” brand—has propelled her career forward and continues to place her in mainstream, elite spaces. To tap into this authenticity work, Chamberlain describes how she prepares for “live” events. Instead of meticulously practicing what she is going to say, she prefers to utilize her assumed “inner core” (Dubrofsky 2022), a practice that allows her to come off as far more authentic/real/down-to-earth than she would be otherwise. Chamberlain explains: “They gave me a script, but I don’t do scripts....I always get nervous before I do something live....But I think if I memorize things, *it does give deepfake sort of energy*. I do so much better off the cuff. So I’m going to wing it. We’ll see how I do....We’ll see if I pull it off” (Morris 2023: 36, my emphasis).

Chamberlain’s brand is relentlessly “off the cuff,” and this approach to her presentation of self (Goffman [1956] 1997) continues to propel her into super stardom. As she contends, a “pre-planned” presentation of self would be awkward and ultimately invalidate her brand. Perhaps most importantly, Chamberlain understands that her fans are drawn to her performance of authenticity and expect it at this point. Dubrofsky (2022) describes this authenticity process as *performing-not-performing*, a framework that “moves away from essentialist and naturalized ideas about authenticity, emphasizing all behavior as performance and bringing to light the parameters for authentic-seeming behavior, here enabling a focus on the details of how [creators and influencers are] mediated as being authentic: the construction of authenticity” (Dubrofsky 2022: 55). In other words, *performing-not-performing* captures how Chamberlain is *always performing*, yet the way that she performs is perceived as authentic because the things she does on her YouTube videos or on

<sup>3</sup>For example, in the 2023 *Rolling Stone* “Creators Issue,” there was a 3-page advertisement dedicated to “Marketing Rockstars 2023: 20 Marketers Shaping the Creator Economy” where nearly every bio described the marketer’s success at “unleash[ing] the power of authenticity in brand communication” (*Rolling Stone*, 2023: 21).

her podcast or as the host of the Met Gala are always read as “off the cuff.” “Being authentic” gets constructed and subsequently read as: natural, instinctive, inherently good, occurring without effort, and irrepressible or beyond one’s control. “Performing” gets constructed and subsequently read as: misleading, inauthentic, inherently deceitful, disingenuous, and can ultimately hurt a creators’ brand. *Performing-not-performing* avoids getting marked as inauthentic because the performance itself is read as authentic/real/genuine; it is successfully “off the cuff” and therefore better than a performance that would be read as an “actual performance.”

Central to Dubrofsky’s theoretical approach, Emma Chamberlain is more easily read as truly authentic while *performing-not-performing* because of her status as a white woman (Dubrofsky 2022). Her authenticity work is always supported by her whiteness; her white body and everything that she does with her body is typically read as transparent/authentic and therefore automatically less suspect than non-white bodies doing similar things in the world and especially on the internet (Dubrofsky 2022).

### *Authenticating Whiteness in Dance Music Culture*

In Dubrofsky’s (2022) *Authenticating Whiteness: Karens, Selfies, and Pop Stars*, she shows how “displays of authenticity—presented as unmediated affect—are raced” (p. 28). Like Dubrofsky’s (2022) interrogation of how authenticity and whiteness operate, a project that had not yet been taken up by media scholars, my work takes up this project for dance music: How does authenticating whiteness happen in dance music? Since an ongoing authenticity imperative is so central to building creator brands (Hund 2023)—for dance music creators’ brands and the overall dance music milieu, how does “authenticity as a strategy of whiteness” (Dubrofsky 2022: 8) operate?

When trying to make sense of how authenticity operates, that process is always informed by and related to race. Authenticity—like whiteness—is unmarked, treated as natural, normal, implicit, mundane, unremarkable, without any clearly articulated markers (Dubrofsky 2022). We might think of authenticity and whiteness as blob-like, though invisible, that consumes everything it encounters, organizing certain bodies as acceptable, normal, natural, commonsense, and “welcome here” while designating other—typically non-white bodies—as contrived, insincere, fake, disingenuous, insatiable, dangerous, or any other marker that characterizes those bodies as a problem.

Authenticity is read as “being transparent/honest/real” and that reading is inherently raced. When we unproblematically mark creators and/or mega influencers, such as Emma Chamberlain, as “authentic selves”—“ones that do not appear to perform for the outside world” (p. 28)—this framework fails to emphasize how “authentic selves” are constructed across difference. Dubrofsky explains:

This rationale erases the experience of some people who do not move as freely, who are not able to express themselves as freely as others because of how they are racialized. (Dubrofsky 2022: 29)

One of Dubrofsky's central analytic sections outlines how Donald Trump as a privileged white man in politics can navigate his authenticity work in ways that differ from white women and non-white men. Comparing Trump to a white American teenage girl, Breanna Mitchell (she took a smiling selfie in front of Auschwitz that she posted to her social media), authenticity is both utilized by the content creator and read by their audience differently. For Trump, he can do bad things and be perceived as a bad person at his core, yet he does not have to redeem himself—*all he needs to do is be authentic*. For Breanna Mitchell, the formula is different: the less control she exhibits, the more authentic she appears, thus the more she is forgiven for her actions. Her assumed “inner core” *is her authenticity*—something she cannot help doing. When she took an inappropriate selfie in front of Auschwitz, she was excused for that behavior when it was later discovered that she took the picture because her Dad died before they could visit Auschwitz after having spent time researching its history together:

Proof of authenticity is that Mitchell would not change her actions if she could. Her photo is presented as demonstrative of *true inner feeling* [(her assumed inner core)], and we know this because she tells us she has no regrets [about posting the selfie]. (Dubrofsky 2022: 79, my emphasis)

In other words, she could not help herself; she was so overwhelmed by intense feelings she had after losing her Dad that she took the picture without thinking about its implications. If given the opportunity again, she would not change a thing because of the “true inner feeling” she had as she took the photo. This is how the story goes: she was relentlessly, uncontrollably, *authentically authentic*—overwhelmed with heavy feelings—and therefore should be excused for her brazen cruelty. Using Dubrofsky's (2022) analytic framework, I begin to make sense of these racialized authenticity dynamics in dance music.

## STUDYING DANCE MUSIC IN THE DIGITAL AGE: DIGITAL ETHNOGRAPHY AND ON-THE-GROUND FIELDWORK

Connected to my on-the-ground fieldwork (Hidalgo 2022), I conduct digital ethnography as a social media platform user and follower of the DJs, clubs/events/festivals, and related dance music content posted online. This means that I monitor and collect digital content on any one of these platforms (Instagram, Twitter, TikTok, YouTube, Threads, etc.) at least 50 or more times per day. Many DJs describe the imperative to constantly post on these platforms as extremely time-intensive and often burdensome. For example, as many dance music industry folks transitioned to Threads as Twitter continued

to implode, DJ Nala's third Threads post read, "hello to all my chronically online friends! it's great to chat with you on yet another platform," cheekily highlighting what it is like to try to keep up with DJs' content. It is 24/7 and rarely slows down, a reflection of not only fans' engagement but also the actual work that DJs or clubs are currently expected to do.

Additionally, this chapter includes on-the-ground fieldwork in the UK, Europe, and the US conducted between March and August 2023. While continuing to follow TBM, Honey Dijon, and Peggy Gou, I also followed a number of DJs that have organically entered into my research because of collaborations, increasing popularity, their social justice work in the industry, and/or their extensive and active digital media presence: HAAi, Jayda G, Chloé Robinson, DJ ADHD, Eris Drew, Octo Octa, Channel Tres, Sherelle, I. Jordan, Sandrien, Baby Weight, LP Giobbi, and many more. Interested in post-lockdown trends that I've been hearing about, I also revisited clubs featured in my book (Hidalgo 2022).

## MULTIPLE RECKONINGS IN DANCE MUSIC SPACES

### *Dance Floor Harassment in a Club and on Twitter*

While the bro-ification<sup>4</sup>—toxic white masculinity personified—of dance music has continued to be a point of contention and frustration hotly debated across platforms, an incident at London's fabric nightclub brought this issue to the fore. Long-time clubber Michael Peacock was doing what he did most nights at fabric: "funky voguing" (Levine 2023) in one of his favorite clubs. Without his consent or awareness (Wilkinson 2023), a white cisgender man (@Doddsy97) recorded Michael and then posted that recording to Twitter with the following caption: "Yo I'll never be going [to] fabric again after seeing this." His post was soon followed by a barrage of hateful, dehumanizing responses to the video and a swift counter-reaction. People came to Michael's defense while also defending dance music's ethos,<sup>5</sup> condemning "the punter's" (Wilkinson 2023) bullying and invasion of privacy on the dance floor and then on Twitter. Soon after his online attack, fabric tweeted the following:

Yesterday we were made aware of a Tweet circulating featuring a video of a dancer at the club. We have requested that due to the nature of the caption and the context in which it was taken, that the video be removed. *The author has been given*

<sup>4</sup>Like whiteness and authenticity, bro culture is often ubiquitous and pervasive, constructed as "a default positive norm without clear parameters" (Dubrofsky 2022: 10). In my book, I often had trouble making sense of its unclear parameters precisely because it shares the same features as whiteness and authenticity.

<sup>5</sup>Though contested, references to dance music's PLUR (Peace, Love, Unity, and Respect) ethos were made in some of these threads. See Hidalgo (2022: 20–23) for a review of this ethos.

*a lifetime ban*. We have a No Photo Policy to protect all club goers' privacy. Everyone should be able to express themselves freely at fabric.<sup>6</sup>

fabric's swift decision to ban "the author" was largely met with a celebration, one that many DJs, clubs, festivals, and clubbers embraced. Post-lockdown announcements by many clubs and festivals have been explicit about their zero-tolerance policies, reflecting discourses that are happening in the culture at large. That is, white supremacy, bro culture, and physical and digital harassment are often topics of discussion and/or "public service announcements" (PSA) made by DJs, clubs, festivals, and fans alike, reflecting an intentional and often incredulous pool of folks who are "really tired of this shit"<sup>7</sup> and vocal about what they will no longer tolerate. A topic of discussion is often toxic white straight masculinities taking up space, using dance music spaces as their personal, cissexist, heteronormative playground, and in the process failing to treat that playground with care and attention. In McKenzie Wark's 2023 book *Raving*, she gives this social type a name—*punishers*.

### *What Punishers Do*

Wark (2023) defines *punishers* as:

[a] social type labeled by ravers to denote, firstly, a kind of non-raver. *Often, but not always, straight, white, cis men*. Treats the space as a spectacle for their entertainment, contributes nothing, gets in the way. (92–93; my emphasis)

As Wark takes us raving, punishers consistently make an appearance: "Punisher walks right into my spot in front of the DJ and just stands there. He does a fist pump and a little jerky move, then pulls his phone out" (Wark 2023: 28).<sup>8</sup> Innumerable examples of punishers appear in dance music literature. Yet, few examples have aimed to better understand how whiteness (often coupled with cis-centric heteronormativity) operates in and around punisher behavior and, relatedly, how this behavior is happening, called out, and debated on digital platforms like Twitter. Although the punisher example at fabric constitutes a rare moment when a club publicly called out "the punter" and banned him, open discussions and debates about poor behavior enacted by punishers is

<sup>6</sup><https://twitter.com/fabriclondon/status/1602766570601824256?s=46&t=IRncSLwWwADLoi-zeSdvHg>; my emphasis.

<sup>7</sup>See The Blessed Madonna's link with the following meme/quote: "Dance music needs cranky queers and teenagers who are really tired of this shit"; see: <https://www.youtube.com/shorts/kz2nkG2QpD4>.

<sup>8</sup>Here's another quick, helpful example of how punishers behave: "He is someone who is going to make it hard to get your rave on, one way or another. He stands stock still in front of the DJ, checking his phone. Then he turns to his friend, another punisher. They have a loud conversation. Then he lifts up his beer can and sprays the contents on those around him" (Wark 2023: 3).



often happening among DJs, fans, and other key players in the culture, signaling to others that certain behaviors are unwelcome and untenable.

While clubbing, punishers regularly come into my orbit. Returning to my favorite Amsterdam club in April 2023, a punisher made an appearance within seconds of my arrival. As I approached the back of the line, a white, cis, French-speaking man (with two other white, cis men) awkwardly stared at me, as if he was going to hit on or annoy me. He had a full head of brown hair, some facial hair, a polo t-shirt with baggy jeans, and looked like he was in his late 20s/early 30s. Standing behind him and his two friends, we were about 5–7 groups behind the front of the line and it is moving slowly. I am clearly on my own as I do not have anyone else with me.

The harassment started immediately. As soon as I approached the line, he turned around and stared directly at me, his body facing me. I gave him a hard, closed-mouth look, lifting my eyebrows to indicate that I did not want to talk to him. He mirrored my facial expressions—also raising his eyebrows and displaying a close-mouthed “smile”—aggressively mocking how I responded to him. He quickly turned around, again facing his friends as they talked. Within a couple minutes, he faces me again, his hands in his jean pockets and aggressively says, “Ça va [/How’s it going]?!” as if he is demanding a reply. “Ça va bien [/I’m great]!” I respond quickly and flatly, again indicating that I do not want to interact with him. I am not smiling, my frustration and simmering rage written all over my face.

These two interactions put me on alert. This guy is probably going to continue harassing me, I predict. I start thinking about how to take him on, what to do to just make it stop. I am getting angrier just thinking about the fact that I am being forced to do this work at all. A couple minutes later, he turns around and stares at me *again*, standing and staring awkwardly. I raise my eyebrows at him *again*, mouth closed tight and pursed, trying to definitively tell him to back off. Yet, a few minutes later, he turns to stare at me *AGAIN* so I finally say, “Stop staring at me!” “Quoi[/What]?” he quickly responds, trying to act like he is so confused/he has not done anything wrong/why did I raise my voice? “I said to *stop staring at me*. *If you continue, I’m going to report you*.”<sup>9</sup>

He acts flabbergasted and confused as his friends (and other people in line) take a quick look at what is going on without intervening; they are looking but *doing nothing*. They do not reprimand him or reassure me that I am going to be ok and that he will stop. Their non-response is notable as they have also been present for his harassment before I spoke up. His friends, for example, saw me reacting to him and ignored everything. A loud white guy with a white man and woman behind me says something I cannot make out, so I turn around and say, “What?!” as I lift my shoulders and furrow my brow. No one answers me so now I am feeling especially on alert and put on the spot. I turn back to the harasser who has his back to me now and say, “Arrêt [/Stop]! ...

<sup>9</sup>It is not lost on me that my cis whiteness (and perhaps I was also read as straight even though I’m not) helped me call him out and talk back to him.

just stop bugging me or you're getting reported." He ignores me now and does not respond at all, shaking his head in confusion, as if he has not done anything wrong.

The club is zero tolerance so I am feeling somewhat empowered and supported by that fact. Yet, navigating multiple interactions with him and feeling wholly unsupported by people around us, I am also getting nervous and anxious, my body shaking a bit—teeth chattering—as I continue thinking about what to do. I realize that he just might get into this club and continue harassing me or other people, especially people who have less resources at their disposal than me.

All the groups at the front of our line are getting into the club. Given the harasser's behavior thus far, I pay close attention to how he answers the door staff member's simple questions, such as: "What is your name?" [and] "Why are you here tonight?" His friends answer these questions without a problem. Then the door staff member (POC/person of color, tall-ish, soft-spoken) looks at the harasser and asks, "Why are you here tonight?" and/or "Have you ever been here before?" The harasser says something I cannot make out, to which the door staff responds, "*You didn't answer my question.*" The harasser nervously, quickly answers: "I've never been ... My friends brought me tonight..." and trails off. The door staff member seems somewhat satisfied with his answer, goes over the house rules, and then lets them pass through.

As they're walking up the stairs to security check, the harasser trailing behind his two friends, I step up to the door staff and say, "I need to let you know that that guy right there [*I point directly at his back*], he was harassing me in line." "Wait!" the door staff calls out to the bouncer to stop the harasser and then quickly turns to me and asks: "What did he do?" I quickly summarize: "He kept staring at me and then turned and aggressively said 'Ça va?' and wouldn't stop staring. I had to tell him to stop multiple—at least five—times." "Ok, thank you," he responds and then turns to the bouncer and says, "Ok, *he's not going in,*" as he points to the harasser and sweeps his arm to indicate that he wants him taken out of the line. Stepping out of the line now, the harasser acts like he does not know what to do with himself, looking around aimlessly as his hands cannot decide if they should stay in or out of his pants pockets. Similarly, his friends are very confused when I get inside as they have passed security, paid, and they are not seeing their friend. But before that happens, the door staff who helped me turns back to me to ask the entry questions, "Have you ever been here before?" "Yes." "Do not use the camera on your phone." "Yes, I know," I smile and then add: "I'm sorry ... I didn't want to be in there with that guy, especially after how he behaved." "*You have nothing to apologize for,*" he responds with a tender smile. "Thank you for letting us know. We don't want him inside."

Whiteness, white masculinity, and straight culture are often treated as the invisible/normal/commonsense backdrop in Euro-American spaces;<sup>10</sup> the space we shared in line was no exception. In fact, the harasser's behavior demonstrated this. Toxic hetero-masculine behavior such as harassing a woman in line or making homophobic jokes about a stranger will often go unnoticed or excused in spaces where this behavior is rampant, where toxic cis-heteronormativity serves as the definition of the situation (Thomas and Thomas 1928); thus "a phenomenology of whiteness helps us to notice institutional habits; it brings what is behind to the surface in a certain way" (Ahmed 2007: 149). When white men engage in these practices individually or as a group, they often treat their behavior as acceptable/normal/no big deal. The background logic of the space—heteronormative cissexism—supports their behavior and often makes it very difficult for those targeted to navigate their way out of it. Whiteness is treated here as the invisible norm and toxic white heteromasculinity is understood as "just being myself/joking with the guys/expressing desire/no big deal." Like Dubrofsky's (2022) analysis of Trump, expressions of authenticity/real-ness on the part of white men is usually treated by them and those around them as "just being the boys." Because this logic serves as the background in most spaces dominated by white ideologies, challenging behavior that is dictated by this logic can feel like turning the space upside down or doing something so counter to its logic that almost everyone—especially white men in the space—gets uncomfortable very quickly.

As I entered the line and navigated multiple interactions with the harasser, I refused to accept this line of reasoning, one that immediately positioned me as less than/an object of patriarchal desire/to be pursued/the butt of the joke. I totally embraced being a feminist killjoy (Ahmed 2023) and, though nervous, put in the work to shut him down—for my sake and for anyone else who he may have targeted if he had gotten into the club. Notably, I did not just resist his behavior with a cold, hard, silent response. Instead, I spoke up and defended myself, making him patently visible; he was no longer the "invisible" white man who harasses women, the man who is "just being himself" (read: authentic) and getting away with it in the process. He, like me, was put on the spot; his harassing behavior made visible to everyone in the space and perhaps made especially visible to him. Unlike me, however, he was not put on the spot for being harassed or dealing with someone else's bad behavior. Instead, he was put on the spot for *being the harasser*, for his own bad behavior. Perhaps for one of the first times in his life, I was forcing him to confront his own toxic, (hetero)masculine behavior and, when it was clear he was not really understanding

<sup>10</sup> Ahmed (2007) is guiding my thinking here; in "A phenomenology of whiteness," she "considers how whiteness functions as a habit, even a bad habit, which becomes a background to social action" (149). Given the ongoing commercialization and mainstreaming of dance music, unless an event is specifically marked as for QTBIPOC and intentional about queering the space, whiteness, gender normativity, and heteronormativity often "becomes a background to social action." In my run-in with the harasser, he used this white, cishet logic to operate and was barred from the club precisely because the club was intentional about queering the space.

why I was confronting him, he was completely blocked from entering the club. Subsequently, he was also blocked from treating the space as a spectacle for his own entertainment, contributing nothing, and getting in the way (Wark 2023: 92–93). Thankfully, I did not have to remove him from the space entirely on my own; the club—via its door staff—implemented their zero-tolerance policy in real time, reassuring me that I did the right thing and did not have anything “to apologize for.”

Much like what happened when Michael Peacock was filmed without his permission and then mocked on Twitter, discussions about toxic (white and often hetero) masculinities in dance music spaces happen on social media platforms, reflecting a sexual and gender harassment reckoning that ramped up with #MeToo (and post-lockdown) and has been long overdue. Parties, clubs, and festivals are taking on these shifts as we speak. For example, @adonis.adonis posted the following statement about their door policy:

To those who feel the need to make a fuss about potentially being denied entry to a party; so enraged that you call for boycotts, demand apologies, threaten violence, verbally abuse us, send hateful messages, urge venues and associates [to] stop working with us...

We suggest you seriously reflect on how your overwhelming sense of entitlement might just be the reason we don't want you on our dance floors. Have you considered that your attitude and how you move in/use a space may cause other Queer people to feel uncomfortable in your presence?<sup>11</sup> Or ... how your dominance of Queer space could, in fact, be the whole issue here? Your outrage reeks of male privilege. This isn't only a 'circuit gay' problem, it's more widespread than that. Toxic masculinity has no place in Queer culture.

Implementing a door policy hasn't been an easy decision and we acknowledge that we may not get it right in every instance, but we are committed to making these changes. *We would rather end Adonis than be associated with this type of attitude.* Love x<sup>12</sup>

My run-in with the harasser and the club's immediate response is directly related to the statement above while also a reflection of a larger conversation happening in dance music, one that is happening in tandem with on-the-ground implementation and action. For example, Eris Drew made a similar statement about toxic masculinity at a party she co-organized in London:

As I have said this party is for everyone *provided that people treat each other and the space with respect.* I loved the vibe of the party. That said, I am a mama cat and I walk the den, so I saw a little of that drunk rough housing at the very end. The

<sup>11</sup> Dubrofsky (2022) ends her book with a discussion about how antiracist work means that white people in antiracist spaces are going to be uncomfortable because those spaces do not readily accommodate them. This policy captures that point well, highlighting how white people avoiding discomfort in spaces that are not familiar to them (queer BIPOC spaces, for example) should be a lesson rather than something to scream about.

<sup>12</sup> This was posted in their Instagram stories; my emphasis added.

only reason those guys stayed at the party is cause it was over in 5 minutes so I made a call not to escalate. *I won't be so chill next time.*

If there are ways we can make the party safer and better please let us know. We are going to continue to work on the atmosphere and experience of the event with a focus on harm reduction. This is of paramount importan[ce] to me.

### *Toxic White Masculinity in Action: Making it Visible to Make It Stop*

In making sense of my run-in with the harasser and cishet white men and others behaving badly, Wark's (2023) definition of punishers offers some guidance. She names the problem, drawing our attention to how toxic cishet white men often treat dance music spaces. Instead of treating the space and the people in those spaces with care and attention, punishers (like the harasser I encountered) treat the space and the people in it as objects for their entertainment, realized via a full range of behaviors such as either explicitly or subtly hitting on women on dance floors and surrounding areas (such as the line for the bar); aggressively staring at women as they dance, pass by, wait in the bathroom line, have a smoke break outside, and so on; literally stopping a woman to make a sexualized comment about how she is dancing, holding a drink, smoking a cigarette, and so on; and the list goes on. In short, these men treat the space like their own sexualized entertainment zone with little or no regard for the desire and pleasure of the people around them and particularly the people they are sexualizing.

## A CALL TO ACTION FOR DANCE MUSIC CULTURE

Bro culture,<sup>13</sup> like whiteness and authenticity, is often unmarked, invisible, commonsense, considered ok, normal, and natural, and is treated as part of the definition of the situation (Thomas and Thomas 1928), a feature that often blends in and is everywhere. When white men walk into a place like they own it, treat the space as a spectacle for their own entertainment, contribute nothing, and get in the way (Wark 2023: 92–93), they are treating whiteness, authenticity (“I’m just being myself, man!”), and bro culture as the normal, natural way for this space to be; according to this logic, this is a space that accommodates them above and beyond anyone else and certainly does not accommodate the people (usually women) they sexualize and pursue. The harasser standing in line with me relied on this logic and any gaslighting tactics he employed was his attempt at reasserting what he perceived of as the inevitability of the logic itself. This is precisely why he got so confused when I called him out, was pulled out of line and barred from the club. Though I am not interested in the motivation for his actions,<sup>14</sup> what I can say is that he acted like

<sup>13</sup> See Christopher T. Conner and David R. Dickens's (2023) *Electronic Dance Music: From Deviant Subculture to Culture Industry* for an analysis of bro culture in EDM spaces like the EDC Las Vegas festival.

<sup>14</sup> As a sociologist, I am trained to study *how* men engage in bro culture, not *why* they engage in it.

he was working with a different model for how to behave in the space than the model that I and the club (via its door staff and “House Rules”) shared.<sup>15</sup> Aiming “to ensure the safety and well being of everyone within our space ... [that includes] no room for any form of aggression, assault, discrimination, exclusion, harassment, and/or physical or verbal violence” meant that the harasser was not acting with this model in mind. He had failed this club’s code of conduct before he even made it into the club and the work that I put in to shut him down and keep him out was my attempt to protect myself and others he might harass after me, with the club’s code of conduct as my backup. While I was frustrated by the harassment and the extra work I had to put in before I even entered the club, I am fully committed to its “House Rules”—a policy that directly takes on and challenges toxic behavior—and empowered by my ability to collaboratively hold up those values, protecting the club’s space in the process and, perhaps, actively contributing to dance music spaces that should hold those values.

What has been frustrating for folks in dance music—everyone from emerging DJs to headliners to their fans—is when the problems persist, when the invisibility and commonsense-ness of whiteness, authenticity, straight bro culture, and commercialism is so pervasive, so embedded without clear parameters that it is difficult to locate the related problems that persist and deal with them. For example, when sexual assault and harassment happen and persist without any past or present acknowledgement or, perhaps even worse, when this behavior is acknowledged and *then ignored*, we need tools for making real change. When dance music culture falls silent about any number of problems, that silence can be deafening and untenable, often forcing rape and sexual assault survivors to leave the industry entirely.<sup>16</sup> This chapter is my initial attempt at finding useful tools for making sense of these problematic patterns and putting a stop to them, whatever that may look like.

Future research needs to take these ongoing reckonings seriously. This might mean that well-meaning people in the culture need to rethink or stop and consider how their work is also contributing to any number of the problems listed above. Utilizing a set of tools for making sense of how certain processes—whiteness and authenticity, for example—often perpetuate these problems is a helpful starting point. As @adonis.adonis.adonis acknowledged: “we may not get it right in every instance, but we are committed to making

<sup>15</sup> Every club event is advertised on Instagram with the following “House Rules” posted directly after the flyer (always in Instagram stories): “We aim to ensure the safety and well being of everyone within our space. There is no room for any form of aggression, assault, discrimination, exclusion, harassment, and/or physical or verbal violence. By entering our space you agree with and agree to abide by our house rules and code of conduct. If you are easily shocked, provoked or enticed by nudity, queerness or any alternative form of personal expression, this space is not for you. Be aware of the space you are entering and how your behavior influences people’s experiences.”

<sup>16</sup> For extensive reporting on this topic, see Annabel Ross’s website: <https://www.annabel-maryross.com/>.

these changes.” While missteps along the way are inevitable, critical work needs to continue. This chapter gives us some tools for doing so.

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## Underground Hip Hop: A Critical Consideration of Subgenre and Scene(s)

*Anthony Kwame Harrison*

This chapter describes a moment in time: a series of years in the half-century history of hip hop, when those privileged to dream envisioned it returning to its (imagined) roots as a culturally centered and community grounded artistic movement. This dream briefly materialized as a technologically enabled movement of sorts, the echoes of which can still be heard in the “dusty but digital” sonic decisions of hip-hop producers the world over, the ubiquitous artist-released hip-hop “mixtapes” that flood the contemporary market, and the countless tributaries and scenes that currently comprise (or can make some claim to belonging within) the hip-hop nation.<sup>1</sup> This chapter is about the rise of underground hip hop.

To be specific, the constellation of expressive practices, attitudes, inclinations, and politics encompassed within the term “hip hop” has always included elements of *undergroundness*, especially within what are generally regarded as its most authentic realms (McLeod 1999). Hip hop’s origins are in African diasporic communities and traditions that existed outside of mainstream cultural industries and conventional notions of popular acceptance (Hall 1997;

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<sup>1</sup>As a rule, I hyphenate the term hip hop when used as an adjective (i.e., “hip-hop music”) and leave it unhyphenated when used as a noun. This, of course, does not include quotations.

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Neal 1997). Hip hop's recent, fifty-year anniversary was founded on the idea that "the culture" originated at fifteen-year-old Cindy Campbell's back-to-school party in the South Bronx (New York), where her eighteen-year-old brother, Clive Campbell (aka DJ Kool Herc), supplied the music. Most historians understand hip-hop culture as coalescing around four artistic practices—namely emceeing (the spoken-word element), deejaying (the musical element), break(danc)ing<sup>2</sup> (the bodily movement element), and graffiti writing (the visual-artistic element). By many reports, at least three of these four elements were present at Cindy Campbell's party; but most notably, people credit her brother Clive with introducing a different deejaying style that involved repeatedly playing the breakdown (also referred to as "the bridge" or "breakbeats") sections of records—a practice he calls "the merry-go-round" (Ewoodzie 2017).

Over the next five to ten years, prior to the proliferation of rap records,<sup>3</sup> this assemblage of activities, which eventually came to be called "hip hop," would flourish as a local New York City phenomenon—primarily confined to working-class Black and Brown neighborhoods and a handful of ahead-of-the-curve downtown venues (Ewoodzie 2017). From these humble origins and hidden histories, hip hop would grow to become what writer James McBride described, in a 2007 *National Geographic* piece, as "the most important cultural event of [his] lifetime" (McBride 2007). By this time, hip-hop artists were appearing on daytime talk shows, in countless television commercials, and at Super Bowl halftime shows, and several had graduated into roles as publicly embraced actors and celebrities.

Exactly when hip hop crossed over, from marginal subculture to mainstream popular culture, is a matter of debate. The first recognized rap record—the Sugarhill Gang's "Rappers Delight" (released in 1979)—reportedly became the best-selling 12-inch single of all time (Galindo 2023); throughout the 1980s, hip hop had more flashes in the popular culture spotlight than curators of its history often acknowledge (see George 1998). Still, many commentators would say hip hop's mainstreaming occurred during the late 1980s and early 1990s, a period commonly refer to as hip hop's "Golden Age." Nineteen-eighty-eight is widely regarded as a seminal year in rap music history, due to both the number of historically significant albums that were released (Kajikawa 2015a) and the appearance of a regular rap music video program on the popular Music Television network (MTV). By the start of the nineties, rap music was a staple on many commercial radio broadcasts (Coddington 2023) and rap songs were topping the Billboard Hot 100 chart. Others may claim it was 1999, when Lauryn Hill took home five Grammy Awards, including Album of the Year for *The Miseducation of Lauryn Hill*.

<sup>2</sup>While many people are familiar with the term "breakdancing," most hip-hop purists consider it a marketing creation and therefore prefer the term breaking or b-boying/b-girling.

<sup>3</sup>Unless otherwise noted, I use the terms rap music and hip-hop music synonymously. In doing this, I recognize that to some people there are important distinctions between the two. For a discussion of the nuances between *rap* and *hip hop*, see Bennett (1999, p. 2) and Harrison (2009, pp. 29–34).

Hip hop's origins are underground (a term that I will later unpack) and, to some degree, certain dimensions of it continue to be. Yet, in regard to hip-hop music at least, at some point during its first three decades, it reached a degree of popular notoriety and commercial success that made it no longer accurate to (simply) consider it marginal in the American cultural landscape. Perhaps the best testament to this is the appearance of a distinct subgenre of music, within the broader hip-hop catalogue, that adherents referred to as "underground hip hop." This chapter is about that development: how and why underground hip hop emerged; how its community understood itself and sought to define it as distinct from hip hop more broadly; and the fault-lines surrounding underground hip hop as a movement, which inevitably contributed to its dissipation.

Following an overview of the term "underground" and the meanings associated with it, in the paragraphs below, I recount reasons for underground hip hop's mid-to-late 1990s development through local, translocal, and virtual music scenes. In line with sociologists Andy Bennett and Richard Peterson (2004), I understand music scenes as social spaces where musicians, fans, and key stakeholders come together to create and sustain structures and sentiments of social cohesion through galvanized tastes, practices, interest, and values. This includes considering the different ways underground hip hop came to be defined and distinguished—via authenticity claims (Harrison 2008; McLeod 1999)—from its commercial hip-hop music counterparts. As part of this, I also reflect on how the composition of underground hip-hop communities intersected with important axes of identification—most notably race, class, and gender—and power. The chapter closes by reflecting on the legacy of underground hip hop three decades after its initial appearance.

### LOCATING "THE UNDERGROUND"

The term underground endures as an imperfect metaphor for delineating an area of musical and/or cultural activity. First, underground is often, and I would argue most productively, juxtaposed with a notion of the cultural mainstream that immediately introduces a mixing of metaphors. If "the mainstream" is the definitive space that "the underground" is not, it may be more accurate to use a term like counter-current or eddy. None of this withstanding, underground commonly references something that is beneath the surface and, in some cases, yet to surface into the illuminated space of public or commercial exposure. In both senses, the term implies a quality of marginality, alterity, existing on the fringe, or clandestineness. This last implication has been traced to the Underground Railroad—a secret network of escape routes and safe houses that supported enslaved Africans on their flight north to freedom in nineteenth-century America (Morgan 2009; Peterson 2014).

As an outgrowth of the post-war proliferation of popular culture, underground music/culture is generally thought of as a post-1960s phenomenon. The extent to which it overlaps with countercultural movements of the sixties

is debatable. Certainly, one can make the case for key political, cultural, and/or aesthetic traditions coming out of the 60s that also delineate specific undergrounds from the mainstream—in the broadest terms, this might include strong inclinations towards anti-establishment politics, non-conformity, and non-conventional aesthetics. However, some view emerging technologies of music production and networks of distribution as instrumental to the formation of distinct underground spaces (Graham 2016). In this regard, during the 1970s, affordable multi-track home-studio systems became available. While these started as reel-to-reel recorders, by the end of the decade, four-track audiocassette recorders (which capitalized on cassette's popularity as a medium of music playback) hit the market. Additionally, the growth of international mail-order networks facilitated a collective self-consciousness—among lesser-known musicians and their fans—that did not necessitate physical proximity or periodic face-to-face interactions (Graham 2016). Finally, by the 1970s, college radio had matured into an alternative, free-form brand of non-commercial music programming that would offer a welcoming broadcast platform for emerging, eccentric music styles (Wall 2007).

The benefit of the technological argument is that it allows scholars to more confidently date the appearance of the phenomena around advancements in the tools of production/distribution and/or patterns of their adoption. Still, key participants in underground movements can be both early adopters of new technologies and champions of outdated relic ones. Their economic resources might have enabled them to purchase one of the first available four-track recorders in 1979; on the other hand, their aesthetic decision may be a product of having to “make do” with substandard equipment handed down or acquired informally. In this way, any distinct sphere regarded as “the underground” is in dialogue with traditional notions of high-culture (i.e., upper class, avant-garde, and/or experimental) and low-culture (i.e., working class, popular, and/or profane), but does not necessarily align with either.

The cultural argument addresses questions of politics, social sensibilities, and aesthetic evaluations, and is therefore much harder to measure and/or pinpoint. Yet, for those who strongly identify *as* or *with* some notion of underground, the cultural dimensions delineating a given underground space are paramount. Musicologist Stephen Graham describes the underground as “exist[ing] in some recognizable form outside and/or at the fringes of the cultural and social mainstream, with links to but partial independence from capital and institutions of the state” (2016, p. 4). Graham's definition signals the underground's location along social, economic, and political axes. In all cases, there is a significance to being at the margins, autonomous and/or independent. Yet the positioning and trajectories of those who identify or are identified as being within the underground vary. Some may be firmly settled within a space that Graham (2016) refers to as “ultra-underground,” while others vacillate along the fringes of commercialism.

A strong exemplar of underground music that, as a scene, existed at both local and translocal levels (Bennett and Peterson 2004) is punk rock. Punk's

initial appearance in New York and London has been explained as a rejection of the progressive ethos that dominated late 1960s and early 1970s stadium rock and an embrace of simple, straightforward music playing in small, intimate venues where musicians and artists could meaningfully interact (Bennett 2001). Punk is often characterized as having a Do-It-Yourself (DIY) ethos that corresponds with the quality of underground self-reliance. Indeed, as underground hip hop emerged, this quality of DIY would often get referenced by people both within and outside of its participatory spaces. Punk also has hierarchies of identity that consistently slope towards whiteness, maleness, and the working class (Hebdige 1979). This idea that even subversive underground spaces recognize conventional relations of identity and power will be revisited later in this chapter.

A number of scholars have noted strong associations between the concept of underground and the Black American experience—the most obvious example being my earlier reference to the Underground Railroad. Such connections also include themes of migration, dislocation, and lost genealogies that continually resurface in discussions of the African diaspora. Key here is the notion of *roots*, which became crystalized in the American popular consciousness in 1977 following Alex Haley's miniseries by the same title (Peterson 2014), as well as its generative homonymic corollary, *routes*. Whereas *roots*, which are squarely located underground, signify origins—most specifically referencing ancestors and cultural traditions—*routes* call to mind the spatial and temporal paths between those particular pasts and the present. Although the *roots/routes* imaginary has been applied to a range of traveling cultures (Clifford 1992), as a result of the broken chains initiated through the Middle Passage, it has an especially profound resonance among Black Atlantic communities (Gilroy 1993). This symbolic link to “the underground” also appears throughout twentieth-century Black American literature, for example, in the underground movements of Ralph Ellison's *Invisible Man* or Richard Wright's *The Man Who Lived Underground* (Peterson 2014).

Regarding hip hop in particular, the metaphor of roots/routes can be applied to its foundational practice of sampling—that is, reusing and re-contextualizing past musical recordings to create new musical compositions (Schloss 2004)—as well as to the idea that rap music's foregrounding of poly-rhythms (i.e., breakbeats) signals an *Africanization* of African-American popular music (Peterson 2014). Lastly, I believe it is important to reference Imani Perry's position that “what really [defines] hip hop as Black music is America's love-hate relationship with it” (2004, p. 27). Recognizing this dynamic nexus of love and hate goes some way in allowing us to reconcile how hip hop can at once be a top-selling music—at the core of American popular culture—while also retaining dimensions of undergroundness.

Any attempt to define what is underground is spurious, to the degree that it ends up telling us more about the person making the distinction, and the

contexts they navigate, than about the distinction itself.<sup>4</sup> In considering this, Graham explains how boundaries are drawn “by social groups or individuals keen to establish or maintain some kind of vested interest, cognitive authority, or professional integrity” (2016, p. 7). Thus, the idea of mapping any underground by delineating its precise boundaries is somewhat of a fool’s errand. Underground spaces are porous, fluid, changing (both at their perimeters and cores), and contingent on qualities of the persons demarcating them and the social structures they negotiate.

### THE ARRIVAL OF UNDERGROUND HIP HOP

Many twenty-first century scholars have written about underground hip hop as a distinct musical subgenre of hip hop more generally. Although there are some variations in how these researchers define underground, most date its appearance in the mid-to-late 1990s. There are compelling technological reasons for why this subgenre would arise at this time. However, I think the most straightforward explanations are cultural. Most longtime hip-hop enthusiasts—whether artists/practitioners, fans, journalists, or scholars—observe hip hop’s Golden Age as occurring between the mid-1980s and the mid-1990s.<sup>5</sup> Although specific years can be debated, my argument regarding the arrival of underground hip hop rests on the idea that, at some point, the Golden Age ended.

#### *Reflecting on the Golden Age*

As a historical construct, the Golden Age is revisionist, in that it tends to minimize and/or overlook complexities and problematic aspects of the period. As such, the emergence of a period regarded as the Golden Age is often about what followed and how things changed, presumably for the worst. Of course, cultural phenomena are continually changing. Nevertheless, piecing together exactly what changes were consequential enough to create a break between hip hop’s Golden Age and what sociologist Christopher Vito (2019) calls its “post-golden era” will help to shed light on key dimensions of underground hip hop.

Hip hop’s Golden Age is generally thought of as a period of unprecedented creativity, diversity, proliferation, and maturation (Duinker and Martin 2017). Creativity and diversity in the sense that there was a sudden increase in the range of hip hop’s musical and lyrical aesthetics. In the late 1980s, we see various artists succeeding in traditions that would come to be known as gangsta rap (e.g., Schoolly D and NWA), Afrocentric or Black nationalist rap (Public Enemy and Poor Righteous Teachers), socially conscious jazz/bohemian rap

<sup>4</sup>I recognize that, in writing this chapter, I am such a person.

<sup>5</sup>The primary challenge to this dating would likely come from practitioners not involved in releasing music. Whereas there is consensus that the late-1980s/early-1990s mark the Golden Age of music releases, for hip-hop deejays, breakers (b-boys and b-girls), and graffiti writers, the eras of greatest activity, innovation, and recognition had already passed. This is thus a very music-centric delineation of the Golden Age.

(De La Soul and Gang Starr), and party rap (Kid 'n Play and Salt-N-Pepa).<sup>6</sup> Despite their differences, and the longstanding tradition of battles between particular hip-hop artists, these varying groups by-and-large recognized themselves as one collective hip-hop “nation,” with a healthy degree of mutual admiration and inspiration. The Golden Age also featured a steady progression in production technologies and practices (see Kajikawa 2015b), which included the centering of music producers and sound engineers in the development of a more mature recording studio sound (Duinker and Martin 2017).

During these same years, hip hop proliferated through the establishment of regular rap video programming, the founding of *The Source* magazine (the definitive hip-hop publication of the period), changes in radio formatting that resulted in more rap songs appearing on commercial airwaves (Coddington 2023), as well as through larger corporate music conglomerates signing rap acts or establishing partnerships with the smaller record labels that had, up until then, been rap music’s primary commercial purveyors (Negus 1999).<sup>7</sup> These increases in hip-hop music’s national profile were affirmed through the establishment of *Billboard* magazine’s first “Hot Rap Single” chart and a rap Grammy Award, both in 1989. Increased visibility and corporate backing meant that rap music, as a commercial product, was more readily available, which influenced adjacent culture industries such as film, fashion, and entertainment publishing. This also meant that more money was being made in and around hip hop, which resulted in various entities and self-appointed guardians of morality, paying greater attention to what hip-hop artists were doing.

On the title track of his 1990 debut solo album, “AmeriKKKa’s Most Wanted,” former NWA member Ice Cube raps: “I think back when I was robbing my own kind / The police didn’t pay it no mind / But when I start robbing the white folks / Now I’m in the pen with the soap-on-a-rope” (1990). The most literal reading of this line is as a commentary on disparate community-policing practices. However, it can also be read as a metaphor for hip-hop culture in general. When hip hop was viewed, by mainstream America, as primarily a Black musical/cultural movement, the country by-and-large “didn’t pay it no mind.” But as (white) America realized the financial stakes and cultural influence surrounding hip hop, the music suddenly became scrutinized. This early 1990s policing of hip hop, sometimes referred to as “the culture wars,” took the form of well-publicized moral panics and high-profile court cases surrounding censorship—in particular, expressions of violence and misogyny (Ogbar 1999)—and hip-hop sampling practices (Schumacher 1995). While the campaign to censor rap lyrics was unsuccessful and, if anything, drew more (youth) attention to targeted groups like 2 Live Crew, the enforcement of copyright laws had a cooling effect on hip-hop sampling practices. In brief,

<sup>6</sup>In naming these genres and associated artists, I must acknowledge Adam Krims’ (2000) points that, first, there is considerable overlap between them and, second, it may be more suitable to place particular songs within genres rather than artists.

<sup>7</sup>This is a partial list, other late-1980s developments could certainly be added.



hip-hop historians recognize a before-and-after period when, initially, hip-hop artists were free to sample anything and classic releases included hundreds of repurposed segments from previously recorded songs (Kajikawa 2015b). During the subsequent period, the creative process was limited by considerations of how much it would cost to secure sampling rights—and an ancillary legal sub-industry developed around sample clearance (Schumacher 1995).

Whereas copyright enforcement curtailed hip-hop artists' creative practice, it did not put an end to the Golden Age. In fact, the landmark sampling case, involving Irish singer-songwriter Gilbert O'Sullivan suing Biz Markie over an unauthorized sample used in the song "Alone Again," occurred in 1991. Stricter copyright enforcement compelled hip-hop producers to develop the practice of interpolation—that is, sampling segments of past songs by hiring studio musicians to rerecord them. This innovation significantly reduced sampling clearance costs because artists only had to pay copyright fees on the composition, not the actual recording (Schumacher 1995); it also gave producers more control over the sounds of recordings (Kajikawa 2015b). In this regard, musicologist Loren Kajikawa notes how increased control often resulted in a "smoother, more pop-oriented sound that opened the door to mainstream airplay" (2015b, p. 105).

As hip hop's popularity soared in the early 1990s, there is value in reflecting on how a cultural product that at one time marked someone's identity as distinct, suddenly lost its distinctiveness (Harrison 2009). I have heard several anecdotes from hip-hop enthusiasts who, at some point in the early 1990s, returned to their (usually suburban) high schools following summer vacation to discover that suddenly everyone was into rap. These stories typically contain a tone of irritation. As intangible and irregular as such sentiments may be (I would not assume all enthusiasts would be irritated by this), for those who experience them, they are often quite palpable. Existing scholarship discussing this phenomenon treats it as a collective (as opposed to an individual) cultural process.

Kembrew McLeod's article, "Authenticity within Hip Hop and Other Cultures Threatened with Assimilation" (1999), is widely cited as an important piece on hip-hop authenticity. Yet, key to my discussion here is the second half of McLeod's title: the threat of assimilation. Sometime during the Golden Age, t-shirts began appearing with the phrase "It's A Black Thing, You Wouldn't Understand." Although there may be several explanations for the proliferation of such shirts at this historical moment, the popularization of hip hop (or its assimilation into white youth culture) would certainly be one of them. As Perry Hall explains, the popularization of African-American culture outside of its community of origin "not only 'exploits' Black cultural forms, commercially and otherwise, but also nullifies the cultural meaning those forms provide for African Americans"; resulting in the "appropriated forms becom[ing] ineffective as expressions and affirmations of the unique cultural experiences from which they arise" (Hall 1997, pp. 31–32).



The general narrative surrounding the progression of hip hop's Golden Age is that, during the 1990s, socially conscious and Black nationalist rap declined, giving way to West Coast gangsta rap (or an East Coast equivalent referred to as "hardcore") and eventually to crass commercialism. Regarding the initial shift towards gangsta rap, it is understandable that an emphasis on violence (notably Black-on-Black violence) would be more palatable to mainstream audiences than Afrocentric nationalist sentiments that were often critical of existing (white) power structures. Reports of rap music's audience being primarily white, male, middle class, and suburban began appearing at the start of the 1990s (Samuels 1991; Light 1992); as larger companies, more distant from and less accountable to Black communities, became more involved in releasing rap records, they prioritized a singular emphasis on sales revenues. Even within the gangsta rap tradition, there was a depoliticization away from commentaries on policing and/or rationalizations of a criminal mindset, and towards more misogyny, violence, and conspicuous consumption. Where communications scholar Christopher Holmes Smith characterized the last of these as a "com-miseration with mainstream notions of upward mobility" (1997, p. 348), I would go so far as to argue that violence against women and violence in general have been longstanding hallmarks of American entertainment, particularly within music and film. In other words, "repackaging gangsta rap [or East Coast hardcore rap] as part of a consumable lifestyle that includes marijuana, classic cars, and compliant women" proved profitable (Kajikawa 2015b, p. 102). This celebration of what, for a brief moment in late-1990s hip hop, was referred to as *Big Willie-ism*,<sup>8</sup> also aligned with neoliberal economic logics of individualism, private property, free markets, and unfettered exchange (Harvey 2007).

### *Post-Golden Age Technologies*

During the 1990s, the increased domestication of home recording technologies created what sociologists John Ryan and Michael Hughes (2006) described as a new art world of pop music self-production to rival the traditional music industry model (see also Becker 1982).<sup>9</sup> Under this alternative model, barriers of access to creating and releasing music commodities (i.e., songs and albums) were either reduced or transformed. According to the conventional logic, to legitimately enter the marketplace, artists needed to be recognized and supported by people with access to the music industry's means of production and/or distribution. In hip hop particularly, this path to professionalism featured a goal of getting a "demo tape" into the hands of music industry executives (Harrison 2022). Under the new model, such industry engagement was optional.

<sup>8</sup> Characterized by lifestyles of excess featuring extravagant cars, clothes, homes, and sexual partners (Neal 2004).

<sup>9</sup> I capitalize the term 'Music Industry' to signal large record labels, which were increasingly connected to billion-dollar entertainment conglomerates.

Ryan and Hughes see this shift resulting from the introduction of “relatively inexpensive, high quality, small scale recording hardware and software,” which enabled artists to bypass costly recording studio fees and make quality recordings in home studios (Ryan and Hughes 2006, p. 240). For hip hop, distinct sonic aesthetics impacted the musical outcomes of these innovations. Musicologist Adam Krims identifies a particular sonic quality within rap, involving bringing “incompatible layers of sound ... into conflict with each other,” which he refers to as the *hip-hop sublime* (Krims 2000, p. 54). The resulting sound, for hip-hop listeners, evokes sensations of beauty, fear, hardness, and ultimately realness. Notably, the “beauty” embodied in Krims’ concept is not the smooth, polished beauty that conventional music listeners associate with high-quality music studio production; it is rather the “dissonant harmonic combinations” and “clashing timbral qualities” that are typically reflections of “making do” with available tools (Krims 2000, p. 73). In this sense, the hip-hop sublime signals hip hop’s origins in under-resourced communities among young people who often had no formal musical training. The point is, although technological developments facilitated musicians’ abilities to make outstanding home recordings, the endurance of a uniquely hip-hop aesthetic incentivized many artists to embrace less-refined qualities of musical disjuncture that were consistent with a DIY ethos (Harrison 2006).

These sonic priorities can be observed in the reverence surrounding classic hip-hop beat-making equipment—for example, the Roland TR-808 drum machine or Akai MPC 2000 and E-mu SP1200 samplers (see Kajikawa 2015b; Schloss 2004). The progression of common technologies for home recordings begins with analog four-track recorders in the 1980s, followed by digital eight-track recorders and ADAT (Alesis Digital Audio Tape) machines in the 1990s, ultimately arriving at Digital Audio Workstations like GarageBand and Pro Tools in the twenty-first century.<sup>10</sup> Yet, even in the twenty-first century, some underground artists would record on antiquated technologies and/or promote slogans like “four-track is king” in recognition of the hip-hop sublime’s alignment with qualities of undergroundness (Harrison 2006).

The opportunities of home recording were particularly amplified within underground hip hop through something I have described elsewhere as its *fan-to-artist migration* (Harrison 2009). By this I mean that hip-hop musicality is often envisioned as prioritizing musical consumption and “technological mastery over traditional notions of musical virtuosity” (Harrison 2009, p. 122). I do not say this to discount the abilities or efforts of hip-hop music composers. Rather, I believe it is important to highlight how the practice of hip-hop sampling can empower someone, with little to no formal musical training but a good ear for music, to imagine themselves as a potential beat-maker. In essence, this is a magnification of the simple guitar-chord progressions that allowed earlier generations of “non-musicians” to form rock and punk bands; only, in

<sup>10</sup> Of course, this is all very general. There are dozens of intermediate technologies that could be introduced into this timeline.

hip hop, this process is imagined as involving a collection of funky music to sample from and mastery of a particular technology of sampling-based production. Thus, with hip hop's unprecedented popularity among young people, as this pathway became increasingly recognized, there was a vast potential pipeline of music fans poised to try their hands at hip-hop production.

There is a point in the 2005 documentary, *Freestyle: The Art of Rhyme*, where legendary underground hip-hop emcee Micah Nine remarks, "every high school [in America], every junior high school, every elementary school's got a rapper in it" (Fitzgerald 2005). While the accuracy of this statement would be difficult to confirm, by the start of the twenty-first century, writing rhymes and hip-hop-adjacent spoken-word poetry had become a common folk-practice among many young people. As with my above discussion of beat-making, this suggests a robust potential fan-to-artist pipeline as the possibility of recording rap songs in domestic spaces became more realistic. In both cases, I would generally assume that the tools of production and recording were more available to middle-class consumers, who comprised a significant part of hip hop's primary market.<sup>11</sup>

Also, during the 1990s, the expansion of the Internet into people's everyday lives radically transformed society. For a burgeoning underground hip-hop movement, this information revolution allowed geographically isolated fans and communities to connect with one another, which included circulating aspirations of making this fan-to-artist (consumer-to-producer) transition. Initially, these connections were likely made in chatrooms and posting boards specifically dedicated to hip hop. Yet as these *virtual scenes* grew (Bennett and Peterson 2004), they would also include artists' websites and more general underground hip-hop distribution sites. Indeed, beyond spreading the awareness of underground hip hop and allowing people to connect, one of the greatest virtues of this innovation in communications technology was to facilitate independent record labels' and Do-It-Yourself artists' distribution of music. When I interviewed San Francisco deejay Gammaray in 2001, he recalled a first experience that is likely typical of these earliest underground hip-hop exchanges:

I was on the Internet, on AOL. There was this hip-hop room and I'd go there and someone was saying 'tapes for sale.' And I was like 'Whoa! That's cool.' I was like 'Yeah. Can I get one?' So I sent him five dollars and he sent me a tape. (Harrison 2009, p. 39)

<sup>11</sup> The argument I am presenting here privileges recording music as a marker of participation within underground hip hop. Elsewhere, I have described this as underground hip hop's participatory ethos (Harrison 2009). I recognize that alternative arguments can be made around performing and/or other forms of non-music-recording cultural creation. I, nevertheless, frame underground hip hop as a music commodity-driven subgenre/scene.

By 1997, prominent online sites, specifically dedicated to underground hip hop—for example, Sandbox Automatic, ATAK, and [UndergroundHipHop.com](http://UndergroundHipHop.com)—had been established.<sup>12</sup>

While this was occurring, hip hop's bi-coastal identity was expanding to include recognized local scenes throughout the South and Midwest. Coming of age in the Internet era, underground hip hop initiated a level of local legitimacy that exploded hip hop's traditional emphases on select cities and regions. Still, there are particular reasons these early Internet distribution sites were located in places like New York and the Bay Area.

### *Local Epicenters*

New York City is the recognized birthplace of hip hop and home to a large and active local scene. Yet a key element in New York's mid-1990s embrace of underground hip hop was the *Stretch Armstrong and Bobbito Show*, broadcast first on WKCR 89.9 FM (Columbia University's college radio station) and later on WQTH 97.1 FM. Described as the "most important hip hop radio show ever" (Petchauer 2012, p. 31), the *Stretch and Bobbito Show* oriented towards lesser-known and up-and-coming artists. While there is a lengthy list of hip-hop stars whose careers were, in part, launched through the show, as underground hip hop crystalized, the two hosts took a particular interest in showcasing "underdogs": "[artists] who, unlike their major label counterparts, can claim an emotional attachment to the music they're releasing, because it is on their own" (Bobbito 1997). But the *Stretch and Bobbito Show* did not exist in a vacuum. There were important links with Fat Beats record store, Sandbox Automatic, and a growing number of New York-based independent hip-hop record labels (e.g., Official, Dolo, Fondle 'Em, and Rawkus<sup>13</sup>), not to mention the larger hip-hop milieu of the city.

The Bay Area has a long tradition of hip-hop musical independence and DIY production/distribution dating back to the first recognized Bay Area artist, Too \$hort, selling custom-made rap tapes, recorded in his bedroom on "mismatched stereo equipment and a Radio Shack mixer ... out the trunk of an old, beat-up hooptie with no reverse" (Jam 1999, pp. 220–201). As such stories circulated, they animated the careers of later Bay Area artists like E-40, Mac Mall, Mac Dre, and Master P (who began his career in Richmond, California, prior to relocating to New Orleans). Although the aesthetics and sensibilities of these artists are notably different from what came to be considered

<sup>12</sup> ATAK was a prominent San Francisco Bay Area mail-order distribution catalogue and website, founded in 1996. One characteristic of these sites was to follow the hip-hop tradition of listing the geographic homes of the artists they carried (Forman 2002).

<sup>13</sup> Rawkus Records is better described as pseudo-independent since it was backed by Rupert Murdoch, founded by his son, and in 1999 entered into a distribution deal with EMI-owned Priority Records. Nevertheless, Rawkus released several important underground hip-hop albums in the late 1990s.

underground hip hop,<sup>14</sup> they nevertheless supplied a model for local hip hop that was nurtured through supportive retailers like Amoeba Music and Leopold's in Berkeley and T's Wauzi's in Oakland (Arnold 2006; see also Orr 1995). When I interviewed Amoeba Music San Francisco's head buyer in 2001, she estimated that 70–75 percent of local music—brought into the store by artists themselves—fell under the genre category hip hop. Such a high percentage reflects an extraordinary local fan-to-artist pipeline (Harrison 2009). The Bay Area underground scene was additionally nourished by supportive college and community radio stations as well as by dedicated underground hip-hop retailers like ATAK and Below The Surface (Harrison 2009).

The story of Los Angeles underground hip hop, which had a thriving scene since the early 1990s, centers on a particular performance venue. What started as a Thursday night open-microphone event at a Crenshaw district health food store in 1989, by the late-1990s had evolved into a renowned open-mic workshop known as Project Blowed (Morgan 2009). Early nineties' LA was the epicenter of gangsta rap. Accordingly, the underground scene that developed there was distinctly envisioned as an artistic alternative to the idea that LA hip hop had only one dimension to it (Fitzgerald 2005). The emphasis on live performance allowed for a certain degree of growth and maturity prior to the technological affordances of the mid-to-late nineties. It also prioritized stylistic lyrical innovations honed within hip hop's competitive performance spaces (Morgan 2009; Lee 2016). Given its location within the predominantly African-American Crenshaw district of Los Angeles, Project Blowed retained a Black aesthetic vibe (Miles 2023), even as underground hip hop grew more multiracial (Harrison 2009). As with New York and the Bay Area, the LA scene also benefitted from local radio and retail. Finally, during the early 1990s, a handful of Project Blowed artists signed significant record deals with national distribution. This gave a select few a certain degree of notoriety that, through a collective "Project Blowed" identity, brought increased visibility to their up-and-coming peers. Local and national news outlets periodically did stories about Project Blowed, and prominent celebrities (rappers and non-rappers) would sometimes attend the open mic.<sup>15</sup>

These spotlighted sites of underground hip-hop formation underscore important dynamics of its local/translocal/virtual scenes. Yet, ultimately, the spatial transformation sparked by underground hip hop (and facilitated through the Internet) manifest in a recognition of hip-hop music being made in innumerable locations rather than a select few hip-hop hubs (Harrison 2018). Gradually, the idea of rappers from Cedar Rapids, Iowa, or Woonsocket, Rhode Island, did not seem so outlandish. When I toured the country as the assistant manager of an underground hip-hop showcase in 2001, at most of our stops,

<sup>14</sup> Indeed, many of these artists collectively form what by the early-twenty-first-century came to be known as "hyphy."

<sup>15</sup> Two significant ethnographic studies of Project Blowed were done by Morgan (2009) and Lee (2016).

there were local artists selling or passing out their CD(-R)s—and often they had traveled to the venue from a surrounding suburb (Harrison 2022).

## UNDERGROUND TENETS

If pressed to date underground hip hop's arrival, I would say 1997. By this year, not only were a number of prominent online distribution sites established, but several significant underground hip-hop compilations had been released. Notably, many of these were available on vinyl, cassette, and CD. While many of the songs featured on the compilations were vinyl-only 12-inch singles—thus only available to deejays and the select few music shoppers who at the time owned turntables—the compilations' variety of formats expanded the market. As the most popular music medium of the time, CDs were the undisputed recruitment format. Accordingly, featuring several different artists on a compilation available on CD effectively brought awareness of underground hip hop and its active music makers into wider public view.

Notable compilation releases of 1997 include: *Stretch Armstrong Presents: Lesson 1* (Dolo Records), *New York Reality Check 101: Mixed by DJ Premiere* (Payday Records, FFRR), *Beats & Lyrics: Industry Hip Hop Compilation: Issue One* (Industry Records), and *Soundbombing: The Ultimate Guide to Underground Hip-Hop Mixed by Evil Dee* (Rawkus Records). Revisiting these albums—listening to their songs/skits and reading their liner notes—there is an unmistakable effort to proselytize underground hip hop, not necessarily to the masses but to dedicated hip-hop fans who may have found themselves frustrated with its post-golden-era trajectory. In the liner notes for *Stretch Armstrong Presents*, his radio show partner, Bobbito, announces:

The independent hip hop scene has been growing at a rapid pace in the last couple of years ... now there are independents ... who are content with staying independent ... The indie mystique is thriving in a market, where new artists are coming out of nowhere with greater frequency, creativity, quality, and consistency than ever before. (Bobbito 1997)

In a skit appearing on *New York Reality Check 101*, DJ Premiere (an established hip-hop luminary and half of the legendary duo Gang Starr) discusses the current state of hip-hop music:

We gotta keep [independent music] going cause that's how ... the hip-hop thing started: independently. Majors took over and then all of a sudden the rules are being changed by the people who didn't make the original rules. Can't do that. Let's take it back! (Intro 1997)

And on the song “Nowyouno” by Living Legends, off of the *Beats & Lyrics* compilation, group member Murs puts forth a blistering critique of emcees who chose the major-label music industry route:

Now ninety-nine percent of these motherfuckers out now don't know shit about  
 sellin' they own tape  
 But give these niggas a deal, they bad as Superman without the cape,  
 Wait, when the album don't get bought  
 And the label drop your ass you find out you wasn't as fly as you thought  
 Caught ground zero, another hometown hero turned has been  
 While me and my crew just look at your ass then laugh then  
 Throw your tape out the window on the freeway  
 We finish the night countin' our money from sellin' tapes the G[angster] way  
 And that's tax free, now if you ask me  
 All you signed motherfuckers need to attend underground college  
 And under me attain the knowledge on how to properly emcee  
 I'm watchin' Rap City, MTV, waitin' for somebody to ring the gong  
 Yeah that video's hella fresh, but it ain't got shit to do with your song.  
 (Living Legends 1997)

These three illustrations provide: (1) an awareness that the underground scene exists and is flourishing; (2) a claim that independently releasing music is consistent with hip hop's origins, which have now become compromised; and (3) a statement about the inauthenticity and precarity of artists who choose the major-label route.

### *Authenticity Claims*

Authenticity is not an attribute embodied in music or possessed by the artists who make it; it is rather “a discursive trope of great persuasive power” (Stokes 1994, p. 7). Within hip hop, debates over authenticity are particularly contentious. As Krims explained, “fans of each [rap] genre not infrequently tout theirs as the true rap genre asserting likewise that fans of other genres have somehow betrayed something essential about rap music, perhaps hip hop culture as well” (2000, p. 48). This was especially true for a (sub)genre that transparently acknowledged how it arose in response to all that was wrong with commercial hip hop. As the examples from the previous section show, authenticity claims via the inauthenticity of music-industry hip hop became the primary means through which underground hip-hop adherents asserted their artistic and moral virtue. This took the form of emphasizing lyric-writing and beat-making proficiency ahead of image (e.g., fancy clothes and cars) and/or background (e.g., having spent time in prison) as markers of talent. It also included song content that tilted towards social consciousness and/or creative experimentalism and avoided the pervasive associations with drugs, violence, sex, and conspicuous consumption found within many major-label rap music releases. Finally, underground hip-hop enthusiasts valued the ability to improvise rhyming performances on the spot (i.e. “off the top of the head”)—a practice that



many refer to as “freestyling”<sup>16</sup>—as opposed to only being able to perform (pre-)written rhymes. Indeed, in line with hip hop’s “competitive quest for distinction, status, and prestige” (Harrison and Arthur 2019, p. 9), battles between underground hip-hop emcees typically involve exchanges of free-styled rhymes.

An additional claim to authenticity, hinted at in the above quote from DJ Premiere, involved observing a foundational definition of hip hop as including more than just rap music. As previously mentioned, it is widely accepted that hip hop crystalized around four expressive elements: emceeing, deejaying, break(danc)ing, and graffiti writing. While breaking had an early-1980s moment of commercial popularity that even preceded the mainstreaming of rap music, by the mid-1980s, it had waned—some might argue it went back “underground.” Similarly, graffiti writing, with a few individual exceptions, would not be harnessed as a mass-produced commodity and/or productive career track. Rap music, combining emceeing and deejaying (and beat-making) was the most marketable hip-hop practice. Yet, even with this, we see a minimized role for the deejay over the course of the Golden Age. In recognizing all four elements, adherents to underground hip hop connect with an earlier less-commercial era (Ewoodzie 2017). The most prominent four-element imaginary looks back to the 1970s, prior to the release of the first rap singles, when things were thought to be untainted by commercial interests. For most, this involves what Arjun Appadurai (1996) referred to as *ersatz nostalgia* or “nostalgia without lived experience or communal historical memory” (p. 77). Because such sentiments are only imagined—that is, most of these people were not present in 1970s New York—they can conveniently highlight positive factors in hip hop’s formation and ignore or romanticize the “urban deterioration [and] economic decay” that surrounded its beginnings (Neal 1997, p. 129). Such originalist claims to authenticity are among the most common and compelling (Harrison 2009). This one, in particular, corresponds with the image of hip hop as a holistic culture, with rapping being just one dimension of it (i.e., “rap is something you do, hip hop is something you live” [KRS-One 1993]).<sup>17</sup>

Technology may have facilitated the fan-to-artist pipeline that fueled the proliferation of underground hip-hop recordings from disperse geographies; yet this connection between fans and artists came to encapsulate its music scenes in other ways. One example of this is the intimate feel of venues where underground artists tend to perform. While there is certainly a range of performance spaces, underground venues are more likely to be small and to lack the

<sup>16</sup>This definition of freestyle is contested. In some hip-hop spaces, a freestyle is any rhyme about a non-specific topic. However, underground hip-hop enthusiasts overwhelmingly define freestyles as improvised rhymes and consider the ability to do it well a measure of an emcees skills.

<sup>17</sup>It is additionally worth noting that, with the advent of the Internet as a technology of communicating and connecting, hip hop’s less-popular elements became more visible and, arguably, re-energized as a result of it being easier for geographically dispersed devotees to network.



barriers—such as “green rooms”<sup>18</sup> and security—that separate artists from fans at larger venues. This same closeness characterizes underground hip hop’s informal economy of musical sales and exchanges, which may take place on the street, at a music show, through a retail space where the artists themselves brought their music, or through a variety of more-personal online exchanges (e.g., email, chatrooms, artists websites, and, eventually, social media). Indeed, the extent to which contact information (such as an address or phone number) is included on a musical product, like a cassette or CD, is a telling measure of an artist’s undergroundness (Harrison 2022). In other words, most underground artists want to let people know how to get in touch with them; well-established stars, on the other hand, with music manufactured and distributed through large corporations, have no particular interest in making themselves (or the decision-makers at the record label) accessible to the general public. In addition to these tangible proximities, there is a more metaphorical understanding of underground hip hop blurring the line between artists and fans (Harrison 2009). Underground artists are seen more as “everyday people,” and the possibility of an “everyday person” becoming an underground artist is as ever-present as the pipeline between the two.

Hip-hop scholar Emery Petchauer offers one of the most comprehensive outlines of underground hip-hop authenticity when he describes it as “a do-it-yourself, grassroots, brand of multicultural hip-hop that centers active participation in hop-hop’s elements, blurs the lines between performer and audience, and often demonstrates some level of critical consciousness against its dichotomous counterpart, the commercial mainstream” (2012, p. 30). The multicultural dimension that Petchauer references can also be traced to its fan-to-artist pipeline. While mid-1990s rappers were primarily Black, the audience for rap music was unquestionably multiracial. One could speculate that, owing to hip hop’s oppositional stance, young people from marginalized backgrounds (ethnic minorities and/or working-class youth) might be more likely to access pipelines to becoming underground artists. There are certainly examples of this—such as, the rise of Filipino-American rappers (Harrison 2012; Villegas 2021). However, an equally strong argument could be made for young people from upper-middle-class backgrounds having easier access to the technologies of production and distribution. For example, robust connections to college radio and the college-town tour circuit (Harrison 2022) contributed to underground hip hop’s development of a college-music scene (Petchauer 2012). Regardless of the class standing of particular artists, by the 2000s, the music’s consumer base—those who bought underground hip-hop music and merchandise and attended underground hip-hop shows—skewed towards the middle class (Harrison 2009), which likely influenced how the fan-to-artist migration evolved.

<sup>18</sup>A “green room” is a waiting room or lounge that performers typically spend time in when they are not on stage.

As an alternative to the hierarchal, revenue-driven corporate character of the music industry, underground hip hop is imagined as an egalitarian space and marketplace where artists and fans from different backgrounds come together around a celebration of hip-hop artistry. Yet, in spaces where underground hip hop appeared to be getting whiter and more middle class—two characteristics that defined some local pockets and became increasingly prominent in its virtual and translocal scenes—the subgenre became vulnerable to criticism that it was betraying its progressive grassroots ideals. From the outset, underground hip hop had been overly masculine. One explanation for this surrounds gendered socialization towards particular music-related technologies of DIY production (Harrison 2009). Drawing from my own ethnographic observations, on occasions when women released music and/or performed live, they were usually celebrated. Collectively, people in these scenes wanted to imagine underground hip hop as a gender-inclusive space. Yet surprisingly, from what I observed, through the late 1990s and into the 2000s, music-industry hip hop did as well as, if not better than, underground hip hop in recognizing women artists (Harrison 2009). This observation, if correct, suggests that more than gendered socialization towards particular technologies was at play.

### UNDERGROUND HIP-HOP SIMPLEXES

Most hip-hop spaces are inherently competitive (Harrison and Arthur 2019)—sometimes overtly, at other times more communally in adherents' mutual quests for distinction. By the turn of the century, as underground hip-hop scenes grew and became oversaturated with artists, the struggle to claim the limited number of spotlighted spaces came to take on structural dimensions. Richard Peterson and Howard White (1979) identified one such music-scene structure, which they call the *simplex* and define as an informal circle of amateur artists who engage in boundary-maintaining cooperation and monopolize information control in their collective interests. Under unregulated competitive conditions, simplexes function to skew opportunities towards a relatively exclusive group.

Something akin to simplexes manifest in four competitive arenas of underground hip-hop visibility. The first of these arenas is comprised of retail outlets that sell music and merchandise. Outside of huge record stores like Amoeba San Francisco,<sup>19</sup> where a small artist could easily get lost in the overwhelmingly vast selection of music (especially with 70–75% of local music being hip hop), as underground hip hop expanded, most specialty record stores (even online ones) could not carry all the musical products coming from the deluge of new artists. In 2001, one Bay Area underground hip-hop retailer told me that, at every show he attended, he received between one and six cassette-tapes or CD(-R)s from aspiring artists hoping to be carried in his store. Several retailers

<sup>19</sup> In 2000, Amoeba Music's San Francisco store employed about 150 people and was recognized as the largest independent record store in the US (Harrison 2009).

were friends with some artists they carried and, therefore, had personal reasons for continuing to carry these artists' sometimes-constant output of new music.<sup>20</sup> Due to limited space, not to mention limited time to adequately review each new release, people holding decision-making power in retail arenas tended to privilege an exclusive group, often developed through personal networks. Similar simplexes operated around radio and music venues. The many college radio programs dedicated to underground hip hop were integral to sustaining it (Petchauer 2012). Yet, even with such dedication, only so many songs could be played on a weekly broadcast. College radio deejays have vested interests in putting together good shows, which rely on both taste and knowledge of available music. They are also interested in managing their hip-hop networks, which in a scene characterized by overlaps of artists, fans, and other stakeholders can take on deeply personal relations. Likewise, the opportunity to play at a venue or to open for a larger act (thus drawing an extraordinarily sized audience) is only available to a select few artists in a scene. Whereas open mics tended to be more democratic spaces for anyone (although primarily men) to claim the stage, music venues—particularly at recognized 'spots' in the scene—were among the most exclusive arenas to access. Lastly, various publications, from weekly entertainment newspapers to underground hip-hop (subculture) magazines and written content on websites, promote artists through music reviews, articles, and photos. As with the other three arenas, such visibility was coveted. However, there is only so much space and so many writers available. A simplex works to monopolize access to such promotional spaces. To counter this, some artists would create their own DIY publications.<sup>21</sup>

Graham reminds us that, while some underground artists are committed to maintaining a degree of exclusiveness away from the spotlights and enticements of mainstream popularity, others exist on (or actively aspire to reach) the fringe of commercial acclaim. Indeed, in his discussion of underground hip hop, sociologist Geoff Harkness reserves the label specifically for artists "who are trying to launch careers in the music industry" (2013, p. 4)—giving less attention to the aesthetic and ideological qualities that I privilege. The artists comprising the underground hip-hop subgenre presented here exist on continuums of popularity/visibility and commercial ambition. Whereas those closer to the surface (of popularity) generally invested in production and distribution resources that resulted in a sound and level of music circulation approximating major-label releases, artists committed to a *core underground* tended to embrace crude music production qualities and often released short-run, small batch,

<sup>20</sup> Underground hip-hop artists have celebrated how avoiding the measured investments of the Music Industry enables them to release several music products in a short span of time (Harrison 2006). Indeed, there are underground artists who have tremendously large catalogues of short-run releases.

<sup>21</sup> Of course, for some artists, just having an opportunity to record music required a network. Even with recording technologies becoming more widely available, not all artists would be able to make, record, and manufacture music on their own. They would need to access a network to find the needed technologies and skills (Harrison 2006).

music commodities, through the informal economy (Harrison 2006). In his discussion of independent hip hop, Vito (2019) identifies a tier somewhere between the categories of underground and mainstream, which he specifically calls “independent.” By my formulation, such artists—defined as having “music created by established independent labels... [being] locally and regionally successful but operat[ing] without the aid of major corporations” (Vito 2019, p. 3)—inhabit the upper (more visible and commercial) range of the underground hip-hop continuum. In fact, Vito supplies a “List of independent hip-hop albums,” most of which are by artists who identify as “underground” (2019, p. 27).

### UNDERGROUND LEGACIES

Questions concerning the legacy of underground hip hop are complex, at times contradictory, and ultimately difficult to answer. Some commentators argue that underground spaces, on the whole, no longer exist in a digital age when all forms of music and access to music scenes are only a few clicks away (Reynolds 2007). It is worth recalling that underground hip hop’s development was largely facilitated through the Internet’s increasing presence in people’s lives. Yet the *disappearance of the underground*, suggested in this line of thinking, would not have been fully realized until the mid-2000s, when sales of physical music gave way to digital music files and eventually online streaming. In other words, acquiring physical media like underground cassettes and CDs required a greater level of social and financial investment than simply accessing a site or downloading a music file. Nevertheless, I am more inclined to agree with Graham’s position that “unproblematic potential access ... [is not] as important ... as the possibility of desiring such access” (2016, p. 11). Even with easily accessed underground spaces, the immeasurable number of potential online destinations would reduce the possibility of music enthusiasts discovering or wishing to spend time in such spaces.

It seems clear to me that the underground “movement,” which developed in the years surrounding the start of the twenty-first century, no longer exists in the form that it emerged (if at all). Many of the independent hip-hop fans Vito interviewed (circa 2010) for his study of industry values and dynamics referenced an earlier time (usually “the early 2000s”) when “a lot of independent artists would attack mainstream artists for selling out, being fake and manufactured by the record label”; going on to say that “because of [changes to] the industry ... things are different now” (2019, p. 118). More than an abrupt ending, I see this change as a gradual attrition, where the underground fervor that once captured hip-hop listeners’ ears and imaginations lost its pungency. Such transitions typically involve understated (even inaudible) declines as opposed to definitive breaks.

This unremarkable decline would appear to rest on a few interrelated factors. First, I believe the oversaturation of artists fostered scenes where visibility was not only hard to secure but quality control was lacking (see Ryan and

Hughes 2006). Notably, it was underground consumers' distrust of the quality control exercised by the music industry—that is, the decision-making regarding which artists to sign and how to promote them—that fueled the movement's initial alternative spirit. Nevertheless, some curation, or identification of what is good and what is not, is important within any overcrowded space where artists vie for attention. While simplexes fulfilled this curatorial role, I believe they were too often based on personal relationships and subject to critiques of favoritism and idiosyncratic tastes. Although music industry decision-makers can also be criticized for relying on overly bureaucratic processes, such processes had consistency to them, even if the consistency was guided by a shameless pursuit of profit.

Although speculative, I believe some consideration of the differently resourced actors within underground hip hop's core is in order. Specifically, as underground hip hop grew and its fan-to-artists pipeline entered more potential artists' consciousnesses, the scene—in terms of both the means of production and the paths to visibility governed by simplex structures—sloped towards middle-class and largely white artists. The resulting paradox between the racial and class character of this community and hip hop's established and enduring roots among Black working-class youth (McLeod 1999), in my view, became too explicit to overlook. I additionally consider how this change in the demographics of music makers had audible consequences for the evolution of an underground hip-hop sound. My argument here might be framed around an elaboration on the ways white middle-class patronage, first, influenced hip-hop music's development and, later, progressively impacted the character of its underground scenes and aesthetics. It is worth noting that the rise of the South, as a dominant voice in mainstream hip hop, occurred at approximately this same turn-of-the-century moment. To paraphrase McLeod (1999), such a re-centering of hip hop's Black vernacular voice might be understood as the response of a culture threatened with assimilation.<sup>22</sup>

It is also important to reflect on some of the technological changes that transformed the workings of the music industry in the early 2000s. Key here is the disappearance of physical media. While initially being able to release music without paying for manufacturing and distribution costs may have seemed beneficial to independent artists, the loss of a physical commodity created a decline in revenue from music sales. Digital music files were incredibly easy to share between users. Furthermore, as streaming services became the dominant means of selective music listening, access to those services demanded certain levels of professionalization, while bringing in miniscule returns (Vito 2019). Twenty-first century musicians earn more from touring and merchandise sales than from strictly selling their music. With access to performance venues being one of the most exclusive areas of underground hip-hop visibility, the promise of a

<sup>22</sup> In the 2000s, we also see a new generation of Music Industry-affiliated artists who, in compelling ways, re-energized Music Industry hip hop. I am thinking particularly of artists like Kanye West, Lil' Wayne, Nicki Minaj, and Lupe Fiasco.

truly egalitarian arena of music—something that underground hip-hop devotees imagined themselves creating—gradually faded. Media studies scholars David Hesmondhalgh and Leslie M. Meier describe the twenty-first century music industry as “a game of musical chairs” with large conglomerates being the only players that have the ability “to continue to adapt to ever-changing market conditions via acquisitions, mergers, and joint ventures” (2018, p. 11, 9). Indeed, the entry of mammoth conglomerates like Apple and Google into the world of music signals more of an increased consolidation of power, among a small number of oligopolies, than a movement towards digital democracy—despite such companies’ abilities to market themselves through auras of “freedom” and “independence.” In this ever-shifting technological landscape, many of the upstart independent labels that helped to grow underground hip hop found themselves forced to partner with larger corporations to secure some access to the limited opportunities that the digital music era offered. Despite the vision of technology as leveling the playing field, throughout the turn-of-the-century period, the music industry retained (or even expanded) its control of capital and marketing by partnering with emerging industries and increasing its jurisdiction over the resources that musicians would need to access to sustain their careers (Hesmondhalgh and Meier 2018).

Underground hip-hop music was at its most compelling when it explicitly leveraged its critique of the distance between the streets and the music industry executive suites (Negus 1999) to claim a distinct form of hip-hop authenticity. As the subgenre grew, and the number of underground hip-hop songs accumulated, even these claims started to feel tired and clichéd. Starting with the countercultural movements of the 1960s, cultural industries became steadily more adept at acknowledging, strategically embracing, and ultimately appropriating the image and potency of the youth cultural arenas that critiqued them. Within the context of an emerging digital age, the music industry’s ability to validate underground aspirations of autonomy, to leverage DIY assurances of transparency, yet to maintain control over whom people were paying attention to and where the money went, stifled the subgenre’s ability to persist in its original form. Certainly, some underground artists remained committed to non-corporate independence; however, there came a point when the scene’s multitudes of potential artists and supporters had moved on, either unaware or uninterested.

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## Music PR: A Hidden History

*Ellis Jones and Bethany Klein*

### INTRODUCTION

Public relations (PR) has been an important part of the music industry since at least the 1960s, broadly tasked with gaining ‘earned media’ for artists and products (as opposed to the ‘paid media’ that results from spending on advertising). The specific outputs of music PR have varied across the decades, but historically this work has focused on developing and leveraging connections with cultural intermediaries such as journalists and broadcasters: writing the press releases that journalists re-work in music magazines and generalist newspapers; accompanying reviewers to live concerts; briefing artists on interview topics in preparation for front-cover features or TV interviews. In this regard, music PR practitioners are not simply salespeople of music commodities but rather they are active participants in creating the meaning of popular music texts. They shape the narratives through which audiences come to know and love popular music artists.

Music PR does not have a uniform structure. Workplace cultures have varied depending on era, genre, and company budget: the trans-Atlantic excess described by the Beatles’ famed press officer Derek Taylor is markedly different from the relatively buttoned-down ‘comms’ work of contemporary independent PR firms in the digital age. Job titles have also fallen in and out of

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fashion over time: press officer, publicist, PR, press agent and today's comms role are largely overlapping positions, supported by the closely related roles of the 'promo man' [*sic*] and plugger. There are also important, long-standing distinctions between in-house PR (i.e. a staff directly employed by a record label) and independent PR firms (who often work with clients on a project-to-project basis).

But there are consistencies too. Music PR work is mostly kept behind the scenes, and it is primarily intended to create indirect effects (either via cultural intermediaries or by acting as the 'voice' of the artist) rather than making a direct appeal to the record-buying (and song-streaming) public. This hidden aspect of music PR is the focus of our chapter—in particular, how we might glimpse the realities of music PR work, as well as the social realities that it constructs. After an overview of the existing research on music PR, we reflect on the potential value of popular music press, trade press archives, music PR memoirs, and the occasional presence of music PRs in film and television, as venues for observing PR in action. We argue that each of these sources has limitations, and even collectively are insufficient to demystify the work of music PR in selecting, legitimating, and narrativising artists and works. We then reflect on the social and cultural implications of music PR as hidden labour, including implications for musical diversity, artists' careers, and critical theorisation of the popular music industries.

## RESEARCH CONTEXT

While there is no shortage of academic literature considering cultural and musical intermediaries of various kinds, there has been very little sustained attention paid to the role of music PR specifically. The primary exception is Eamonn Forde's study of the 'press officer/journalist nexus' in 1990s British popular music (2006). Forde notes a tendency for prior music industry scholarship to assume that this relationship is characterised by music journalists' acquiescence, or even obedience, to PR narratives. This is an assumption based on the economic dependence of the music press on record labels, both in a broad sense (since the music press can only exist if there is music to cover) and more directly (since the primary advertisers in the music press are labels). Music journalists have tended to reject this characterisation, arguing instead for their own autonomy, critical independence, and outsider status. The journalists in Forde's study assure him of their capacity to resist the potentially persuasive effect of PR junkets, hospitality, and other 'freebies' (frequently cocaine) while still generally accepting these perks.

Forde adds nuance to the dichotomy between servile dependence and total critical integrity. He dilutes the economic determinism of earlier scholarship by noting that both record labels and music publications have organisational structures that keep PRs and journalists at a remove from financial imperatives. He also argues that, while PRs often have something that the publications want—access to artists that will enable them to satisfy their paying

readership—PRs also need things from journalists (and editors). He concludes that the PR/journalist relationship is often conflicted but ultimately collaborative, since ‘the mutual dependency that exists at particular points between the press and PRs meant that grudges cannot stand in the way of the communication exchange’ (288). Forde also notes the capacity of artists to disrupt this consensus-building work between PRs and journalists by, for example, sabotaging an arranged feature interview (302).

Printed media is only one area in which music PR operates. Keith Negus’s landmark study of the music industry, *Producing Pop* (1992), provides a broader conception of the role of publicity in music promotion and artist development, looking not only at the music press but also radio plugging and promotion in the retail, live, and club spheres. Negus identifies a common responsibility for ‘media matchmaking’ across these roles, as record company staff develop and utilise heuristics to connect artists and recordings with appropriate writers, editors, radio producers, retailers, DJs, and so on. Negus identifies a similar blend of collaboration and conflict to Forde, noting examples in which ‘the publicist and journalist have both achieved their goals and celebrate together’ (1992, p. 122); this is less common when PRs are dealing with the tabloids, where there is less sense of a shared goal. Similarly, the radio plugger–radio producer relationship is built over many years and the ‘mutual doing of favours’ (113). The radio plugger, who works on behalf of record labels to ensure new releases gain airplay, needs producers and DJs to agree to play these records, but equally provides radio stations with the ‘ammunition’ by which they can claim expertise and proximity to music stars.

Negus also notes the historical tendency for record labels’ publicity and PR departments to employ a high number of women, relative to male predominance in other departments. One unnamed head of press attributes this to the ‘slightly servile attitude’ required when working closely with demanding artists (117). Negus clarifies that increased female representation in music PR has been relatively recent and hard-won (writing in 1992), and that while PR work may sometimes be derided as ‘institutionalised flirting’, it does ‘actively contribute to the process of artist development’ (126). He is also clear to distinguish this music-specific PR work from the broader ‘corporate public relations’, which labels would engage in the same manner as many large firms, and in which—at the time—fewer women were employed.

Much has changed in the decades since Forde’s and Negus’s work. Digitalisation has been a key factor in both declining recorded music sales (prompting record label re-organisation) and the shuttering of many music publications and music-adjacent ‘alternative’ newspapers and magazines. In the place of the latter came music blogs, which in turn have been largely usurped as sources of music discovery by influencers and playlists. More critically oriented empirical work is required to analyse these changes; in the meantime, the practical dimensions of these changes are covered in a recent handbook on *Music Management, Marketing, and PR* (Anderton et al. 2022). The authors argue that the declining power of media outlets, as well as the ‘direct-to-fan

nature of social media', has given PR 'more control than ever'. Outlets are so 'busy and understaffed' that many would consent to 'publish a pre-packaged story created by a PR' if it meets their needs (p. 87). This has shifted the function of media coverage, however: the intention is not so much to reach the audience of the outlet directly but to create opportunities for content that can be shared by the artist, the outlet, and hopefully by a wider fanbase.

Although empirical study of music PR in the digital age has been limited, there have been a number of developments in related fields that might help scholars analyse and critique developments in the area. Firstly, literature has sought to understand popular music's relationship to 'promotional culture' (Wernick 1991) and the growth of the 'promotional industries' (Davis 2013). Leslie Meier has argued that, in the twenty-first century, much of popular music has been transformed into promotion, partly through a sharp uptake in the quantity of music placements used by brands and other media products (see also Klein 2009) and more broadly through 'the re-constitution of recording artists as artist-brands in the post-CD music marketplace' (Meier 2017, p. 126). More broadly, as Klein et al. note, 'market(ing) logic has extended its reach and normalized its presence, so that its tactics—image enhancement, reputation management, brand development, corporate partnership, and more—have turned into common practices among non-professional communicators' (2017, p. 228). This includes the world of DIY, non-professional music (Jones 2021). Understanding music PR today requires contextualising specialist PR work within a broader social imperative to promote, brand, and 'sell' oneself and activity.

Secondly, studies of the conditions of cultural (and musical) work (Hesmondhalgh and Baker 2011; McRobbie 2015; Banks 2007, 2017; Stahl 2012; Conor et al. 2015) have re-considered the apparently meritocratic nature of cultural production. As Banks notes, the creative and cultural industries have long been discursively constructed as 'a place where the ladder can be climbed, or the cream can rise to the top; where individuals with natural talent and the right attitude might freely obtain their just rewards' (2017, p. 67). In fact, it may be more accurate to say that these industries are places where notions of talent are socially defined, in ways that often reproduce 'existing patterns of social disadvantage' (68). This critical literature pertains to music PR, then, insofar as PR activity is part of the apparatus by which artists seem to emerge naturally from the pool of aspiring musicians and are accorded qualities that seem to make them deserving of their success. This contributes to what Bill Ryan calls the 'social facticity' of cultural hierarchies—the process by which stars and their works become 'socially recognisable objects with conventional, naturalised meanings' (1992, p. 244). Ryan assigns the 'publicity complex' a major role in this process.

Thirdly, a growing body of critical PR studies has sought to move beyond descriptive and heuristic scholarship on PR in order to uncover how the occupation 'contributes to structural inequalities of power, prestige and profit in capitalist systems' (Hodges and Edwards 2014, p. 96). This literature has

addressed, among other things, the limited, othering conception of ‘diversity’ in PR work (Edwards and Hodges 2011), PR’s role in the production of social values (Cronin 2018) and neoliberal discourse (Demetrious 2022), and the relationship of PR to notions of truth and authenticity (Rees 2020; L’Etang 2008). Connecting music PR with critical PR studies might offer useful insight regarding music PR’s relationship to these themes, as well as highlight the working practices and conditions that make music PR distinctive.

Overall, the literature points towards an important but understudied role for music PR, and one that has shifted historically in response to broader industry dynamics. In the next section, we consider how the general public might come to know about music PR, and what existing sources can tell us about the central and changing role of music PR in the music industries.

### WHAT DO WE KNOW, AND HOW DO WE KNOW IT?

Glimpses into the work of music PR are available across journalism and popular culture settings, from mentions in music journalism and trade magazines to autobiographies from prominent PR figures and accounts in film and television. Music fans and musicians who have engaged with such media will have developed a sense of what music PR entails, though the story will necessarily be partial and reliant on the perspectives of the tellers.

Journalistic coverage of music and the music business, in both popular and trade publications, is a key space where the work of music PRs can be gleaned, from casual mentions through to more detailed and insider accounts. In music journalism, articles based on interviews with artists sometimes mention a PR representative being present or introducing the journalist to an artist. Journalists also refer to PR materials received: an artist biography, a press release, an aspect of a PR campaign, statements from publicists. The role of music PR more generally is intimated with reference to artist characteristics or behaviours described as public relations challenges or successes. PR also appears in occasional overviews in the popular press about how the music industry works, with publicists among the professionals tasked with (and paid for) raising the profile of artists. Most mentions of PR, then, simply acknowledge its existence.

There is, however, another strand that relates more explicitly to the tension between music PRs and music journalists. As noted above, the relationship between music PRs and music journalists is complicated: music journalists are reliant on PRs as gatekeepers and must stay on good terms to retain access to artists and information. At the same time, music journalists place importance on preserving the line between the two roles in order to avoid being seen as a tool of the PR machine, or somebody who regurgitates press releases (Klein 2005). One way that journalists keep their distance is by dismissing the presumed power of music PR. It’s an approach used since the ascendance of the music press in the 1960s. Richard Goldstein’s withering review of the Soundblast ’66 concert in *The Village Voice* locates ‘a battalion of public relations men’ (Goldstein 1966) amidst the chaotic scenes; Neil Diamond is

described in *The Ottawa Journal* in 1967 as ‘not fabricated by some studio public relations man’ (Gormley 1967); folk singer Tom Paxton is praised in *Beat International* in 1970 for establishing himself ‘without the high-powered salesmanship of the public relations machine’ (Beat International 1970). Their views are backed up by quoted musicians declaring their own distance from PR. At the turn of the century, Caroline Sullivan proclaims in *The Guardian* (2000) that ‘the public has become increasingly sophisticated about the dark art of public relations: we’ve seen too many false “relationships” and “feuds” in the last few years to believe that this is anything more than massive hype to line the pockets of all concerned’. PR is dismissed as trying to capture or manufacture something in popular music that either can’t be (the art, the magic) or that the public will see through. It is true that the power of PR is limited by the products they work with. But it is also a perspective that unwittingly advances the view that PR desires: it is the musicians that attract attention and success, not the professionals or campaigns behind them.

In reality, the line between journalism and PR is porous. Journalists routinely take up PR roles through activities like writing liner notes or through a formal career change, and PR professionals at times become subjects or authors in the music press. Their access to and gatekeeping role over the private lives of musicians represent a cache of stories that did not make it to the press: Danny Goldberg, PR for Led Zeppelin’s 1973 tour, wrote in *Rock Scene* in 1974 about what ‘really happened’ when the group was robbed in New York City and Elton John’s former PR, Caroline Boucher, shared inside observations of the star in *The Observer* in 1996. Their accounts can provide impressions, if highly curated (and no doubt sanctioned by the artists), of what PR work entails.

A more detailed view of the inner workings of music PR is delivered by the trade press, publications aimed at industry professionals. Within music industry publications like *Billboard* and *Music Week*, public relations appears as an everyday and key part of the music business. Stories that feature in the music trade press include launches of PR agencies and changes of agency name; appointments of key PR personnel; obituaries of major PR figures; celebrations of PR firm milestones; artists signing to or moving agencies; statements released by PR firms in response to controversy or news; and quotes from PR professionals on music industry stories. Occasional stories about the role of PR within the industry and changes to PR over time are also included. For example, a 2018 *Billboard* article on women in the music industry explains that ‘public-relations pros rarely get public recognition for their work since their job is to keep their clients in the limelight,’ noting ‘many communications executives are increasingly concerned that lack of recognition is fueling broader gender bias in the music business because these unsung publicity roles attract more women than men’ (Hu 2018). Articles in *Music Week* map some of the changes that have taken place in PR in recent decades. According to one, “‘Everyone these days is a brand—you can’t just work their music,’” insists Outside Organisation music director Chris Goodman, who says the concept of being a 360-degree

PR operation is something often referred to at their Tottenham Court Road HQ' (Barrett 2008). Another describes, 'PR has changed so much in 10 years. When we first set up our agency, everything on a music level was very print-oriented but now digital is of equal importance. Online PR and social media are massive tools, you can't run a PR campaign without them' (Jones 2013).

In the music trade press, public relations is just a normal part of the music business. Leading PR figures are sometimes featured giving advice to PR professionals in articles, as in a '10-point guide to staying on top of the game', which offers lessons from Alan Edwards, who 'has worked with global mega-stars such as The Who, P. Diddy, Usher and Paul McCartney' (Barrett 2009). Since the target readers are industry insiders, there is an expectation in the music trade press that basic information about PR and its fit within the music business are already known.

Long-standing PR trade publication *PR Week* includes coverage of PR campaigns, news, personnel, and profiles. Music features as a client, but also as an element of other campaigns since music is often used to promote unrelated products and services. Like the music trade press, the PR trade press assumes insider status of readers but, with PR as its focus, can reveal much about how PR is structured, what it does, and how it has changed. It is a valuable source of information, though not on the radar of most music fans or musicians. For the public to learn more about what is behind the curtain requires PR wizards to extend an invitation to look, and some well-known PR professionals have done just that in autobiographical accounts.

Memoirs from music PRs constitute a small but revealing corpus (Taylor 1972/2018; Wall 1999; Altham 1999; Barrow 2005; Goldstone 2018; Savidge 2019; Houghton 2019; Bloom 2020; Colson 2020; Charone 2022). Individually, they tell stories of opportunistic, largely self-aggrandising individuals, focusing on encounters with big names and anecdotes in which the PR protagonist has the last laugh. But, taken as a whole, they tell an oblique history of a sixty-year stretch of popular music, from the early 1960s (via two books from Beatles' publicists Tony Barrow and Derek Taylor) up to the early 2020s (in Barbara Charone's recent *Access All Areas*).

These texts indicate common aspects of the music PR career trajectory. Many PRs began in music journalism (e.g. Charone, Taylor, Altham, Wall), giving them an understanding of what information journalists want, as well as useful contacts in the music press who can be exploited when they 'swap sides'. After an initial period 'in-house' at a major or large indie label, it seems common to move to an independent firm, often as sole or co-founder (e.g. Charone leaving Warner to co-found MBC; Savidge's move from Virgin to the independent Best In Press). A later-stage career arc would seem to involve moving beyond music-specific PR into a range of areas in entertainment and politics (e.g. Charone, Savidge, Goldstone). There is also some evidence of efforts to branch out into artist management or A&R (artists and repertoire), although these seem to be on the whole less successful.



In these books, the authors' perspective on music PR as an industry oscillates between depreciation and defensiveness. There is certainly a sense that much of PR is about generating more-or-less predictable resources; hence, Savidge's book opens with a sardonic music PR 'glossary of terms', in which 'pioneering' translates to 'not famous' and 'avant-garde' really means 'unlistenable'. But, for most, there is clearly a distinction separating 'artful', artist-centred PR from gimmickry and publicity stunts. Notably, this distinction is not necessarily about truthfulness, since taking some 'poetic license' (Charone, p. 90) or simply 'making up stories' (Savidge, p. 34) can still serve an artist's interests in the long term. Contrast this with Tony Barrow's dismay at being asked to hire an elephant to promote the Bee Gees, a stunt that he argues 'debased the PR coinage', and which the group were 'too talented' to require (p. 242).

In terms of power relations between PRs and artists, most PRs seem to remain enthralled by stars and broadly deferential to musicians—at least to the ones who they see as originators of powerful cultural works. But there is a broad sense that even the best artists require shepherding, and sometimes coddling, since they rarely act in the best interests of their own careers, and in accordance with PR strategy. Wall notes: 'it wouldn't be so bad if all you had to do was lie, manipulate and steal from the public, like any normal business. But in the music biz you had to do it to the product too. There is only one set of bastards more gullible than the fans, and that's the stars themselves' (p. 40). In other cases, however, PRs acknowledge a limit to their ability to create stardom from thin air, as when Altham summarises the British pop-rock group Squeeze as 'talented but imageless', leaving 'sadly very little for the media or me to exploit' (p. 217).

These music PR memoirs provide many further examples of collusion between journalists and PRs. Examples include journalists being sought for informal advice on how to launch artists (e.g. Altham 259), collaboration on publicity stunts, and regular socialising during working hours both in PR and music press offices. One of the key characteristics of music PR is being able to keep channels of communication open and resisting the urge to bear grudges—especially when losing a client or failing to secure particular coverage. But memoirs also give insight into the tactics by which PRs do voice these frustrations, scoring minor victories over members of the press. Charone recounts one such incident when publicising Madonna's 1993 concert at Wembley:

[Madonna] wore a radio mike to one side and I remember putting the photographers from all the papers I didn't like on that side of the huge pit [...] and the photographers from the papers I liked, who I knew would showcase the photos really well on their front page, like the *Guardian*, on the side with no mike. It made me laugh to exact some long overdue revenge on some of the papers who had been less than cooperative and/or supportive of Madonna. (Charone, p. 111)

These kinds of minor victories, which have to be enacted with plausible deniability, seem to indicate structural limits placed on the PR's autonomy. Ultimately PRs must be able to sustain a working relationship with a variety of stakeholders.

Taken as a whole, these texts tell us much about the everyday working culture of music PR, including legacies of influential PRs—from Mick Wall's account of his unscrupulous boss 'Big John', to Charone acknowledging Derek Taylor as the 'original press guru' (p. 158). The primary recurring character in these books, however, is cocaine—closely followed by alcohol and other drugs. Mick Wall's account is the exception in that he documents the damaging impact of these ever-present vices. He goes so far as to tie his struggles with heroin addiction directly to the requirements of music PR as an industry: 'I told myself it was the only way I could stay awake at their meetings; work up the enthusiasm to make those calls to all those journalists who didn't give a fuck about whatever piece of shit record I'd just sent them; the only way I could make it meaningful on any level whatsoever' (p. 87). These tales of excessive drug and alcohol consumption may not reflect current experiences of music PRs. In the UK, at least—where the majority of these memoirs stem—members of 'generation Z' (those born 1996–2016) report a relative disinterest in such activities (Taggart 2023).

The other main route by which members of the public might be actively 'invited' to learn more about PR is via instructional guides and 'how-to' resources. Entire books dedicated to music PR are rare (c.f. Pettigrew 1989; Thompson 2014); more common is the presence of a section on PR or publicity within a broader guide to building 'DIY' or 'independent' music careers. There is also a plethora of online guides, including YouTube videos, much of which serves as marketing or SEO material. For example, guides from Bandzoogle (Strut 2022) and Splice (Byrne 2020) are presumably intended to re-direct readers to these firms' design and production tools, respectively. These resources often give a sense of the normative requirements of PR work (i.e. character traits and skills), as well as how to assemble, such as EPKs (electronic press kits).

In addition to these guides, 'day in the life' accounts of music PRs—hosted either on personal blogs, vlogs (Cynical Duchess 2021), music industry advice sites (Sciarretto 2016; La Hue 2016), or as part of a more general series on working lives (e.g. Day of Wrk n.d.) as part of 'Day in the life' accounts of music PRs identify typical activities while noting that no two days are alike. On a daily basis, music PRs can expect to identify new press coverage of their clients; keep on top of emails (from clients, potential clients, journalists, colleagues); look for potential spaces for coverage and collect contact details of journalists; and write press releases and pitch to journalists. A crisis—like a musician saying or doing something stupid, past or present—can reorient a day or longer around damage control. Some music PRs try to minimise the likelihood of crises by running social media accounts on behalf of clients. Music PRs also schedule and sometimes attend interviews and photoshoots, giving them

the chance to see that their hard pitching work has paid off. Going to music and PR events, and staying on top of music news, provides the context required for day-to-day work.

Finally, we can also learn a little about music PR by considering its presence (or absence) in other media works. While public relations has been the focus of major Hollywood films and PR professionals have figured as key characters in film and television, the setting is often the political arena, rather than the entertainment industries: *Primary Colors* (1998), *Wag the Dog* (1997), *Thank You for Smoking* (2005), and *The West Wing* (1999–2006) are some well-known examples. Television dramas *Empire* (2015–2020) and *Nashville* (2012–2018) offer fictionalised accounts of the hip hop and country music industries, respectively, and, while public relations professionals make appearances, they are not the focus. Considering the sheer number of music documentaries, biopics, and dramas, the relative absence of music PR professionals as key characters is notable. Writer and director Cameron Crowe's *Almost Famous* (2000), the story of a teenage journalist accompanying a rock band on tour, could have shifted the locus of music industry power in the film had it featured the publicist character originally included (to be played by David Bowie): as Crowe explains, 'He was based on Derek Taylor, who was the publicist for the Beatles. ... There was this wonderful thing where he takes them across the river and teaches them what it is to be in the business of rock' (Mariotti 2002).

Perhaps the dearth of filmic and televisual representations simply tells us that music PR professionals don't figure into the popular imagination of the music industries in the way that musicians, journalists, and even managers do. Another way to look at it is that, as in life, music PR is hidden in popular representations, evidence that music PR is functioning exactly as intended, largely behind the scenes and in the shadows.

Each of these sources—music press accounts, trade press, memoirs, guides, personal accounts, and cultural depictions—have their limitations. Music press references to PR often reflect a journalistic aversion to being controlled, as well as a converse need to keep relationships on good terms. The trade press has a normative bias towards success defined in commercial terms. Memoirs tend to come from PRs who have succeeded, who have stuck around, and who have worked with sufficiently big names to justify their book's publication. TV and film appearances can be evocative, but of course have no requirement to reflect social reality, and may have been mangled beyond recognition through the production process. The 'knowledge' presented in how-to guides and personal accounts is necessarily limited, understating PR's reliance on networks, favours, and intuitive decision-making.

Collectively, these sources fail to get to the heart of the central role that music PR plays within the music industries, as a hidden but powerful source of promotion that reflects and reinforces social hierarchies. Accounts tend to be selective and exceptional, with a focus on successful artists and PR professionals. They say little about the role that PR plays at the start of careers, the advantages and disadvantages of signing with a PR agency, or what makes certain

artists more attractive to PR professionals. In this way, the public-facing representation of PR (even when produced for other industry insiders) maintains the myth of meritocracy: PR is simply a tool used to support and promote those artists whose innate talent deserves it. The accounts offer still less to aspiring musicians who may be forgiven for thinking that PR is something that will come to you when you've earned it through making great music.

### THE GOOD, THE BAD, AND THE UNKNOWN

There is at least a grain of truth to the notion that PR supports talent. Even in an age in which musicians are expected to be entrepreneurial self-managers, many musicians either do not feel comfortable with sustained self-promotion, or they would simply prefer to focus on the music. It could also be argued that PR campaigns have a kind of productive contribution to the music commodity—that we as audiences may *want* artists to appear as otherworldly stars or, more prosaically, to have a coherent narrative upon which we can project notions of authenticity. We can also recognise that, as much as we might wish it, deserving music does not simply emerge from the clutter without some support. PRs are generally experts in assessing contributions to their genres and locales, and their passion for music is without a doubt genuine. This notion of PRs as passionate curators is supported by the relatively common occurrence of independent PRs working *pro bono* for unsigned artists they really believe in—albeit often then taking paid work, should these artists sign with a label who can afford to pay. This positions the taste of the PR as a major influence in breaking new artists.

However, this kind of unpaid PR is generally reserved for artists within the PR's own network, raising questions regarding the homogenising and stratifying effect of this application of cultural capital. For those who have to pay, the cost of PR is usually a substantial obstacle. Today, costs for print, online, and radio campaigns begin in the low four-figures (£/\$US) even for a relatively small-scale act. Accordingly, PR often works to give a leg-up to those artists who can afford to invest in building (or sustaining) their career. Independent PRs also face difficult choices regarding who to represent. Even if they would ideally only work with artists they like (and who they really believe have a shot at success), there may be a financial pressure to take on any artist who can afford to pay, even if they are a hopeless case, or sit outside the PR's realm of expertise and influence. This tension undermines the notion of PRs as noble benefactors serving the artist.

Ultimately, though, the question of whether PR has a positive or negative effect on musical quality and diversity may be secondary to their broader social impact: the impact of their mystification of musical talent. While music PRs do celebrate their successes within their professional circles, the chief intention is to remain 'backstage', enabling artists to take full credit for the reception of their public image. Any press coverage (and online attention) thereby comes to be seen as earned by the artist within an apparently meritocratic system, rather

than as the product of routinised PR practices. As such, they enact a kind of hidden power, at odds with popular conceptions of talent and reward in popular music that attribute popularity to luck, destiny, or possession of a mysterious ‘X factor’.

This is part of the publicity work that Bill Ryan argues creates the ‘apparent obviousness’ of an artist’s talent, aiming to establish stardom as a social fact. PR work aims for ‘the imputation of value prior to exchange and consumption’—that is, intending to establish an artist’s validity as a social fact, as *immanent*, before the public have had their say. It is perhaps a relief, then, that PR’s effectiveness in this regard is limited. As Ryan puts it, for the manufacturers of cultural products, ‘their business remains a constant game of guesswork which marketing and publicity was supposed to overcome’ (p. 258). Even in an era of data analysis, guesswork and intuitiveness is still very much part of the game. Notably, however, in cases of PR’s failure, it is this social construction of immanent talent that returns to let them off the hook. Some artists just don’t have what it takes.

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# Whoopin' For the Innanet: Exploring YouTube Vlogs as Reputation Building Intermediaries for Artists in Chicago's Drill Rap Scene

*Jabari M. Evans*

## INTRODUCTION AND BACKGROUND

YouTube has long been considered one of the most important social media platforms for aspiring musicians due to its low barrier to entry, speed of message distribution, and vast audience base (Baym 2018). Since 2005, over 5 billion videos per day are viewed on YouTube (Stefanone and Lackaff 2009). These uploaded videos are commonly user-generated content (UGC) based on the users' own lives and often filmed using smartphone cameras (Stefanone and Lackaff 2009). This format tends to add realism to the content, thereby generating more interest and drawing larger audiences, with some user channels garnering tens of millions of subscribers (Lee and Watkins 2016). YouTube also enables audience members to post comments to stories reported on their website, and, to do so, one must create a user account by providing personal information while entering a username that is linked to the comments that one posts.

Often alienated in their physical worlds, Black youth in America have harnessed various social media platforms like YouTube as dynamic “third spaces” (Brock 2009, 2020). Within this digital landscape, they find an avenue to assert their presence beyond the gaze of the dominant white culture, allowing for

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uninhibited expressions of joy, humor, passionate debates, and the dissemination of targeted messages and subjective narratives. This understanding of social media as a third space is akin to Jeff Lane's concept of the "digital street" (2018), where he claims Black youth ingeniously utilize platforms such as YouTube and Facebook to reimagine the diverse oral cultures found in physical spaces like street corners, park benches, and public housing premises. These virtual realms, deeply interwoven with the creative vernacular(s) of Hip-Hop culture, serve as vibrant hubs for urban Black youth in the rap music community of practice to engage in information exchange.

A prime example of how social media platforms have galvanized global communities around local rap music scenes can be seen through Drill rap's emergence within the attention economy. Coming to national prominence around 2008, Drill rap became infamous for its grim, violent depictions of Chicago's South Side. Its male participants (Drillers, deejays, and their respective support teams) are seen as ambassadors of gang life in these communities, often posting inside information on violence and street activity about these neighborhoods on social media platforms and promoting gang affiliation/rivalries as a central theme to their song lyrics and music videos (Moore 2016). Though initially invisible to gatekeepers of corporate record labels, Chicago's Drillers cultivated global audiences by utilizing DIY tactics in digital spaces to circulate new music, document lived experiences, highlight press interviews and communicate their street authenticity to rap fans and gang rivals alike (Evans 2021).

Recent research has found that frequent posting on social media platforms allows Drillers and other gang-affiliated youth to often build reputations for violence without engaging in the physical violence that may have once been required to gain believability on the streets of low-income urban communities (Lane and Stuart 2022; Patton et al. 2022). In recent years, the participants associated with Drill Hip-Hop have morphed from being strictly local to Chicago to boasting a global delegation of gangsta rap music<sup>1</sup> with local scenes from as far and wide as New York City, France, the United Kingdom, France, and Uganda. It has been noted that Drill continues to grow as a music genre largely because of virality on platforms, as Drill naturally leverages Hip-Hop artistic practices and social media practices of content creators while exploiting real-time reporting of ongoing gang rivalries (Evans 2021; Stuart 2020a).

Previous work has suggested more generally that maintenance of street reputation is the driving force behind the logics of social status for young Black males in both gang life and the rap music industry (Lee 2016; Harkness 2013). The overlap between the two, combined with the advent of social media entertainment (Craig and Cunningham 2019), brings forth new considerations for how online infamy (Stuart 2020b) and digital clout (Evans and Baym 2022) fuel relational labor (Baym 2018) by rap musicians on platforms like Instagram,

<sup>1</sup> Broadly defined, Gangsta rap is hip-hop music with lyrics explicitly portraying the violence and drug use of American inner-city gang life.

Tik Tok, and YouTube.<sup>2</sup> Within this ecosystem, YouTube vlogs are fast becoming important intermediaries for aspiring musicians, largely because of features that mirror offline components of vital Black sociocultural spaces. Besides serving as a space of retreat, audience communities of this content also serve as alternate publics which discuss gossip, generate knowledge, and share information through storytelling tactics germane to YouTubers (those who make UGC for a living, typically from ad revenue generated from their YouTube channel).

Given the great virality of Drill music's songs and music videos on YouTube, Drill-centered podcasts, gossip channels, and artist vlogs have emerged, providing a highly visible in-depth analysis of the occurrences in the Drill scene. Through extended narratives and complex conversations of micro-level news happenings, these media products are "high context" conversations where listeners often must share cultural touchstones, personal attachments, and background information with the users themselves. For example, podcaster and media personality DJ Akademiks launched his career with a popular web series entitled "The War on Chiraq" that had strong boundaries and demanded implicit understanding of gang rivalries, Drillers' respective gang affiliations and Drill rap lyrics and music videos (Caro and Stuart 2021). Many of the audience members of that channel started following Drill rap since as far back as 2008, when popular Drillers like King Louie, Lil Durk, Lil Reese, and Chief Keef all garnered seven-figure record deals with major labels (Evans 2021).

Even with the mainstream music industry's pursuit of the most popular Drillers, digital inequities rooted in socioeconomic disparities, educational limitations, and class distinctions have cast a shadow over the career trajectories of most independent Chicago Drill artists. A crucial element in this narrative was the strategic decision made by many early Drillers to host their content on the pages of video directors and cameramen responsible for filming their performances (Stuart 2020b). This unintentionally relinquished the chance to monetize the viral content they catalyzed as well as forfeited the autonomy to control their online presence and financial gains. The consequences of this strategic choice reverberated through their careers, amplifying the challenges posed by the incendiary nature of their content, hassles of racism, and already existing structural inequalities for Black youth on Chicago's southside (Moore 2016).

The pursuit of clout, a primary driving force for Drill artists seeking visibility and recognition, was often pursued as a means of escape from precarious living conditions in low-income areas (Harkness 2013). While their viral fame garnered attention and engagement, the harsh reality persisted that many Drillers continued to grapple with the same difficult circumstances. The relentless

<sup>2</sup> Relational labor refers to the effort that individuals invest in building and maintaining relationships, often involving emotional and social exchanges, to achieve specific social, economic, or cultural outcomes (Baym 2018). Digital clout, on the other hand, encompasses the recognition, influence, and social capital garnered through creative vernacular specific to social media platforms (Evans and Baym 2022).

pursuit of clout, rather than elevating their professional standing as entertainers, often rendered them entrenched in precarious environments. Moreover, the culture of cloutchasing, while providing a platform for amplifying their street credibility, simultaneously jeopardized their personal safety and well-being as they navigated a landscape where notoriety was often intertwined with danger (Evans and Baym 2022). Thus, while the digital age presented unprecedented opportunities for self-expression and fame, it also served as a stark reminder of the complex challenges that continued to confront Drillers, illustrating the intricate interplay between digital platforms, social inequalities, and the lived experiences of these artists within marginalized communities.

Since 2020, pioneering Drillers like Bandman Kevo, Rico Reckless, King Yella, FYB J Mane, and Tay Capone have seen greater visibility and financial success come their way as YouTubers than as musicians. These Drillers have cultivated global audiences by consistently vlogging on their own YouTube channels, telling first-person accounts of true crime stories, surviving prison sentences, short stints in the county jail, giving their opinions on artists in the current Drill scene in Chicago, reporting on the most recent gossip circulating in Chicago's gang territories, and responding directly to comments from fans and rivals alike. Given Drill music's reputation for being the "CNN of Chicago's gang territories," their telling of first-person narratives signposts their authority as credible street figures and gatekeepers of Chicago's Drill scene (Stuart 2020b).<sup>3</sup> Using content analysis of two prominent YouTube channels in Chicago's Drill Rap scene, this chapter examines how YouTube vlogs and media outlets serve as important intermediaries to not only circulate information about the scene but provide Drillers a valuable clout-building/reputation-management tool. In the sections that follow, I will further introduce the context of Drill music's emergence in popular music via YouTube and illustrate how the vlogs of Chicago's Drillers leverage unique communication practices that validate their violent youth personas in adulthood and foster greater parasocial connection to their fan community.

### *Methodology and Analysis*

As the primary platform for DIY video consumption in the U.S. and the platform that propelled Chicago's Drill scene into prominence (Stuart 2020b), I selected YouTube for data collection in this content analysis. I obtained data from YouTube, focusing on 900 video uploads from the channels of two popular Chicago Drillers: (1) King Yella and (2) DJ U. DJ U is a prominent figure in Chicago's Drill rap scene, known for his influential YouTube channel that

<sup>3</sup>Chuck D's assertion that Hip-Hop serves as the "CNN of Black America" underscores the socio-cultural significance of the genre as a means of communication and expression for the Black community (Chuck D, personal communication, as cited in Neal, 2011). This iconic statement highlights the role of Hip-Hop in conveying the experiences, struggles, and perspectives of Black individuals in America, akin to how the Cable News Network (CNN) functions as a primary source of information and news for a broad audience.

showcases Drill music and provides a platform for emerging artists through in-depth interviews. As the former tour deejay for prominent (now slain) Driller King Von, DJ U's YouTube channel has played a crucial role in amplifying the voices of Drill musicians and their associates contributing to the genre's visibility. King Yella is a Chicago-based rapper and drill music artist who gained prominence for viral music videos on YouTube during the early 2010s. Known for his energetic, authentic, informal, and raw monologues as a vlogger, King Yella's financial success as a content creator has contributed to the recent development of many Drillers monetizing their YouTube channels through vlogs.

I analyzed each individual video upload as the unit of analysis, examining how the audience responded to the content of these three artists. To ensure the relevance of the data, I excluded uploads that lacked meaningful messages for the study ( $n = 43$ ), such as music videos. This process left a total of 465 online postings available for analysis, with the impact of this exclusion mitigated by the combination of the number of uploads and the stratified sampling technique employed.

For the remaining uploads, I conducted a thematic analysis following the approach outlined by Boyatzis (1998). Initially, I selected two subsamples of 100 postings each to derive themes inductively. I then compared candidate themes within and across subsamples to identify potential similarities. I then assigned each subsequent posting to a candidate theme after careful reading. Finally, I developed formal codes for each theme (Boyatzis 1998).

Three overarching themes emerged from the analysis: (a) cross-referencing ( $n = 191$ ), (b) calling bluffs ( $n = 54$ ), and (c) signifying/reaction videos ( $n = 220$ ). These themes provided insight into the strategies employed by Drillers in their YouTube uploads, shedding light on their interactions with the audience and their utilization of the platform for various purposes.

### *Overview of Findings*

In my analysis of the content by DJ U and King Yella, "cross referencing," "signifying," and "calling bluffs" emerged as the primary methods Drillers used to attract audiences to their content. Cross referencing refers to the process whereby challengers scrutinize and contradict their targets' online claims of violence by calling audience attention to past online content or private information that might otherwise go unnoticed (Stuart 2020b). Calling bluffs refers to the strategy in which challengers publicly call on their targets to act in accordance with their online claims of violence, particularly online threats and boasts of violent dispositions. These calls to make good on their violent words often entail daring rivals to "slide" on them—that is, to enter their territory and attempt a drive-by shooting. Finally, signifying is employed to challenge and confront rivals or detractors in a comedic and entertaining way. Signifying in videos is often used to casually dismiss accusations, question the credibility of enemies, and solidify one's current reputation within the drill community.

These practices, used together in context, served not only to shock audiences but they allowed Drillers to play upon audience curiosities stemming from the criminalization of Chicago's Black communities in mainstream journalism, scripted television programs, films and of course, rap music (Moore 2016). Therefore, on social media, Drillers utilize their YouTube vlogs as a valued intermediary that allows them to showcase charisma and circulate powerful narratives from the physical communities they rap about in their songs. In essence, the circulation and re-sharing of this content becomes central to establishing the authenticity of their lyrics and persona, publicly challenging authority, asserting dominance, and communicating their knowledge of the streets.

### *Signifying and Calling Bluffs in Vlogs: King Yella*

For many rappers, self-expression often specifically fulfills a need for self-exile from everyday hassles of the physical location of the ghetto and provides opportunity for reinvention of oneself to various publics. For Chicago Drillers, however they are encouraged to use social media to market the material aspects of their gangster social formations, document evidence of street infamy online, and expose true crime stories between gang rivals to expand their options for social performativity and upward mobility (Stuart 2020b).

Popular Drill rapper and vlogger King Yella frequently used the tactic of signifying as a major strategy to gain visibility and attract attention for his opinions on Chicago's Drill scene. Despite no longer living in Chicago. In the following quote from a 2023 video,<sup>4</sup> Yella speculates on whether slain Driller King Von offered a \$100,000 bounty to anyone from his neighborhood for the killing of rival Driller FBG Duck:

*I didn't take a rocket scientist to see what was going on. When two niggas slide and shoot someone, that doesn't mean anything. When multiple niggas pull up on someone where white people be shopping at, you know it was a hit! [...] Duck was a threat. That's why they had to do what they did. Why do it take multiple niggas to kill one person. [...] For him to be GD, Von was hating. He wanted that man dead. [...] I'm just like ....it's got to be true. [...] Them guys that did it can go to jail for all I care. They deserve what they get. Maybe if they didn't do this, Von wouldn't have died. Hopefully, Duck is up there whooping your ass, Von!*

Here in this quote, King Yella provides commentary on the lives of King Von and FBG Duck, two highly influential figures in the Drill rap scene who tragically lost their lives. By discussing these individuals and their alleged involvement in violent incidents, King Yella aims to attract attention to his video and generate views. This tactic of name-dropping notable figures or controversial events is often used by Drill vloggers to capitalize on the existing fan bases and interest surrounding these individuals. By associating himself with

<sup>4</sup> July 18, 2022, "King Von put 100k on FBG Duck and got him wacked??? & Died 2 months later cus of karma" (73,058 views as of 2/5/23).

well-known figures and discussing contentious topics involving them, Yella was able to draw in viewers who are already invested in those personalities or incidents and were searching for them in YouTube's recommender system.

In addition to signifying about famous rappers to attract platform recommender systems to their posted content, Yella also aimed to entertain viewers to establish investment in himself as an engaging personality. This often meant providing provocative responses to current events in mainstream culture, calling out when rivals were "caught lacking" (instances where individuals are perceived to have been compromised or exposed in a way that challenges their credibility or reputation within the drill community) or calling bluffs (responses to online threats and public boasts of violent dispositions from rivals).

For example, on January 15, 2023, King Yella posted a video called "King Yella Sends a Message to Wack 100 Ova Him Calling Me Out About Lebron." In this video, Yella explains why he posted a photo of Lebron James on Instagram doing a handshake that resembled that of the Chicago-based street gang Gangster Disciples. Yella placed a caption under it saying that Lebron needs to "check in." Prominent Hip-Hop talent manager and social media personality Cash "Wack 100" Jones replied under the photo that he was "a bitch" for calling out Lebron James, a mainstream celebrity that has no known gang affiliation.

During the video, Yella continuously calls Jones "Rat 100," implying that he is a known cooperator with law enforcement and claims that he is an "old goofy" that "ain't got no life." In providing his commentary on why he posted the picture, he takes the opportunity to taunt Jones, threaten his life, and claim his superiority over him:

*You like 67, 80 years old calling me out of my name! You love playing with me! I don't play these internet Clubhouse fake games! Do your background check. You are old enough to be my father and I will beat your old ass. I'm in Vegas and you can come see me if you want to, but you move with police and I don't fuck with police. I'm from Chicago. I ain't no bitch and you can come see me outside. I been to jail before and we can get it on if you want to. You ain't getting no money, you're a hater. Anyone thinking that I'm a bitch can say something to me in the streets.*

In this quote, King Yella is using provocative language and directly challenging Cash "Wack 100" Jones to entertain his YouTube viewers. By using strong and confrontational language, King Yella aims to generate excitement, create a sense of drama, and attract attention to his content. First, he calls out Cash "Wack 100" Jones for allegedly disrespecting him, using language that implies anger and frustration. Next, he emphasizes the age difference between them to assert his youthful energy and implies that he is unafraid of physical confrontation. Third, he challenges Jones to come see him, mentioning his location in Las Vegas. King Yella adds an element of real-life confrontation to his online presence. Ultimately, King Yella is employing this position towards Wack 100, another popular YouTuber and respected figure in the Los Angeles rap scene,

in order to entertain his YouTube viewers and raise his own digital clout nationally. This type of confrontation seeking and dramatic posturing was a form of cloutchasing, a strategic relational tactic and manipulation of the platform to attract attention, playing to the logics of platforms (likes, views, and re-shares) to generate engagement and appeal to the audience's appetite for drama.

To that point, Yella used a January 2023<sup>5</sup> blog to call out Sha Ek, a Brooklyn, NY Driller, about comments he made questioning his motivations for vlogging:

*Y'all already stole Chicago Drill and made y'all own music out of our stuff. When you speak, put respect on it. [...] If we vlogging or not, this is about getting money. I been rapping since you were a kid. I'm not a blogger, I'm a vlogger. I make more money than a majority of these rappers as a vlogger. This is my calling. I am not doing this for you. I'm 33 years old. Anyone in New York got a problem, they can come see me. [...] It ain't never been sweet. We not scared of y'all. You probably live at home with your mom. You not getting no money. You not on my level."*

In King Yella's response to Sha Ek,<sup>6</sup> it is evident that he uses insults and assertive language to convey a sense of authenticity and engage with his audience. First Yella says, "Y'all already stole Chicago Drill and made y'all own music out of our stuff. When you speak, put respect on it." By asserting that Chicago Drill has been borrowed and adapted by others, King Yella is positioning himself as a representative and protector of the genre. This quote implies that he speaks from a position of authority and demands respect for the original Chicago Drill sound. He then states, "If we vlogging or not, this is about getting money. I been rapping since you were a kid. I'm not a blogger, I'm a vlogger. I make more money than a majority of these rappers as a vlogger. This is my calling." Here, King Yella emphasizes his financial success as a vlogger, contrasting it with the struggles or lack of monetary gains of other rappers. By highlighting his longevity in the rap industry and claiming superiority in terms of financial success, he positions himself as someone to be respected and taken seriously. By belittling them and positioning himself as superior in terms of financial success, he attempts to assert his dominance and undermines Sha Ek's opinions and/or criticisms.

Yella similarly addressed a detractor again in an April 19, 2023, video<sup>7</sup> in which he responded to fellow Chicago Driller FBG Butta about accusations that he paid another popular Driller to get on song:

Butta you wasn't even around the music like that. You don't have any real information about me like that gang. [...] I got love for Butta but he capping. I was

<sup>5</sup>January 26, 2023 "King Yella Responds to Sha Ek Talking about Chicago Rappers turned to Bloggers," (15,413 views as of 2/5/23).

<sup>6</sup>Chalim Perry (born April 8, 2003), known by his stage name Sha EK, is a Drill rapper and producer from The Bronx, New York.

<sup>7</sup>"King Yella Responds To Fbg Butta Sayin I Paid Lil Jay For Features And Took My Chain Pt. 2" on DJ U TV | video dated 4/19/2023 (26,671 views).

the big dog. They was little guys. I never paid to get on any songs. If you believe that then you are crazy. If I'm lying a lightning bolt can hit me from the sky right now. [...] Lil Jay already said you were a rat. You ain't nothing but an alcoholic nigga. You really trying to make yourself look like something you are not. Don't play with me! You a compulsive liar!

Overall, King Yella vlogging strategy for defending his reputation. In Chicago was to respond directly to already visible social media content and press interviews from other Drillers as a strategy to build an audience for his channel. In doing so, he used “signifying” and “calling bluffs” to emphasize his authenticity in the early Drill scene and prior relationships with prominent Drillers and assert his own credibility/accomplishments. He did all this while simultaneously challenging the reputation of his rivals.

### *Cross-Referencing in Interviews: DJ UTV*

Though first-person vlogging like King Yella's allowed for quicker dissemination, posts with the most audience reach in this study often involved the cross-referencing of facts done in an interview format. As the former tour DJ of slain Driller King Von, DJ Univercity (aka DJ U) has created a formidable YouTube channel (200,000 subscribers as of August 2023) in which he interviews the key stakeholders in the Chicago Drill scene from a neutral yet comedic perspective. This content often included fact-checking of song lyrics, social media posts, and published mugshots/police reports with their first-hand knowledge of/communication with individuals in and around a situation. No Limit Kyro and FBG Butta, two prominent figures in the Drill scene, often employed cross-referencing techniques in their interviews on DJ U's YouTube channel (DJ UTV) to solidify their authenticity within the gang lifestyle. For example, when DJ U questioned rapper FBG Butta about a YouTube video<sup>8</sup> where Drill blogger Trenches News claimed to help save his life after he was shot in his neighborhood, he said:

*He cap cap. He come with these baked-half stories. He claims my Uncle. He used my uncle's name in the media in order to get clout. He sees what I got going on and he is using my name to get paid on YouTube. He claimed to see my kneecap blown off. He over-exaggerated the story to try to get views [...] You doing too much. You going too far. He know for a fact he can mention people's names on YouTube as a hustle. He need to stick to his white girl. She a meth head and she dusted and disgusted. He needs to just keep living his life. I know this YouTube money is good but you got to tell the truth if you're going tell stuff. Content is content but you can't just be making shit up for views.*

<sup>8</sup> April 7, 2023, “FBG Butta GOES OFF on Trenches News for making up stories about him and K.I.” (78, 997 views).



*We from 39th. We all from there. Our mommies and daddies all sat on the porch at the events for the buildings (housing projects). He was a dirty ass dude. He was never someone that we really respected on some street shit. He was just someone who used to do petty robberies and now he making YouTube money and he wanna make up stuff to keep up his views. He don't realize that I really will splack his ass.*

In FBG Butta's response to DJ U regarding the claims made by Drill blogger Trenches News, he utilizes cross-referencing to challenge the authenticity and credibility of Trenches News. First, FBG Butta accuses Trenches News of fabricating stories and over-exaggerating incidents for the sake of gaining views and clout on YouTube. He specifically mentions Trenches News claiming to be his uncle, suggesting that it was a false claim made to exploit their connection for personal gain. By highlighting the alleged falsehoods and exaggerations, FBG Butta undermines Trenches News' credibility and portrays him as someone seeking attention and monetary benefits.

Secondly, FBG Butta criticizes Trenches News for prioritizing views and content creation over the truth. He asserts that Trenches News should stick to his own life and relationships, implying that he should focus on genuine stories rather than fabrications. FBG Butta suggests that while YouTube money may be tempting, it shouldn't come at the expense of honesty and integrity in storytelling.

Third, FBG Butta undermines Trenches News' credibility by questioning his street credibility and reputation. He asserts that Trenches News was involved in petty robberies and lacks the respect and reputation associated with street authenticity. By painting Trenches News as an unreliable and untrustworthy figure, FBG Butta attempts to discredit his claims by portraying him as someone who is in a committed relationship with a drug addict.

Finally, FBG Butta directly threatens Trenches News, indicating that he is willing to take action against him if necessary. By stating that he will "splack his ass," FBG Butta suggests that he won't tolerate Trenches News spreading false narratives and is prepared to respond with physical violence. In cross-referencing, FBG Butta ultimately aims to expose what he believes to be falsehoods and manipulations in Trenches News' storytelling to undermine his reputation within the Drill community.

Very similarly, on DJU's YouTube channel/podcast,<sup>9</sup> No Limit Kyro discussed Driller Tay Capone being recently released from jail, and used cross-referencing to suggest that Capone had engaged in snitching or cooperating with the police to get released early:

*With him, I feel like he told. I damn near know for sure he told. Niggas from his hood told me he told. They don't even need to show me any paperwork. When I was in jail, I got on the phone with my boy and everyone in there was saying that he gave a statement. It don't even matter to me and my case but I know he told.*

<sup>9</sup>No Limit Kyro on Tay Capone, "I know for a fact he told. Foenem beat his ass, pulled his dreads out" | video dated September 15, 2022 | 307,722 views.

*He wants people to think that this shit cleared his name, but he told [...] Imagine if the police ask you to participate in a murder trial and point some guys out. The police can't just use anybody in a trial to find someone guilty. He got subpoenas to answer questions. In order for them to do that, they need to already have information on you to take you in an investigation room. There's a difference in dry snitching and wet snitching but it is still snitching. You made a statement and maybe you didn't know what you were doing but you aren't supposed to speak in investigation rooms. You get a subpoena because you gave them information that they need to get someone else.*

In the quotes above, No Limit Kyro claims to have received information from individuals within Tay Capone's neighborhood who allegedly told him that Tay Capone has cooperated with law enforcement. By referencing these sources, No Limit Kyro attempts to establish a basis for his belief that Tay Capone is a snitch. First, No Limit Kyro recalls conversations he had with fellow inmates while he was in jail, where he claims that others affirmed that Tay Capone had given a statement to the police. By referencing these conversations, No Limit Kyro implies that there is widespread knowledge or belief within the incarcerated community that Tay Capone has engaged in snitching.

Additionally, No Limit Kyro provides his interpretation of what constitutes snitching, highlighting the difference between "dry snitching" and "wet snitching." He argues that even if Tay Capone didn't go on the stand or provide formal testimony, he still gave information to the police during an investigation. No Limit Kyro suggests that this act of sharing information, regardless of intent, qualifies as snitching. No Limit Kyro seeks to prove this point further when he mentions that Tay Capone was reportedly beaten up and had his dreads pulled out while in the county, suggesting that this was a consequence of his alleged snitching. He suggests that Tay Capone's actions and the way he carried himself indicated that he had engaged in snitching, leading to a loss of trust and respect among their peers.

By utilizing cross-referencing during his interview with DJ U, No Limit Kyro combines information from neighborhood sources, inmate conversations, his own understanding of snitching dynamics, and alleged consequences to present his belief that Tay Capone has snitched or cooperated with the police. These statements aim to discredit Tay Capone's reputation within the Drill community but also serve to lift his own status as a credible gang member who has done prison time and not snitched on his co-defendants.

Aside from addressing stories told about street activities or criminal cases, DJ U's podcast often allowed Drillers to discuss their reactions to a new song and provide commentary on the various references or stories that were made within that song's lyrics. In response to FBG Wooski's song "Computers," a song that dissed a number of local Chicago rappers, FBG Butta said<sup>10</sup> the following:

<sup>10</sup>FBG Butta reacts to FYB Mazi/FYB Trigga situation, FBG Wooski DJUTV interview| video dated April 12, 2023 | 37,113 views.

*We beat the fuck out of people. We stole clothes. We really was outside on 63<sup>rd</sup> and St. Lawrence. I'm proud of what we did but you not gonna have me on camera snitching and all that. It's certain people in life that you don't play with. We was like that. Everybody know we was like that. It's real facts. I don't do interviews for clout.*

In this quote from FBG Butta reacting to FBG Wooski's song "Computers," FBG Butta emphasizes the authenticity and reputation of his own crew, while indirectly challenging FBG Wooski's decision to rap about crimes he didn't directly commit. First, FBG Butta asserts that his crew did engage in aggressive behavior, such as physical altercations and theft. By highlighting these activities, FBG Butta aims to establish their reputation as individuals who were actively involved in street life and were willing to take part in confrontations. FBG Butta also mentions specific locations, such as 63rd and St. Lawrence, to signify that they were actively present in their neighborhood and known for their actions. This serves to solidify their authenticity as Drillers and reinforces the idea that they were involved in the street activities.

Furthermore, FBG Butta also states that he won't engage in on-camera snitching or divulge certain information during interviews. This suggests that despite seeking visibility by speaking to vlogs and podcasts, FBG Butta adheres to a code of silence or loyalty within his community, refusing to provide potentially incriminating information that could compromise their reputation or legal standing. FBG Butta explicitly states that he doesn't do interviews for clout. This indicates that his motivations are not driven by seeking attention or fame but rather by a desire to maintain authenticity and protect his reputation. By stating that "It's certain people in life that you don't play with," FBG Butta indirectly implies that FBG Wooski's diss song is a form of snitching that shouldn't be taken lightly. FBG Butta suggests that FBG Wooski may be lacking the authority to make such claims without getting permission, contrasting it with the real-life actions and reputation of his own role in the FBG crew. In employing cross-referencing, FBG Butta's charged statements in response to FBG Wooski's diss song serve to reinforce his crew's reputation, challenge FBG Wooski's positionality as a FBG crew member, highlight his real-life activities, and emphasize his adherence to a code of silence and loyalty within his community.

In sum, the various interviews analyzed from DJ U's YouTube channel highlighted the use of cross-referencing as a fundamental tactic for Drillers to solidify their credibility, refute accusations, and gain audience's attention. This content, ultimately, took on a central role in not only substantiating the authenticity of their lyrics and persona but also in challenging prevailing authority, asserting dominance, and effectively communicating Drillers' intricate knowledge of the streets. By capitalizing on the unique attributes of YouTube vlogs, Drillers adeptly navigated the digital landscape to reshape their artist personas, wield influence, and connect with audiences in ways that transcend the traditional boundaries of artistic expression and sociocultural engagement.

## CONCLUSION

This chapter has highlighted the ways in which gang-associated youth within the Drill rap community strategically utilize YouTube as a powerful platform to build and validate their violent reputations. Through the creation of content such as vlogs and podcasts, Drillers consciously present themselves as maintaining their violent, “street” identities even in supposedly private or backstage contexts. The utilization of strategies like cross-referencing, calling bluffs, and catching lacking allows them to expose potential fabrications and cast doubt on their rivals’ online displays of violence. By generating and publicizing evidence that contradicts their targets’ personas, Drillers aim to validate their artist reputations for violence and demonstrate authenticity in Chicago gang culture. Moreover, the highlighted narratives suggest that in the world of social media entertainment, Driller’s ability to monetize YouTube content incentivizes them to both embellish and/or promote their past participation in gang activities. Also, the format of YouTube encouraged a comedic and conversational style of commentating for which signifying helped Drillers to reinforce a playful personality to the audience and absolve themselves from breaking the codes of the streets (e.g. providing criminal evidence or snitching on others to the police).

Contrary to prevailing research on Drill rap that seeks to predict offline violent outcomes based on disembodied social media content, this analysis emphasizes the need to understand the social meanings and contexts of Drillers’ content through their aspirations in the rap music industry. It eschews the assumption that their online behaviors aren’t strategic, highlighting the complexity and nuances involved in their digital labor. Moreover, this chapter highlights the potential of YouTube as a medium that not only enables Drillers to incite violence but also provides avenues for sustainable celebrity, entrepreneurship, and brand management. Though Drillers have inherently violent reputations from their music, the format of YouTube encourages a comedic and conversational style of commentating, where signifying serves to reinforce a playful personality to the audience and absolve Drillers from breaking street codes. This aspect of entertainment value, combined with the ability to monetize YouTube content, has created new opportunities for Drill musicians to establish themselves as influential figures and actively shape their public personas.

As society becomes more aware of the systemic biases that affect Black youth in marginalized communities like those in Chicago, there is a growing potential for greater recognition and support for underrepresented communities in the creative and cultural industries. By addressing and dismantling these biases, society can create a more inclusive and equitable environment where individuals from diverse backgrounds, including Drillers, can thrive and be recognized for their unique perspectives. Though entrepreneurial opportunities provided by social media platforms like YouTube have obviously empowered Drillers to reshape their narratives, create economic opportunities, and challenge societal

prejudices, they should also provide understanding of successful relational labor practices utilized by aspiring musicians. This recognition, ultimately, will result in fostering a more inclusive and diverse creative landscape within the formal music industry.

In the context of artists like Chief Keef and Lil Durk during 2012, the implications of relying on traditional music industry charts as a measure of cultural impact and profit-oriented thinking presented significant drawbacks. At that time, Drillers were at the forefront of a burgeoning subgenre within Hip-Hop, gaining traction through platforms like YouTube. While YouTube's creator-friendly profit model offered potential revenue streams directly from video content, these earnings were not fully acknowledged within conventional music industry metrics like Soundscan. Despite the viral success of Drill artists' music videos and the engagement they garnered from their online audience, the focus on traditional sales metrics failed to capture the comprehensive financial potential of their YouTube presence. This disconnect could have led artists to undervalue their economic prospects and hindered their ability to make informed career decisions.

Furthermore, YouTube's impact extended beyond mere financial gains; it became a conduit for cultural resonance and audience engagement. The platform's emphasis on metrics such as views, likes, comments, and shares reflected Drill artists' strategies in connecting with their fan base and contributing to broader Hip-Hop cultural conversations. As Drill artists like Chief Keef and Lil Durk navigated the dynamic landscape of the music industry in 2012, prioritizing traditional metrics (i.e. album charts and radio plays) downplays the unique dynamics of YouTube and its role in shaping both their cultural significance and financial potential. As research is adopting a more holistic approach that acknowledges the distinct attributes of online platforms like YouTube (e.g. vlogging) that has afforded musicians the ability to monetize their impact and identify their fan connection without record labels, the unique case of Chicago's Drillers provides insight for future aspirants to the music industry and the alternative routes available to them for creating sustainable and independent careers through content creation.

Finally, it is crucial to recognize the biases and challenges that Drillers face based on their race, class, geography, and gender. The worthiness of their content and influencer status has often been questioned and overlooked due to societal stereotypes and biases. Nevertheless, there is reason for optimism. Through study of their entrepreneurial endeavors on platforms like YouTube, Drillers get to challenge these biases and redefine the narratives surrounding their community. In this study of their unique relational labor, I argue they are not only showcasing their talents as rap musicians but also asserting their worthiness as content creators, social innovators, and entrepreneurs.

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## Catalogue Acquisitions: Who Wins?

*Steve Collins and Sarah Keith*

### INTRODUCTION: THE CATALOGUE AS ASSET

Starting around 2020, a distinct type of music article started to appear in major international news outlets, such as *The Guardian*, *The Washington Post*, and *The New York Times*. These articles covered the sale of music artists' back catalogues to investment and publishing companies, including Primary Wave and Hipgnosis. What might normally have been a fairly dry topic confined to music trade publications has piqued the public's interest, not least because of the substantial sums involved. "Bruce Springsteen Sells Music Catalog in Massive Deal" (Sisario 2021) announces one piece; another proclaims, "Justin Timberlake just sold his song catalog to a Blackstone-backed firm that has been spending billions on music IP for nearly half a decade" (Lodewick 2022). The artists named in these features are, for the most part, well-known and/or legacy artists for whom a catalogue sale might represent the symbolic end of a musical career, or of a career stage. These articles also provide an intriguing counterpoint to those written over the past decade critiquing the economic model of the streaming-dominated music industry; if these artists are reaping huge windfalls, might there actually be some balance emerging?

Another provocation implied by these articles is that the artists are yielding control of their work to investors, who are interested in music as an asset rather than creative expression. This tension is particularly evident in catalogue sales for artists such as Neil Young, who is famously resistant to his music being used in advertising. Young sold 50 percent of his catalogue to Hipgnosis in 2021;

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the firm's founder, Merck Mercuriadis, acknowledged Young's stance, stating, "We have a common integrity, ethos and passion born out of a belief in music and these important songs [and] we will work together to make sure everyone gets to hear them on Neil's terms" (Beaumont-Thomas 2021). Young, meanwhile, explained his decision in pragmatic terms during an interview: "I wanted to sell my songs because I don't have to worry about a f\*cking thing now. I don't have to do anything I don't want to do [...] You just sell what you want and you use the money to go forward living life the way you want to live it [...] I don't have to go on a tour if I don't want to go on a tour" (Apple Music 2022). Interjecting Young's explanation, noted producer Rick Rubin comments, "You bought your freedom" (ibid). For Neil Young, the value in owning his catalogue is evidently far less than the value of selling it.

Why are artists and creators unable to extract value from their intellectual property, while investors and companies like Hipgnosis (presumably) can and do? One answer is that the catalogue's value is speculative and may not materialise for many years, if at all. Even so, this suggests a buoyant attitude and a perceived maturation of the streaming ecosystem, as well as a prolongation of music royalty lifetimes. Streaming has replaced the up-front gains of music sales with lower gains over a longer period; established hits continue to generate profits, competing with newer releases. This has turned profit generation into a time-sensitive undertaking that larger entities can withstand more than individual artists, and proven hits with a steady listenership are most valuable. Furthermore, the strategic management of catalogue rights multiplies their value exponentially. The splintered streaming landscape, sync, global music markets, and arcane royalty structures have produced complexities that are tremendously difficult for individual artists or their management teams to navigate while well-networked players with links to labels, video, and audio streaming platforms; radio; social media; and entertainment conglomerates can take fuller advantage of opportunities. Datafication has also facilitated predictive valuation of music rights, allowing speculators to invest in reliable prospects. Whatever the reason, the flurry of rights sales indicates that buyers see much more value in them than artists. The music ecosystem has evolved into a streaming-dominant model, maintaining the power of major labels while allowing smaller players to participate. The details of this 'new normal' may be disputed—such as the (un)fairness of the 'big pool' revenue allocation royalty models used by streaming platforms and low streaming payouts for publishers and songwriters (Castle and Feijóo 2021)—but the contours of the music landscape appear to be set. Labels' initial ambivalence towards streaming has been replaced by investment, both financial and strategic. Listeners, meanwhile, provide a valuable data commodity for advertisers, for rights holders, and for streaming services' individualisation of the listener experience (Prey 2019). Taking these factors into account, it is evident why venture capitalists have enthusiastically embraced music catalogues. This reflects what Birch and Muniesa (2020, p. 2) term the technoscientific *assetisation* of capitalism, in which assets are valued for their ability to produce durable economic rent,



where rent is defined by “the extraction of value through the ownership and control of an asset, which usually entails limiting access to it”. The dominance of streaming has assured that rent generated by catalogues is durable, and that assets are controllable. Likewise, Birch and Muniesa (2020, p. 6) outline that rentiership is made possible by assets’ uniqueness, that is, “a specific copyright cannot be legally reproduced without permission”. Music’s copyright regime, and the digital technologies deployed to protect and collect from it, creates surety for catalogues’ rights holders. What is less clear, and what will be explored further in this chapter, is how this gold rush will affect the music industries, including creators and existing rights holders.

We begin by exploring the importance of intellectual property rights for the music industries. The separation of authorship and ownership is fundamental to the music industries and has facilitated the transition of music into an asset class. Next, we provide a breakdown of investment trends and track the development of investment in music rights through the lens of rentier capitalism, as described by Christophers (2021). We move on to discuss the benefits and risks for artists. The benefits of a substantial cash injection are perhaps clear, but there is a cost as artists exchange lump sums for control of their music. Further, we argue that there are disruptive flow-on effects in the digital music economy that affect other artists. Finally, we conclude that catalogue acquisition has the potential to reshape the economy of music, but alternatives are emerging for artists to manage their catalogues that do not necessitate the loss of control of their music.

## SELLING RIGHTS

The buying and selling of music copyrights is not new and certainly did not arrive alongside the private equity and investment sectors’ interest in music. “Copyright is the house in which the music business lives, and without it the business would be homeless and broke” (Gordon 2005, p3). This is no exaggeration: the music publishing and recording industries are dependent on the acquisition and exploitation of copyrights that originate with artists. What *is* new is the increasing sale of substantial catalogues by still-living, active artists to investment firms, such as Blackstone-backed Hipgnosis Song Management (Blackstone 2021). Underlying this trend is an apparent increase in the value of catalogue rights.

Music copyright is a complex area, and a single song can attract numerous different rights held by several different individuals and/or companies across different territories. At the most basic level, a recording will involve at least two forms of copyright: one in the song itself and one in the recording of that song. A number of restricted uses are attached to each right. For example, under section 106 of the US Copyright Act 1976, copyright owners enjoy a bundle of exclusive rights in the production of copies (of sheet music or recordings), public performance (radio play, cover versions), and derivative works (remixes). Copyrights in music originate with the artist (and are always tied to their

lifetime, expiring 70 years after their death), but are frequently transferred to other parties: songwriters often assign their rights to publishers in exchange for advance payment, proffering songs to recording artists or collecting songwriting royalties.

This separation of authorship and ownership is the bedrock of the content industries and stems from early publishing practices in fifteenth-century England (Collins and Young 2014, pp. 115–121). Publishing royalties are typically split 50/50 between publisher and songwriter(s), while sound recording rights are assigned to labels to facilitate advances, distribution, and promotion. Throughout the twentieth century, this assignation of rights was necessary, as individual songwriters and artists lacked the means to record, distribute, and publish their creative works. Once the copyrights are transferred, the artist receives royalty payments in exchange; the new copyright owner typically receives the lion's share of the revenue, while the recording artist receives anywhere between 10 and 25 percent depending on their negotiating potential, and the artist's royalties initially go towards paying back advances and expenses involved in recording. This separation of authorship and ownership can also result in some seemingly strange situations, especially in the case of recordings where artists often do not own the rights to the master recordings of their own songs. Following a dispute over royalties with Universal Music Group, Def Leppard re-recorded its 1980s era hits 'Pour Some Sugar on Me' and 'Rock of Ages' in order to reap the lion's share of royalties in the digital environment. Similarly, Taylor Swift began releasing re-recordings of her first six albums in 2021. Known as 'Taylor's Versions', the re-recordings followed Swift's publicly stated desire to own the master recordings of her music.

Music publishing companies and record labels typically acquire rights because they are concerned with the business of music and require these rights to conduct that business. Other entities whose core business is not music are also interested in purchasing music copyrights in a shift that Mulligan (2021) refers to as the "productisation of music rights". One of the first publicly traded music companies was Pickwick Records, which went public in 1961 (Christman 2016) followed by other music-related companies such as record store chain Trans World Entertainment. In 1994, the Continuum Group went public in an effort to trade on the reputations of its artists, including Charlie Watts, Ronnie Wood, and Roger Daltrey; within three years, however, Continuum had folded. That same year, David Pullman, then-managing director of Fahnstock & Company's Structured Asset Sales Group, orchestrated the issuance of \$55 million in bonds secured by David Bowie's publishing and royalty income from his back catalogue of some 25 albums released between 1969 and 1990. 'Bowie bonds' (also referred to as Pullman bonds) gave investors a share in his future royalties for ten years, after which, all royalties generated reverted to Bowie. Prudential Financial purchased all the bonds in their entirety, and the money raised was used by Bowie to consolidate his ownership over his works by buying back master recording copyrights that had been split with his former manager, Tony DeFries. Bowie's motivation here reportedly came from a

“psychological nose-dive—all this music he had suffered to create didn’t [entirely] belong to him” (Trynka cited in Espiner 2016). Looking forward, Chen (2000, p. 162) points to the advantages of such schemes for *established* artists:

The securitization deal is more attractive than a traditional royalty/advance agreement because the artist retains 100 percent of the copyright, generates an immediate monetary windfall, and saves money on taxes because the sale of the bonds is not treated as a taxable event. Securitization deals are more attractive than bank loans. Unlike bank loans, which are short-term in nature and involved a floating rate, Pullman’s securities are fixed rate, non-resource, and long-term in nature, translating into less risk for the artist. Also, bank loans typically only yield about one-tenth what the artist can get through securitization. According to the Pullman Group, the benefits of securitization translate into at least 20 percent extra income for the artist.

Pullman’s success with Bowie bonds led to the manoeuvre being repeated by other artists, including James Brown, Iron Maiden, The Isley Brothers, Marvin Gaye, Rod Stewart, and Dusty Springfield. It was not all plain sailing, however, as the value of Bowie bonds dropped in the face of the emergent file-sharing scene. Although they eventually acquitted themselves, the securitisation trend trickled away due to uncertainties in the music industries that disrupted the economics of music royalties. The *Financial Times* reported in 2012 that Goldman Sachs backed away from a \$300 million bond arrangement with SESAC, a performing rights organisation that today holds rights in music by Bob Dylan, Neil Diamond, Rush, and Ariana Grande, among others (Alloway 2012). Still, Pullman bonds are different to the catalogue purchases with which this chapter is primarily concerned. A key difference is that in Bowie’s case, he retained all the copyrights in his work; he was only ‘leasing out’ the revenue generated by the exploitation of those rights. Outside forces are and have been involved in the business of music, and music rights are highly commodifiable.

### WHO’S INVESTING?

Over the last decade, the recorded music industry has stabilised with the wide-scale uptake of streaming distribution. A majority of global industry revenue (65 percent) in 2021 came from streaming (IFPI 2023), with the ‘big three’ major labels collectively making over \$14 million per day (Towse 2020, p. 1468). This return to financial form has seen music rights once again whet the appetite of investors. Concurrently, the datafication of music—facilitated by streaming and digital download services—makes it easier to value songs and project future revenues. The last decade has seen a trend emerge of private equity firms and other investment entities purchasing substantial swathes of music rights: “An acceleration of a long occurring industry trend sees more musicians and songwriters selling their intellectual property rights to large

financial institutions, private equity firms, asset managers, and pension funds, as well as to more traditional buyers such as major record labels and music publishers” (Davies et al. 2022). There are also smaller players in the music rights market. Platforms such as Songvest, Musicow, and Royalty Exchange allow rights holders to sell or lease their rights and allow individual investors and fans to purchase song rights (usually for a limited time) and bid for shares of music royalties. For private equity firms and small-time investors alike, music rights are both a revenue-generating property and a tradeable asset; music produces dividends through royalty and licensing payments, while the rights themselves accrue value, and can be sold at a later date.

In particular, decades-old ‘classics’ with enduring listenerships, where artists have long ago recouped their label’s initial spend, are highly sought-after assets. While emerging artists must deal with per-play rates of a fraction of a cent and a highly competitive attention economy, musicians and rights holders with established audiences and label support have fared comparatively well, due to several factors.

Firstly, the fable of the ‘celestial jukebox’ (Burkat and McCourt 2004; Sun 2019), offering on-demand access to all music and equal opportunities to creators has not eventuated. Instead, established players, including labels and rights holders, have enacted “market consolidation and distribution in the form of partnerships with new digital platforms and the power of copyright to maximise exposure of popular repertoire” (Sun 2019, p. 120). Instead of creating a greater range of choices for consumers, digital music services direct consumers to the music they should listen to (Burkat and McCourt 2004, p. 357), which consolidates market power.

Secondly, the continued exposure of popular repertoire occurs not only through strategic control of playlists but via the growth of music synchronisation, itself enabled by the proliferation of streaming content on platforms such as Netflix. Loraine (2020, p. 56) observes, “Film and television license agreements, and the income they generate, have become just as important in today’s neoliberal capitalist music environment as traditional royalties paid to composers and performers out of record sales.” Synchronisation and streaming are complementary revenue streams, in that a sync will generate revenue through licensing alone, but can also increase streams as a secondary phenomenon. This creates what Greene (2023) calls the “nostalgia-industrial complex”: the aggressive acquisition of music publishing rights, and subsequent exploitation via sync, samples, covers, remixes, and interpolations. Increasingly, as music lawyer Erin M. Jacobson outlines, “investors and venture capital funds [believe that] copyrights are a more stable investment than the stock market” (cited in Forde 2021, p. 242). A 2020 Goldman Sachs report pinpoints the growth potential of “deep catalogue” artists such as The Beatles and Fleetwood Mac, amidst a broader trend towards nostalgia listening (2020, p. 16). Combined with a forecasted doubling of global music revenues by 2030 (ibid.), catalogues seem poised to leap in value.

The last six months of 2020 saw artists including Neil Young, Bob Dylan, Stevie Nicks, Lindsey Buckingham, Calvin Harris, RZA, Shakira, Blondie's Debbie Harry and Chris Stein, Chrissie Hynde, and Barry Manilow sell their song catalogues for significant lump sum payments (Schwartz 2021). With the exception of Bob Dylan and Stevie Nicks, who sold their rights to Universal Music and Primary Wave, respectively, these artists sold their music catalogues to private equity firms. Some are selling their catalogue publishing rights; Aswad (2021) reports that Shakira sold 100 percent of her music publishing rights—which includes the publishing *and* songwriters' income—for her whole catalogue (some 145 songs) to Hipgnosis Songs Fund Limited. Other artists are also selling master rights to their recordings. For example, Justin Bieber has sold publishing and recording rights to Hipgnosis for a reported \$200 million (Robinson 2023), while Prince's estate has sold shares in publishing, recordings, and neighbouring rights in his name and likeness (Millman 2021a). The number of artists engaged in these sorts of buyouts is considerable. Cross (2023) identifies 114 artists who have 'cashed out' and an additional 33 who have "sold as little as a single song to big chunks of their catalogues". Of these, at least 22 percent of transactions involve Hipgnosis, the investment company founded by Merck Mercuriadis, a former manager of artists including Guns n' Roses, Elton John, Beyoncé, and Pet Shop Boys. Hipgnosis has been aggressively acquiring music catalogues since 2018, purchasing six catalogues that year; acquisitions grew to 38 in 2019 and 42 in 2020 (Hipgnosis Songs Fund 2021, pp. 24–25). In 2023, there were 156 songs on Spotify's 'Billions Club' (as the playlist name suggests, these are songs with over a billion streams); Hipgnosis owned 26 (or 17 percent) of those songs at the time (Hipgnosis Songs Fund 2021, p. 5) and two years later owned 97 of 419, or 23 percent (Hipgnosis Songs Fund 2023b).

The music catalogue 'gold rush' can be understood as a form of rent-seeking, "investing time and money more in sweating existing rent-generating assets than in carrying out the research and development to create new ones" (Christophers 2020, p. 171). Although rent is more commonly applied to physical property, it applies equally to intellectual property through the legal mechanisms of copyright. Copyright gives creators, or rights holders, the exclusive right to control how their work is used, including the right to reproduce, distribute, perform, display, and create derivative works. As such, the creator is an (intellectual) property owner, and ownership rights may be understood as the ability to collect *rent* from the use of their property. Attali (1977, p. 40) was prescient in describing the music composer as a *rentier*, a person "whose creation originates an extensive process of material production [and whose] income is independent of the quantity of labor he provides". In other words, the creator collects revenue through creation and ownership *alone*, without necessarily participating in the labor of mass producing and replicating that work. For music artists, streaming services have all but removed the labor of mass producing and replicating work, but their creativity is still required at

the start. When an artist sells their catalogue, the new owner is neither a creator nor a participant in creation, but the owner of a rent-generating asset.

Rentier capitalism has drawn critical attention as a means of explaining “economies dominated by rentiers, rents, and rent-generating assets” (Christophers 2021, p. 3). While classical political economy defines rent mainly in terms of land, as Birch (2020, p. 8) describes, intellectual property rent imparts “private property-rights on creations of the mind” (Christophers 2021, p. 28). Major investment funds involved in the purchase of music catalogues, including Goldman Sachs and Blackstone, are involved in the acquisition and rental of bricks-and-mortar properties as well as intellectual properties. The attractive difference between land and intellectual property rent is that there is no maximum use threshold for the exploitation of immaterial resources; in other words, a music copyright can collect rent (i.e. royalties) from millions of listeners through streaming, while land ownership can only collect rent from a limited number of tenants. As Nick Srnicek outlines, “because intellectual property is non-rivalrous, it means that the potential rent is not constrained in the same ways that land might be, reducing the significance of the initial production process” (2016, p. 37). Music catalogues are therefore investment catnip; they are an asset that can be ‘rented’ to a theoretically limitless number of users, in a stable distribution and remuneration system, with countless data points to guide further investment and strategy.

Private equity firms are now buying catalogues for 10–20 times of what a catalogue might earn in a year. There is clearly money to be made for investors, from streaming, from publishing royalties paid by TV networks, radio stations, restaurants, bars, and hotels (Schwartz 2021), and from sync licences. Beyond these traditional revenue areas, new monetisation opportunities are arising from partnerships with social media platforms and developers of video games, fitness apps, and fitness hardware such as Peloton (Davies et al. 2022; Raczka 2022); this market, which received a massive boost during the COVID-19 pandemic, is predicted to be worth \$18.7 billion by 2030 (Prophecy Market Insights 2022).

Catalogues can accrue value through strategic management, or through virality, such as TikTok user 420dogface208’s (aka Nathan Apodaca) 22-second video of himself drinking Ocean Spray’s Cran-Raspberry juice while cruising on a skateboard and singing along to Fleetwood Mac’s 1977 song ‘Dreams’. ‘Dreams’ saw an 88.7 percent increase in streams and 374 percent increase in download sales in the three days following the posting of the video on TikTok (Unterberger 2020). In the months afterwards, Stevie Nicks sold a majority stake in her songwriting catalogue to Primary Wave, Lindsay Buckingham and Christine McVie sold their total publishing catalogue to Hipgnosis (Kreps 2021), and Mick Fleetwood sold his total recorded music rights to BMG; BMG’s head of acquisitions told Rolling Stone that the viral resurgence of ‘Dreams’ factored into the deal (Millman 2021b). Likewise, Phil Collins’ ‘In the Air Tonight’ (Millman 2020) saw a tenfold increase in sales following a reaction video on YouTube. As Davies et al. (2022) state, TikTok’s

“often nostalgia-driven trends are sure to drive revenues for publishing and master rights holders as songs (re)gain popularity and are consumed across streaming and social media platforms”.

Clearly, there is potential to generate significant revenue from (the right) music in the twenty-first century, but it is the ability of music revenue to weather broader economic turbulence that makes for an attractive investment. Put simply, music has proven stable and recession-proof (Baskerville et al. 2023, p. 131; Koedijk and Slager 2011, p. 121). Merck Mercuriadis emphasises that music, and hit songs especially, generate predictable and reliable income: “If there’s political upheaval, or indeed, if there’s a war the way that there is now, the price of gold, the price of oil will be affected, whereas great songs are always being consumed” (Mercuriadis in Brancaccio and Conlon 2022). Josh Gruss, who in 2010 co-founded private equity firm Round Hill Music with the goal of acquiring as many music catalogues as possible, similarly observed that the publishing economy is able to weather slumps in the broader economy. “People listen to music in a recession; radio stations still play it; movie and TV studios still license it” (Gruss in Schwartz 2021). Furthermore, as the streaming sector grows, so does the revenue from these acquired catalogues as the songs are played more frequently.

### BENEFITS AND RISKS FOR ARTISTS

The attractiveness of music catalogues to investors is obvious. For artists, the short-term benefit is similarly obvious: a large injection of cash. Neil Young received \$150 million from Hipgnosis for 50 percent of his catalogue; Bob Dylan sold 100 percent of his publishing catalogue to Universal Music Publishing Group for an estimated \$300 million, and his master recordings to Sony for \$200 million; while Primary Wave acquired an 80 percent stake in Stevie Nicks’ catalogue for \$100 million (Cross 2023). For older artists, there is a clear financial benefit in that the payouts from investors exceed what would likely be earned from royalties in the remainder of their lifetimes. For younger artists, however, the benefits are less clear to both investors and the artist.

Younger catalogues can carry risks for investors as their longevity is not proven, and younger artists risk selling catalogues for less than the revenue they may potentially generate over the course of their lifetime. One such artist is Justin Bieber, who sold all his rights in his pre-2022 catalogue (over 290 tracks) to Hipgnosis for \$200 million. While Bieber has yet to publicly comment on his reasons for the deal, there has been speculation that developing Ramsay Hunt syndrome, and resulting concert cancellation and touring hiatus, influenced his financial strategy (Bosher 2023). Catalogue sales thus offer financial certainty after decades of shifts and disruptions in the economics of music distribution and performance, which were further complicated by the COVID-19 pandemic that effectively ended live performance and touring for two years. Mercury Prize (an annual music prize awarded to the best album from the United Kingdom or Ireland) nominee Nadine Shah recounts how she was



forced to temporarily return to the family home as a consequence of losing touring income and having to rely solely on streaming royalties (Krol 2020). Low streaming royalty rates and the precarity of touring may influence some younger artists to ‘cash in’ on their success if the opportunity arises.

There are also potential risks for artists. When artists sell their copyrights to investors, they are effectively ceding control over how those songs can be used. Naturally, investors seek to recoup their investment and generate profits, and for songs, this means licensing them to streaming and retail download services, social media platforms, television and movies, video games, and any other available opportunities. Tensions may arise as a result of this separation of authorship and ownership: “When an artist sells their catalog, they’re putting stewardship of their music in the hands of a financial firm whose primary concern isn’t artistic integrity—it’s money” (Schwartz 2021).

Bob Dylan was accused of “selling out” in 1965 when he first shared his new electric sound. He was booed by his fans when he opened his set at the Newport Folk Festival with an electric version of ‘Maggie’s Farm’ (Di Leo 2019, p. 235). Over the years, Dylan has continued to frustrate fans and be accused of “selling out” as he acted as ambassador for brands including Apple, Chrysler, and Victoria’s Secret. The music movements of the 1960s ascribed ideologies to artists and their works that led to a “policing of commercial affiliation” (Klein et al. 2017, p. 224). Dylan’s fans responded to news of Universal’s acquisition of his catalogue “with emotions ranging from resigned misery to visceral scorn. Their core problem is the prospect that Universal will take songs that have been deeply meaningful to them for decades and license them to anyone willing to pay top dollar, permanently polluting the aesthetic integrity of Dylan’s work” (Schneider 2020). Universal, in response, insisted it would be “tasteful” in how it handles Dylan’s work (Sisario 2020). However, many artists have objected to various uses of their music (see Chao 2015). Dolly Parton, an artist who (at time of writing) has not sold her music catalogue, has highlighted control as a key concern; “I would imagine I’d have quite a bit of money if I wanted to sell [my catalogue], but I would still have some control, no matter who I sold to, and my credit for the songs” (Garner 2020). While Dylan and Parton reflect differences in attitudes artists may hold towards ownership of music, there are tensions with fanbases who may not approve of beloved songs being seemingly devalued or demeaned as they are deployed for purposes such as advertising (Klein et al. 2017, pp. 224–225).

But what mechanisms are available when an artist has sold their rights to an investor, who may be more interested in profits than artistic integrity, and who may wish to license songs for uses that the original artist might find objectionable? The Berne Convention for the Protection of Literary and Artistic Works acknowledges moral rights that exist independent of the economic rights bestowed under copyright: “the author shall have the right to claim authorship of the work and to object to any distortion, modification of, or other derogatory action in relation to the said work, which would be prejudicial to the author’s honor or reputation”. Further, moral rights cannot be transferred,



remaining with the original songwriter(s) even if copyrights are sold. Many jurisdictions, including France, Germany, and Canada, incorporate moral rights into their copyright regimes and may provide some legal relief to artists who find their songs used in objectionable ways. The US, however, where many music investors are based, recognises moral rights in only very specific circumstances relating to visual art (Davies, Cole, and Turner 2022). The exact details of catalogue buyouts are not publicly available, but contracts may contain clauses that can be triggered in response to particular events. These clauses could offer punitive damages or injunctive relief in the light of objectionable use. As yet, there have been no significant public disputes over the handling of catalogues acquired in recent acquisitions; however, given the recentness of the phenomenon, such a dispute will occur. Pre-empting these possible conflicts, Hipgnosis is organised as separate related entities that control publishing (Hipgnosis Songs Management) and acquisition (Hipgnosis Songs Fund) and explicitly acknowledges the tensions of legacy management, stating, “We have made our reputation by working with Songwriters, artists and producers, not at their expense” (Hipgnosis Songs Fund 2023a).

Perhaps the most significant effect of catalogue acquisitions for artists is their effect on the music value chain. While only a small number of artists are in the position of being able to sell their song rights for vast sums of money, these transactions do not occur in a vacuum; there is a ripple effect that impacts other artists. In the public disclosure of multi-million-dollar catalogue deals, artists appear to reap substantial windfalls amidst a streaming ecosystem that pays very low rates. According to Spotify’s *Loud & Clear* resource, designed to give clarity to its economic operations, 13,400 artists each generated \$50,000 or more through the platform in 2020 (which requires over 4.5 million streams). This number of artists almost halves when looking at a revenue threshold of \$100,000 or more. Approximately 1 percent of artists are responsible for 90 percent of the streams on Spotify, and according to Muikku (2017, p. 90), around 90 percent of tracks receive fewer than 10 streams, while 0.4 percent of tracks receive more than 100 streams. On average, non-top tier artists are generating \$324 per year from Spotify royalties, and there are “literally millions ... who are struggling to make ends meet from their streaming royalties” (Ingham 2020). The stark gap between the 1 percent and bottom 90 percent creates a ‘winner-takes-all’ scenario, itself not uncommon within the creative industries.

Moreover, the catalogue acquisition trend is contributing to the ongoing dispute over royalty rates in a streaming market dominated by Spotify and Apple, who occupy a 45 percent share of the global streaming market between them (Statista 2022). Both companies made representations to the US Copyright Royalty Board in October 2021, calling for a reduction in the streaming royalty rate that would set it to an historical low (Davies et al. 2022). Both companies referred to recent catalogue purchases as a reason: “Venture capital firms have taken notice, with music publishing rights selling for hundreds of millions of dollars due to the growth in streaming royalties [...]

Meanwhile, interactive streaming services, like Apple Music, [...] bear the financial burden and risk of offering such services” (Apple 2021). It seems that the sales of a proportionately few, elite-tier catalogues may influence the royalty rate for the full gamut of artists using streaming services to distribute their music. As Davies et al. (2022) emphasise, this “indicates increased hegemonic control, not the health of the industry at large. Those benefiting most from the music publishing and copyrights are private-equity backed firms and publicly-listed technology companies, not the artists themselves”. In refusing to offer a higher royalty rate, Spotify and Apple are pitching a battle with catalogue owners, not with artists. Given that criticism of streaming royalties predates these 2021 representations to the Copyright Royalty Board, this seems like a convenient excuse. Private equity powers both streaming services and catalogues; for example, Morgan Stanley is a major investor in both Spotify and music company Kobalt, which reportedly represents over 40 percent of the top albums in the US and UK (Morgan Stanley 2024). As such, catalogue owners and platforms are more accurately viewed as collaborators rather than rivals in setting streaming rates, with smaller non-catalogue artists being the casualty. The wide portfolio of private equity companies, encompassing streaming platforms, music rights, and many other interests, has the potential to further monopolise and concentrate the music industries to the advantage of investment firms.

In any case, the argument by streaming services that private equity-owned catalogues pass earnings to shareholders and investors, not to artists, undermines longstanding efforts by artists and creators to increase streaming rates. Yet at the same time, artists (and investors) are courted to streaming platforms through the rhetoric of empowering artists and democratising the industry (Ek 2018, pp. 92–93). In summary, the benefits of a substantial cash injection are clear. Eligibility for catalogue acquisitions, however, are only really available to established artists, usually those with demonstrated longevity. Artists faced with an invitation to sell their catalogues must balance the benefits against the loss of control over their music. For example, how would they feel seeing their music used to advertise a product that they wouldn’t personally endorse? How might this affect their public reputation, their relationship with their fans? A cash windfall may seem attractive, but there may be unanticipated costs for artistic integrity and legacy.

## CONCLUSION

The “productisation of music rights” (Mulligan 2021) is not new, but the recent rapid influx of private equity investors will inevitably impact and reshape the economics and operations of the music industries and shows no sign of abatement. In early 2021, Chinese multinational technology and entertainment conglomerate Tencent took a 20 percent share in Universal Music Group, a manoeuvre that Mulligan (2021) sees as “a bet on rights versus a bet on distribution (e.g. Spotify)”. Tencent’s financial interest in Universal, the largest of the major labels, gives it considerable sway over the direction of the

company, which may manifest as views on artist recruitment and development, or relationships with other industry players like streaming services. Investment companies like Hipgnosis have loosened the grip traditionally exercised by the major labels, but the fundamental separation of authorship and ownership means that (despite attractive and large remunerative buyouts for some) artists are still indentured to corporate masters. Artists selling their catalogues must balance the attraction of a large lump sum payment against loss of control over their music, and also the implications for their heirs, as copyright typically lasts for 70 years following the death of the artist regardless of who owns the rights.

Alternatives to the Hipgnosis-style buyouts are emerging, such as RECAP (Artist Retained Equity in Catalog with Assignment of Proceeds), which share some similarities with Pullman/Bowie bonds. As Eisman and Shokes (2022) outline,

In a RECAP, however, an artist is paid a lump sum cash payment by an investor (such as a private equity firm) in exchange for assigning the artist's future catalog proceeds for a predefined period. Unlike a loan, the artist is not required to make any interest or principal payments, so there is no payment default or foreclosure risk. Rather, the artist retains their same legal ownership and control over the catalog assets (including any intellectual property rights therein) as before the transaction, and the rights to the catalog proceeds revert back to the rights holder automatically at the end of the contract term.

Alternative strategies such as RECAP may afford artists a greater degree of control over use of their music compared to a catalogue sale, but because the payment is offset against future earnings, it is likely that only artists with predictable longevity would be eligible and able to benefit from such an arrangement.

Investors are increasingly active participants in the music industry, as owner-rentiers of creative works. While their acquisition and management of musicians' catalogues may be beneficial to the artist, ancillary effects on the music industry have not been widely addressed. First, the underlying structural causes that spur artists to sell their catalogues, rather than continuing to generate royalties (or yields, or rents) from them are worth consideration. Artists do not generally disclose their reasons for selling their rights, but the exploitative conditions alluded to by Neil Young (Apple Music 2022) suggest a 'sinking ship' for artists in the current musical landscape. Whether the current copyright regime, pro-rata streaming royalty rates, or increasing complexities of managing a song catalogue are to blame, emerging artists must contend with these issues without the lifeline of a lucrative catalogue sale. Second, the transformation of music catalogues into tradeable rent-generating properties that can be endlessly licensed creates new incentives for rights holders. While publishers have always sought out licensing for songs, the consolidation of established artist catalogues under the ownership of venture capital-backed consortiums creates substantial power for owners of these catalogues. While music

catalogue owners are not a cartel yet—although Hipgnosis’ ownership of 23 percent of the songs in Spotify’s ‘Billions Club’ is a sobering statistic—the future competitive implications of few entities owning multiple catalogues cannot be discounted. Third, and related, the growing power of music investment firms and their vested interest in higher streaming rates for songwriters (or song rights holders) can be seen as a positive counterbalance to the streaming services’ interest in keeping these rates low, though both parties in this contest ultimately deliver returns to investors, not to artists.

Catalogue acquisitions present clear benefits to artists’ bank balances, but may have deleterious impacts on their image and reputation. The broader impacts on the music economy are yet to be borne out. As we have argued, the appetite of private equity companies for music catalogues is influencing the stances taken by Apple and Spotify on music royalties, consolidating power among few entities, and has the potential to radically reshape the economics of recorded music. Balancing the interests of investors, artists, and the industry at large will be crucial to maintain a sustainable and equitable future for music rights management and for artists.

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# How the Music Industries Killed “Selling Out”: Autopsy of a Concept

*Bethany Klein*

## INTRODUCTION

The concept of “selling out” has played a key role in popular music culture since the 1960s, when some forms of popular music began to be viewed as art, rather than mere entertainment. Used to describe the act of compromising artistic or political values for money or power, “selling out” has been applied to musicians who are seen to put money before music, go against their values, or change their creative vision for a chance at commercial success. The phrase has been attached to different activities at particular moments in the history of popular music and captures how proximity to brands, advertisers, and big corporations has often proven contentious for musicians claiming cultural autonomy and artistic freedom (Klein 2020). In the 2000s, the use of the phrase “selling out” began to decline, a reflection of the growth of promotional culture and its impact on popular music culture, artist strategies, and the ways we experience music listening (Klein 2020). With artists given little choice but to participate in the promotional machine in one way or another, the foundation of art versus commerce on which “selling out” rested had been dismantled. In this chapter, I conduct a post-mortem examination of “selling out,” looking at business practices related to musicians’ revenue streams, contracts, and promotion, and highlighting the growing role of brands and branding in paid work for musicians. Because “selling out” served to protect values like independence,

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artistic integrity, and community, its relative absence is a loss to discussions about the influence of commerce on culture.

Like other art forms, popular music has been a site of ongoing debates about art versus commerce: that the boundary between art and commerce is permeable does not stop it from being meaningful to fans and artists, who recognize the centrality of commercial objectives to the sustainability of cultural production, while also identifying important boundaries between the project of art and the project of commerce. Artists across art worlds work closely with those involved in the commercial exploitation of their creations, yet “the idea that commercialization corrupts the authenticity of art appears to continue to structure tastes, policy decisions about funding federal artwork, and cultural boundaries” (Banet-Weiser 2012, p. 99). Popular music is usually produced, distributed, and consumed through commercial processes, but lines have been drawn when a commercial actor is seen to be too influential over the shape of a cultural product. The commercial actor could be a major recording company, pressuring an artist to create music that has a broader appeal, or it could be a consumer brand that might implicitly or explicitly encourage musicians to create brand-friendly music through sponsorship or licensing. The fear of commercial contamination demands a distance from brands, advertisers, and corporations: even for artists in genres that are given more leeway, working within a commercial framework which aims for maximum financial gain (through selling music, or selling consumer products by using music) is tricky territory that carries a risk of getting it wrong.

Or, it *was* tricky territory, until the turn of the twenty-first century, when anti-commercial perspectives among artists and listeners became modified and reduced by trends and changes, including the threat to revenue streams in the music industries that resulted from a transition from physical products to downloading and, later, streaming. Promotional music business practices have evolved alongside changes to popular music culture, initially to make up for lost revenue and, subsequently, in response to a greater openness among artists and listeners to activities that were previously categorized as “selling out.” By exploring artist revenue streams, contracts, and promotional work, I demonstrate how brands and branding are directly and indirectly embedded in standard music business practices. Consumer brands (both music-related and not) see partnerships with musicians as an alternative to conventional advertising and musicians themselves are pressured to identify and develop as brands. I argue that unreliable income, unfair contracts, and the demand for constant self-promotion together make anti-commercial stances untenable for musicians. In the absence of “selling out” debates, brands are more deeply and openly embraced in the music industries, and we are left with troubling implications that point to the importance of policing commercialism in popular music culture.

## REVENUE STREAMS AND BRANDS

As the music industries have adapted to a shift in revenue streams, away from physical products and towards streaming and many ancillary streams, musicians have experienced a loss of industry and state support. While being a musician has never offered a reliable income for all, artists are now faced with limited opportunities to receive financial support during development, and declining income streams, producing challenges even for those who may have survived as working musicians in a previous era.

Where previously musicians have had their development supported through cash injections from record labels or, in some countries, state funding, such upfront revenue is increasingly scant. While “getting signed” to a major label continues to hold appeal for many musicians (see Arditi Chap. 6), one of the main benefits—an initial income in the form of an “advance”—is no longer guaranteed and certainly not of the eye-watering amounts once associated with “making it.” Historically, signing with a record label would include an upfront payment, later recouped by the label through royalty income, to keep an artist afloat while they produce the agreed product. Yet, today there is often an expectation that to get signed an artist requires a finished product in hand and a large number of social media followers. The next section will look in greater detail at how contracts have changed; for the purpose of understanding shifts in revenue, however, the decline of advances immediately points to the need for musicians to hustle and self-fund to even attract a record deal.

In some countries, state support has at times provided musicians with the time and space to develop, whether in the form of funding schemes aimed specifically at musicians in the early stages of their careers, or sometimes simply through a relatively generous social welfare system that allowed “unemployed” musicians to focus on their art while receiving state benefits (Cloonan 2007). As states with historically strong welfare systems have tightened their belts, public policies around the globe have taken on more of an entrepreneurial and promotional orientation, and public policies affecting musicians are no exception. Policies that once supported a wide range of popular music culture to flourish have been replaced by policies that position musicians as small businesses or entrepreneurs, with commercial viability a key criterion of applications (Klein 2023). Such changes point to revised norms and ideologies relating to support for musicians. But the biggest shift for musician and music industries revenues has resulted from the rise of digital media.

The transition from physical media to digital media presented listeners, musicians, and music companies with new possibilities: production, distribution, and consumption were never easier. But convenience came at a cost: it turned out that, without the physical product, listeners expected to pay much less for music, if at all. For record labels, the transition to downloading and, later, streaming meant that revenue could no longer focus on physical music sales. Recording companies instead looked to boost ancillary streams like sync licensing for media, including commercials. The shift came with major

implications for musicians, who relied on sales to dig themselves out of advance holes and, if particularly lucky, to make a reasonable income. While wider access to high-quality recording software and hardware certainly enabled musicians to make music without needing a record deal or studio time to record, what was gained in lower production costs was lost in sales, and even as streaming occupies an ever-larger slice of the pie, it remains a small proportion of the income once achieved by physical music sales. When it comes to the cut that trickles down to artists, many musicians understandably view streaming as promotion, rather than income stream (Hesmondhalgh et al. 2021). As a result, like labels, musicians must be open to any and all income possibilities.

And there are many *possibilities*, even if few translate into significant reality for most musicians. The Future of Music Coalition's Artist Revenue Streams project, launched in 2010, offered a groundbreaking view of the wide variety of income streams through which musicians and composers make money. The research considered opportunities offered by technology, like global distribution without selling rights, and attendant challenges, such as the large number of streams to manage, including streams that may only produce a tiny amount of revenue (Thomson 2013).

More recently, Hesmondhalgh et al. (2021) provide an overview of studies—including the work of the Future of Music Coalition—that have documented musician revenues and revenue streams, alongside detail of the results of their own survey of musicians. While streaming platforms have sought to demonstrate the significant contribution of streaming to musician earnings, many stakeholders take the position that artists have not benefited in the way that record companies have, and that their income has not increased proportionally as streaming has become the main site of listening (Hesmondhalgh et al. 2021, p. 79). All studies point to a music career as “a ‘portfolio career’ with most deriving income from a variety of sources beyond the role they considered to be their principal musical activity” (Hesmondhalgh et al. 2021, p. 35). Among the items in that portfolio are the categories most obviously associated with commercial partnerships and the notion of “selling out,” including sponsorships, endorsements, product placement, and licensing to consumer brands.

By all accounts, artists earn on average very little from such revenue streams. Of the Artist Revenue Streams data, Dicola notes, “merchandising, branding, and licensing of one’s persona make up only a tiny fraction of musicians’ revenue, despite the increased prevalence of social networking” (Dicola 2013, p. 337). Hesmondhalgh et al. cite a recent MIDiA survey that shows artists earning 3% (label artists) or 4% (independent artists) from sponsorship (2021, p. 38), and share their own musician survey finding that only a small percentage (3%) fund their musical activity with corporate funding, such as branded content (2021, p. 183).

How do we explain the paradox of seemingly tremendous industry energy directed towards a small fraction of income? The key here resides in the phrase “on average.” Most artists will earn little to nothing, but those that agree to

commercial partnerships can earn a lot, making such opportunities of interest to all. An artist who secures a deal is like a winner in one sub-section of a winner-takes-all market. Indeed, a single instance of sponsorship can be very significant to an artist, allowing them to focus solely on their music for a period of time. Ultimately, diversification of the musician portfolio makes it very tough to say no to commercial support that might have been viewed as “selling out” previously, like licensing to advertising or agreeing to an endorsement or sponsorship deal. There has also been a cultural shift, bolstered by the widespread characterization of musicians as entrepreneurs and brands, that makes it easier for musicians to agree to commercial partnerships without a concern over reputational consequences. Thus, commercial partnerships are an essential feature of musician incomes, even as most will never see significant value from them, despite remaining open. In a way, the decline of “selling out” accusations recognizes this harsh reality: who can blame an artist for buying themselves time and space to develop?

It has long been a narrative of the music industries that artists are denied their rightful portion of recording revenue and must therefore rely on ancillary streams to make money. Touring and merchandise sales are the go-to examples, until they are unceremoniously cut off by a global pandemic, as musicians experienced in 2020, when venues were forced to close to prevent the spread of the COVID-19 virus. However, record companies (and venues) in recent years have demanded a cut or a bigger cut of streams. These demands are reflected in artist contracts, which account for commercial partnerships.

### CONTRACTUAL BONDAGE AND BRANDS

Securing a contract with a record label is recognized as a double-edged sword for musicians, a symbol and sometimes harbinger of success, but on terms that favor record companies. Industry accounts and academic studies have highlighted the unfair nature of contracts for recording artists who “typically work under unequal contracts and must hand over long-term control of the songs and albums they produce to their record companies” (Stahl 2013, p. 2). For musicians and fans involved in independent music scenes, “selling out” debates in the 1980s and 1990s focused on independent musicians signing to major labels. Disagreement over what recording contract terms are and should be are reflected in the many public and legal debates between recording companies and artists, which have at times found industry insiders damning major label contracts and artists soliciting public support. Producer Steve Albini’s 1993 denunciation of major label contracts outlined representative scenarios and figures to explain how a deal that looks like a lot of money translates into so little for artists: “Some of your friends are probably already this fucked,” he warned (Albini 1993). In 1995, Prince began writing “slave” on his cheek to reflect his contractual battle with major label Warner Bros. Despite public critiques, record contracts have become more exploitative over time: “Record labels use their power to negotiate one-sided deals with emerging artists who do not have

the power to forge a strong position—labels will just move to the next musician” (Arditi 2020, p. 3).

The reason that labels are able to move on so easily is because of the sheer number of musicians keen to sign a deal, as “signing a deal has historically held considerable symbolic appeal and practical benefits for many music creators” (Hesmondhalgh et al. 2021, p. 145). The major label recording contract is viewed as a symbol of success, where “signing with a record company enacts, confirms and signifies” the “value and legitimacy” of artists (Stahl 2013, p. 106). Reality television programmes and documentaries that map the progress of emerging musicians also normalize the goal and value of signing a major label contract (Arditi 2020; Stahl 2013).

There can be practical benefits to signing: “Aside from the prestige that signing with a record company or music publisher can confer on an artist, financial investment along with access to industry expertise and market intelligence holds obvious attractions for music creators” (Hesmondhalgh et al. 2021, p. 145). Being on a label can also help artists in terms of getting radio play and gigs, time to develop, and marketing (Arditi 2020, pp. 238–240), and is associated with more exposure and higher earnings, although averages hide a wide range, as with musician income generally. In practice, “fewer than 20 percent of artists earn enough profits and royalties to repay their record companies’ financial investments in them (known as ‘advances’ and often treated as loans); only around 5 percent of artists actually exceed repayment and achieve profitability” (Stahl 2013, p. 11).

The difficulty that artists face in achieving profitability is compounded by the allocation to record labels of a greater portion and expanding number of revenue streams through “multiple rights” deals. The most extreme version is called a “360 deal,” which shifts risk onto performers and maximizes music companies’ control by claiming rights to a portion of all artist income (Marshall 2013; Stahl and Meier 2012). The 360 deal purports to overcome the division between recording royalties, the income previously relied on by record companies, and the alternative streams often relied on by artists to sustain themselves in the absence of significant royalties, including “live performance, licensing of music (including to television and film producers, video game companies, advertisers), and merchandise (from tour t-shirts to deals with retailers like Hot Topic)” (Stahl 2011, p. 683). Further, as Arditi notes, 360 “deals become even harder to recoup because labels require signees to pay back their advance through all of these revenue streams” (2020, p. 102). While 360 deals were fairly typical in the early 2000s, as record companies sought to find their feet amidst the P2P downloading crisis, there is evidence that “these deals have since become rare” (Hesmondhalgh et al. 2021, p. 65). At the same time, recent analyses of actual contracts demonstrate the reach of labels beyond recording income, even if “360” is a misnomer.

Discussion of the fairness of record deals is hindered by the “lack of publicly available research and information about the important issue of contracts between music creators and rights-holders” (Hesmondhalgh et al. 2021,

p. 23). Because we so rarely have access to the details of a record contract (whether a superstar’s or not), it is difficult to challenge the assumption that getting signed is a symbol of success for musicians (Arditi 2020, p. 232). With access to 22 proposed contracts covering the periods 2007–2010 and 2016–2019, Kjus’s analysis of Norwegian recording contracts does not identify a clear expansion of rights suggested by the 360 label, but does note a “discernible form of ‘360’ expansion in the ways in which labels have come to seek control over artists’ contributions and labour—for example, the demands made concerning the funding of recordings and the profits from concerts” (2022, p. 485). While most contracts will not reflect the all-encompassing connotations of 360 deals, even less extreme versions go beyond the recording. Hesmondhalgh et al.’s (2021) extensive study into music creators’ earnings includes analysis of record contracts from 1991 to 2019, provided by the Musicians’ Union, as part of its data set. Their analysis of these contracts (largely from independent companies but also a small number of contracts from major labels) demonstrates “variance in the nature of these agreements which can be fundamental. For example, some contracts cover all aspects of a creator’s musical activity on an exclusive basis. In other cases, the contract will pertain to exploitation of a single work or bundle of works on a non-exclusive basis” (Hesmondhalgh et al. 2021: p. 145). The variation of contracts refuses broad generalizations about their nature. There are, however, some trends and tendencies that can help us understand the role of commercial partnerships and brands.

Firstly, although recording companies are saving money on physical product, they continue to command a large portion of royalties. Record companies and their representatives justify their portion by claiming that investment in marketing and promotion is higher than ever, in part because of “always on” expectations (Hesmondhalgh et al. 2021). We might also spare a thought for the “always on” artist, which I consider in the next section on promotion. Secondly, labels continue to hold the power over artists when it comes to contract negotiations. As Stahl argues, “The party offering the ‘take it or leave it’ contract is in the position of superior power: that party sets the terms of the contract to suit it” (2013, p. 167). Record companies have lots of artists on their rosters but artists may have only one company offering them a contract. Nobody is forced to sign a contract, but “voluntarily signed” must be understood in context. Thirdly, as noted above, while few artists will get the big sponsorship or brand partnership deal, there is pressure to take every opportunity because one deal can make a big difference. The expansion of contracts to include musical activities beyond recording means that record labels will often claim a portion of commercial partnerships such as sponsorships, endorsements, product placement, and licensing to media (including advertising). In other words, artists may feel compelled to consider opportunities previously viewed as “selling out” and they likely need to share any income derived from such activities. Finally, another trend that opens the door to entertaining commercial partnerships is the demand on artists to position themselves as

entrepreneurs and influencers, for it is increasingly through success on platforms like TikTok that artists are offered record deals. Seabrook reports, “In 2020 alone, more than seventy new artists who broke out on TikTok signed contracts with record labels” (2022). Rather than looking for talent, record labels are looking for existing commercial success and potential, including in terms of promotional savvy: “musicians need to set themselves up as a business, demonstrate their profitability, and hope that a larger business (i.e., record label) buys them out (i.e., signs them)” (Arditi 2020, pp. 38–9). As a result, promotion has become an essential activity for musicians at all levels, further embedding commercialism into the process of music-making.

### PROMOTION AND BRANDING

Promotion helps some recordings to get greater attention (and revenue) than others, and is central to the work of the music industries. Hesmondhalgh et al. describe different types of marketing and promotion that can support the generation of revenue, including traditional marketing and promotion activities that advertise the product; marketing and promotion through appearances, performances, and licensing that generate revenue while also advertising the product; and selection as content in journalism or playlists (2021, p. 72). The centrality of promotion to the music business has led Meier to argue for the concept of the “artist-brand” as capturing the new reality that the “recording artist ‘personality’ is the primary hub around which various ‘ancillary’ products and licensing agreements may be forged” (2017, p. 4). Partnerships between recording artists and brands, including licensing and endorsement deals, have “opened up new opportunities for musicians,” while also encouraging “overwhelmingly commercial and promotional understandings of and assumptions regarding popular music and its role in society” (Meier 2017, p. 2).

Promotion has always played a role in the music business, and the rise of popular music alongside the rise of media offered ever greater opportunities. In the 1970s, music was the most successful sector of the entertainment industries in the US, and financial success brought with it the establishment and growth of professional roles to support operations. While the growing number of agents, publicists, managers, and critics could signal an unsavory commercial turn for popular music, professional support roles also provided a separation between the creative and business dimensions of making music, allowing artists minimal contact with the business end and the opportunity to focus on the creative end (Goodman 1997). Recent decades have seen a paring down of professional roles and greater reliance on musicians to take on some of that professional business themselves, though the employment of professionals can signal to gatekeepers like record labels the seriousness with which artists approach a music career (Arditi 2020), and being relieved of essential admin can be worth the investment for music creators (Hesmondhalgh et al. 2021).

Some musicians take on the work of the business side, including marketing and promotion; others find a record deal attractive specifically because of the help with business demands it can provide; and others maintain their



independence while paying for services through distributors. There is a trade-off that artists must consider: own and do everything yourself and you get the whole pie, or involve professionals who may be able to increase your numbers for a portion of the pie. Even when there are professionals working for artists behind the scenes, there are expectations of artist involvement:

In order to achieve a sustainable income from music in this highly competitive and “over-supplied” labour market, many music creators face considerable challenges, and increasingly feel compelled to spend significant time, energy and resources on marketing and promotion and other activities that are not “directly” musical. (Hesmondhalgh et al. 2021, p. 15)

Indeed, even major stars are expected to direct labor towards fan engagement on social media and, while some have gone public about digital burnout (Jones 2022), nearly all capitulate. A label may still employ a social media manager to run an artist’s accounts, but “the user-generated culture of TikTok requires the artist to take part in the content to increase its chances of going viral” (Seabrook 2022).

Through the use of commercial social media platforms, commerce and advertisers are woven into the everyday activities of musicians and music fans. The experience of musicians on social media is an exaggerated version of what many of us experience, in that social media platforms implore us all to be promoters now. The self-branding orientation of social media, combined with expectations of personal interaction between artists and fans enabled by platforms, has configured social media as a major part of artist activity. Musicians are the product and the seller. As a result, musicians adopt “self-branding rhetoric” (Duffy and Pooley 2019, p. 28) and describe the prominence of entrepreneurial activities to the work of making music (Duffy and Pooley 2019; Haynes and Marshall 2018; Morris 2014). Viewed positively, social media gives all musicians the opportunity to reach audiences, bypassing gatekeepers like record labels. But it does so by relying on income generated by advertising and the reduction of everyone and everything to brands, embedding commercial entities and objectives into each click or tap. Paid sponsorships are central to artist promotional activities, though often hidden from view in what Seabrook describes as the “murky mixture of marketing and culture that extends across much of TikTok” (2022).

Even artists who hold anti-commercial values are compelled to use social media platforms. In such cases, the tension between some non-commercial goals of making music—community, collaboration, self-expression—and the promotional orientation of platforms is laid bare. Jones explains that decisions once linked to “selling out” are recontextualized for DIY musicians in the age of social media: “These decisions are now seen as inviolably individual (‘it’s their choice’) or as structurally overdetermined (‘what else would you do?’), in such a way as to put them beyond critique” (2021, p. 4). The internet and social media support a DIY approach for a wide range of musicians using the same platforms, but without importing the ethics (including anti-commercial



values) associated with some DIY music scenes (Jones 2021). As Jones writes, “the music industries being a more ‘DIY business’ means new expectations of ‘self-management’—a form of independence that does not hold the same political potential” (2021, p. 7). For musicians who do value DIY ethics, social media, with its emphasis on self-branding and the potential to turn communication with fans into promotional opportunities, can prove an uncomfortable fit, while still offering a useful site for DIY activities (Jones 2021). Metrics-based tools, for example, “contribute to a growing pressure for DIY practitioners to think in terms of enterprise—even if they aren’t actually seeking to make a living from music” (Jones 2021, p. 107) and “optimization weakens DIY critiques of commercialism by making marketing decisions unavoidable, and by encouraging practitioners towards capitalistic modes of accumulation” (Jones 2021, p. 133).

Whether musicians are involved in commercial partnerships with brands or promoting themselves as brands, promotion is inescapable for musicians, even if they have misgivings. The promotional environment encouraged by social media, in which all musicians take on the role of promoter, contrasts with the separation of artists from the music business enabled by professional roles in a previous era and departs ideologically from the DIY approach that saw independent artists engaged in marketing and promotion without relying on commercial frameworks.

## CONCLUSION

Commercial partnerships are embedded implicitly and explicitly in the revenue streams that are imagined, if not achieved, by musicians; in the record contracts that continue to mine non-recording activities for record label cuts; and in the infrastructure and ideology of social media platforms, a key vehicle for promotion. It is no wonder that the concept of “selling out” has lost its relevance. Music business practices now, more than ever, simply do not allow musicians to maintain clear lines between their art and commercial opportunities.

The seeming inevitability of commercial entities and partnerships in popular music culture is not without consequences. As Meier argues, the strategic pairing of popular music and brand partners has transformed the character of popular music, which she considers *as* promotion: “When popular music is used as a form of promotion, what it actually sounds like and says is secondary to what it *does*” (2017, p. 10, emphasis in original). And commercial influence can be subtle. It might be reflected in the way that lyrics are edited out of a commercial placement; the worry among musicians and labels about the impact of risky artistic choices; and the ability of certain artists to gain support over others, whether on a playlist or through a partnership.

Of course, not all music is commercial and not all music is intended for big audiences. But popular music can be very meaningful and important for bringing together communities and for communicating messages, including political ones, widely. Fisher’s words about the importance of mod-rock band The

Jam’s popularity capture a dynamic that seems unlikely in the context of today’s music industries: “The Jam thrived in public space, on public service broadcasting. It mattered that they were popular; the records gained in intensity when you knew that they were number one, when you saw them on *Top of the Pops*—because it wasn’t only you and fellow initiates who heard the music; the (big) Other heard it too” (2016, pp. 99–100). The possibility of meaningful and important messages reaching wide audiences in the risk-averse universe of relationships between artists and brands is small.

“Selling out” discourse may have motivated musicians to avoid choices that would, or would be perceived to, constrain them, at a time when maintaining such principles was possible. The tendency for fans to point the finger at artists hardly seems fair today, if it ever was. What this chapter demonstrates is that musicians are now making choices within a limiting and highly commercialized set of music business practices. We might redeem the concept of “selling out” for its intention to protect popular music culture from the influence of commercial culture at all levels and entry points. Instead of blaming artists for their choices, we would do better to take that strength of feeling and redirect it towards business practices that limit choice for musicians: the limited reliable income streams, the expansive record contracts, the commercial social media platforms, and their unquenchable thirst for valuable engagement.

We can start by imagining an environment where commercial choices are actually choices, considering what support could make that happen and how we could use our newly developed skills in promotion for the collective good. Jones (2021) offers some suggestions for how DIY practitioners might practice a different form of social media engagement that supports cultural resistance, including using free and open-source alternatives and refusal to engage with the more destructive aspects of corporate platforms, though he acknowledges that such options may be difficult to enact even when there is infrastructure or choice. Enthusiasm for free and open-source social network Mastodon, bolstered by the 2022 purchase of Twitter by billionaire investor Elon Musk, did not persuade most Twitter users to join the Fediverse. Even ordinary users, whose livelihood is not dependent on social media promotion, struggle to extricate themselves from the most-used social media platforms. Ethical alternatives to Spotify, like Resonate, face similar challenges.

Musicians could also put those entrepreneurial and promotional skills to community-oriented use as artist activists, facing the “risky era of entrepreneurial music production and artist self-promotion” (Cornfield 2015, p. 1) by developing a strong and supportive peer community. “Artist activists enact their roles by encouraging artistic expression or by sustaining social relationships for mutual support in professional development and advocacy among peers” (Cornfield 2015, p. 33). Shifting the commercial direction of the music industries may be impossible, but gathering together concerned musicians and their advocates can help to highlight, protect, and grow paths of resistance. The notion of “selling out” was central to debates about commercialism in popular music culture: by keeping such debates alive, it won’t have died in vain.

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## Strength in Numbers: How Young Artists Navigate Racial Stereotypes in the Rap Industry

*Mike D'Errico*

“Industry rule number four thousand and eighty // Record company people are shady” (A Tribe Called Quest 1991). This modest claim from Q-Tip hints at the complex social and economic dynamics of the rap music industry. When viewed particularly from the perspective of young artists of color looking to navigate the early stages of their careers, Q-Tip’s claim reflects broader issues related to race and class that have plagued the industry for years. If the American music industry was built on the foundations of the racist ideologies of post-reconstruction-era America, rap music reflects the modern legacy of this troubled history. Common stereotypes of blackness are often perpetuated by record label executives and reinforced by hip-hop’s listener base through stereotype threat (Steele 1997), and young artists feel pressure to conform to these stereotypes to advance their careers (Howard et al. 2020). Initially, Lil Nas X seemed to represent a sea change for the industry, in which rappers could break out into the mainstream without confining themselves to a single character archetype. Just a few years after the release of “Old Town Road,” though, it became clear that his position as a pop-rap-country crossover artist was an anomaly.

As many artists, fans, and music scholars celebrated hip-hop’s 50th anniversary in 2023, the genre was experiencing what Xochitl Gonzalez called a “Midlife Slump” (2023). On the one hand, ongoing narratives about artist empowerment through social media and “DIY” have continued to facilitate

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the musical aspirations of young artists (Jones 2021a; Foster 2014). At the same time, the very structures that gave birth to the “SoundCloud Generation” of rappers have ensured that “making it” in the rap industry will be an uphill battle for years to come (Pierre 2019). Further, while some argue that social change movements such as #MeToo are already having a positive impact on the music industry (Brown 2023), sexism and misogyny remain prevalent concerns for women in hip-hop (Malachi 2023). Finally, despite narratives about economic growth across the entertainment industries, the early 2020s were plagued with waves of layoffs at the top record labels (Peoples 2024). In this context, how do young rappers navigate the constantly changing racial, class, and political structures of the music industry?

In this chapter, I reflect on ethnographic work I conducted with student members of the “Rap Collective” at Albright College—a performing ensemble that I direct—to outline how emerging artists navigate the complex dynamics of the rap industry. Using insights from interviews and collaborative creative work with student artists, I argue that building character archetypes through storytelling, marketing, and branding provides a platform for young rappers to challenge problematic racial stereotypes that have plagued the industry for years. Building on existing scholarship that explores how rappers operationalize career aspirations in music (Harding 2010; Lee 2010; Neff 2009), I prioritize the perspective of young, DIY artists who have yet to break into the rap business. As such, this chapter offers a unique look into how black and Hispanic rappers shape, and are shaped by, preconceptions of what’s expected of them to “make it” in the industry.

## HIP-HOP AND THE AMERICAN MUSIC INDUSTRY

Of course, racism in the American music industry is not unique to rap. As C. Delores Tucker notes, “the white music industry has always denigrated the black community. White corporate America has always feared the black male. It wants to suggest black males are inhuman beings”. Indeed, the industry’s roots in blackface minstrelsy pinpoints a historical strategy for white musicians and audiences to deal with that fear through the caricature and satire of black bodies. As Wesley Morris (2019) states, blackface minstrelsy “lent racism a stage upon which existential fear could become jubilation, contempt could become fantasy. Paradoxically, its dehumanizing bent let white audiences feel more human. They could experience loathing as desire, contempt as adoration, repulsion as lust.” Without rehashing a more complete history of race in the American music industry, it’s significant to note—as a core premise of this chapter—that the dehumanization of blackness by white audiences and musical institutions is a defining feature of rap that shapes practices of musical production, marketing, and distribution.

Contemporary discourse on rap tends to move between either a critique of the music’s pivotal role within a racist and dehumanizing industry or a celebration of the music’s potential for sociopolitical resistance in that space and

beyond. In this chapter, specifically, I'm interested in how market trends have amplified long-held stereotypes of blackness within the industry. While an examination of the increasingly algorithmic nature of artist and repertoire processes in the twenty-first century would require a separate chapter, suffice it to say that the gradual monopolization of the music industry by "the big three" record labels has led to a certain homogenization of content in rap music and made accountability among record label workers difficult. Michael P. Jeffries (2010) describes how, for example, record labels in the early to mid-1990s commoditized and amplified the image of rappers as "thugs." Jennifer Lena (2006) argues that, with the increasing monopolization of record labels and corporate media conglomerates, the content of rap has focused more explicitly on topics such as sex and violence. As such, individual rappers are often blamed for the social problems effecting communities of color. Mark Anthony Neal claims that "it is exceedingly difficult to hold program directors responsible for their decisions because they are not beholden to local constituencies. Not only do program directors operate with the massive financial support of the national media conglomerates that employ them, but they also perform their jobs in relative anonymity" (quoted in Jeffries, 4). Ultimately, the increasingly homogenized and relatively inaccessible context of rap music production has made individual rappers, as the public faces of hip-hop, targets of blame for the social problems affecting communities of color. Significantly, these critiques are not only coming from white conservative outlets like Fox News, but many of them are embedded within the critiques of much hip-hop scholarship from the late 1990s and early 2000s.<sup>1</sup>

Hip-hop's status as one of the largest forms of cultural expression in popular media has led to what Tricia Rose (2008) calls "the hip-hop wars"—perennial critiques of the genre both from "outsider" media outlets and members of the hip-hop community itself. Rose outlines both sides of what she lists as the top ten debates in hip-hop, from the idea that hip-hop causes violence and demeans women to the claims that the music hurts black people and that it's destroying America's values. Like many hip-hop scholars, Rose agrees that hip-hop simultaneously reflects and critiques the unique perspectives and challenges of black life in America. The core challenge, as this book makes clear, lies in the tricky balance of how the genre and its stakeholders are represented in popular media and culture, as well as how the genre functions for its vast producer and consumer base.

As the distribution channels of hip-hop evolve, from broadcasting to recordings to online platforms and social media, so does hip-hop's function and role within popular media and culture. If the evolution of rap in the twentieth century was defined by an increased presence of rap music and rappers in the (white) American public eye, the age of social media in the twenty-first century amplified the private lives of rappers, thus, in turn, amplifying stereotypes and

<sup>1</sup> Michael Ralph (2009) offers a nuanced overview of critiques of hip-hop from both vernacular and academic perspectives.

standards that have governed them for years. Kelefa Sanneh (2007) pinpointed this issue and foreshadowed the challenges to come when he remarked on the challenges of hip-hop as they were playing out in MySpace, reality TV, and talk radio. As he writes, “rappers are trying to negotiate a culture in which the boundaries of public and private space keep changing, along with the multiplying standards that govern them.” In the age of TikTok and other platforms for viral performance, these boundaries have become thinner. On the one hand, this has arguably made the music more accessible, both in its consumption and production. For example, Trevor Boffone (2022) describes how the visual performance of hip-hop music and dance on TikTok serve as “powerful outlets that both push against and support existing systems of power that subjugate people of color in the United States” (xv). On the other hand, it runs the risk of intensifying the same racist fears, stereotypes, and social expectations that the music industry has been pushing for years. If we want to understand the effects of racism in the rap industry and how rap, as a genre of corporate media, functions for rappers that aren’t part of the 1 percent of the industry, it’s important to consider young, emerging artists who are still learning to navigate the industry, especially those outside of the public eye of social media.

### THE RAP COLLECTIVE AND HIP-HOP PEDAGOGY

Perhaps in parallel with the rise of hip-hop in commercial media and popular culture, hip-hop has gradually made its way into higher education. However, it wasn’t always—and still isn’t, in many cases—embraced by faculty and other figures of authority on campus. In an article titled “The Miseducation of Hip-Hop,” Jamilah Evelyn (2000) quotes one faculty member who describes “students walking on campus reciting rap lyrics when they should be reciting something they’ll need to know on their next test,” and another talking about how some students “look like hoochie mamas, not like they’re coming to class.” While anti-rap academics aren’t *necessarily* publishing their thoughts on the matter, my own anecdotal experiences with music departments at a variety of higher education institutions includes casual racism and microaggression from older faculty members, as well as the perceived lack of rigor and lack of Musical (capital M) skills that hip-hop or popular music pedagogy, in general, might entail. Of course, Evelyn’s general argument goes beyond what hip-hop pedagogy might provide in terms of music education itself. Rather, she claims that understanding hip-hop provides a lens through which we can understand youth culture, and this can be an empowering step in moving away from the racist stereotypes of blackness that the music industry and other media/educational institutions perpetuate.<sup>2</sup>

<sup>2</sup> Of course, like the genre’s reservations about “going mainstream,” hip-hop maintains a healthy concern about being involved with the American education system. See, for example, Nolan Jones, “Hip-hop’s love-hate relationship with education,” *The Conversation*, November 12, 2021, <https://theconversation.com/hip-hops-love-hate-relationship-with-education-165735>.



In many educational institutions today, hip-hop pedagogy is not only embraced, but (mostly) encouraged. Facilitated on the one hand by administrative efforts at increasing diversity, equity, and inclusion (DEI) on campuses and, on the other, attempts to “decolonize the music curriculum” by music scholars and faculty, the desire for teachers that are scholar practitioners in “non-traditional” and popular music idioms is common language among job advertisements in higher education.<sup>3</sup> In addition to more courses on hip-hop-related topics in general education curricula, we’re also witnessing growing interest in applied hip-hop pedagogy, through initiatives like hip-hop ensembles (Berklee, University of Oregon, George Washington University, among others), as well as rap and beat production “labs” (University of Virginia, University of North Carolina at Chapel Hill). Studies have shown that hip-hop pedagogy can be a positive tool in student learning and community change, creating a safe educational space encouraging inclusion and self-expression, and increase engagement and meaningful interaction between the student and the instructor (Hains et al. 2021). Others have shown that students involved in applied learning through beatmaking and other creative outlets have demonstrated reduced depression and anxiety symptoms and overall improvement to knowledge retention across their studies (Travis et al. 2019).

At Albright, the Rap Collective functions as a useful case study for tracing the benefits, challenges, and effects of the ongoing “decolonization” of Music Departments in higher education. The ensemble emerged as part of a broader initiative in our department to diversify the curriculum based on increasingly changing student demographics, which was itself a product of a tuition reset that vastly lowered the cost of admission to the College. To be effective, we tried to ensure that courses and ensembles were accessible to students that didn’t participate in “traditional” K-12 public education music programs. We also wanted to make sure our goals and objectives aligned with the vision of the institution, so we leaned heavily on anti-racist pedagogy in our general education curriculum, as well as applied learning programs within the local school district (Reading, PA). The result was an overhaul of our general education curriculum to focus on course topics related to black popular music, as well as the introduction of popular music ensembles such as the Studio Band, Commercial Music Workshop, and the Rap Collective.

While most hip-hop ensembles within Music Departments comprised instrumentalists plus rappers, the Rap Collective is mainly composed of music producers and vocalists (rappers and singers working in R&B, soul, and hip-hop). This is to accommodate many ensemble members who come to the program with no *formal* musical experience in their K-12 education but have been making beats and/or distributing vocal music for years, either professionally or through Soundcloud and other online platforms. In addition, encouraging “in

<sup>3</sup>Conversations about “decolonizing music education” have been around for quite a while (Walker 2020; Stanton 2018; Bradley 2012), with Philip A. Ewell’s “Music Theory and the White Racial Frame” (2020) causing waves within academic music circles.

the box” music makers to join the ensemble allows for more modular collaboration among ensemble members—sometimes the whole group will work together on a cypher (an informal jam session among rappers), while other times pairs or groups of three will work on a track during rehearsals. This makes the rehearsal session feel more organic and less structured from a top-down perspective, and therefore more familiar to students that didn’t participate in the band/choir music system of most public education institutions.

Beyond the technical organization of the Rap Collective, the ensemble maintains a significant social function, too. A large part of students’ grades in the ensemble comes from public performances on campus; releasing records through the on-campus record label, Lion Records; or collaborating with other campus organizations or initiatives such as the WXAC campus radio station or student groups like Club Vogue (Fashion), Domino Players (Theatre), and the African American Society (AAS). Off campus, ensemble members often work with local nonprofits such as RIZE—an arts-based youth organization in Berks County that promotes violence prevention and criminal justice reform. Other members work with the “Making Beats” program—an after-school initiative at Reading’s Northeast Middle School in which students learn how to use digital audio workstations and other music-making technologies. The public-facing nature of the ensemble has aligned its anti-racist mission with that of the Department, while fostering this mission across the College. Within the Music Industry Studies program, the Rap Collective makes students with a clear passion for music feel at home and welcome in a College Music Department even if they didn’t take the AP Music Theory Exam or enroll in private music lessons from a young age. Further, the collaborative nature of the group has enhanced the feeling of representation and belonging among students of color on campus, as many Rap Collective members are also involved with other black student organizations on campus including the Black Men of Color Initiative, African American Society, and the Society of Black Alumni, among others.

## SECOND PERSONAS, VIRTUAL WORLDS, AND SPATIAL POLITICS IN THE RAP COLLECTIVE

As I’ve demonstrated, the rap industry has always been a double-edged sword in terms of its sociocultural function and impact, with some arguing for its transformative potential as a dominant idiom of popular culture and others cautioning against its perpetuation of potentially harmful stereotypes. Existing scholarship has addressed the dichotomy of “realness” in hip-hop, as commercial success in rap music is often contingent on a careful balancing act of performing “authenticity” while acquiescing to character tropes and stereotypes crafted by market forces (Krimms 2000; Smith 1997; Rose 1994). In the Rap Collective, ensemble members use a variety of strategies to balance their personal creative and professional goals with the socioeconomic pressures of the industry. Most noticeably, artists in the group use second personas to subvert

the “commercial” image of what it means to be a young person of color in America that’s been imposed on them by the rap industry. This concept builds on Paul Gilroy’s notion of “doubleness” in modern black cultural forms, in which artists understand their practice “relative to the racial group and of the role of art in mediating individual creativity with social dynamics” (1993, p. 73). Applied to the market context of hip-hop, Christopher Holmes Smith describes how the “ghetto” functions as both signifier of authenticity and a lucrative aspect of self-promotion, thus becoming “simultaneously commodity and safe-haven” as rappers promote themselves through narratives of their place as other within mainstream commercial culture (Smith, quoted in Hess 2005, p. 298). In this formulation, “doubleness” simultaneously reifies and critiques standards of authenticity and marketability in the rap industry.

Second personas, on the other hand, incorporate intentionally un-“real” identity tropes from ludic entertainment forms like comic books, fantasy role-playing games, and video games to subvert playfully ideas about artist marketability in the first place. Mickey Hess describes what he calls the “hidden transcripts of play as resistance” in hip-hop, in which artists use masks, costumes, and “playfully evasive lyrics and sample” to articulate a resistance to their actual material conditions (Hess 2005, p. 298). In the context of the Rap Collective, for example, Joka uses a sort of comic book horror brand (à la The Joker from DC Comics) as a way of conquering some of the more difficult and dark aspects of his childhood. While he called himself “Joka the Demon” initially, he claims that he dropped “the Demon” from his title when he realized he wanted to stop perpetuating the stereotypical “mainstream” rap personae which prioritized sex, drugs, and violence as topics. Saintvilly employs pastel colors and a heart logo to play up his role as a storyteller whose goal is to bring people together with his music. Riffing on his personal connection to St. Valentine (his birthday is February 14), he sees the Saintvilly persona as a way for him to control the narrative of how his artistic story gets told. Like many members of the ensemble, Saintvilly is an avid gamer (*Magic: the Gathering*, in his case), and his penchant for fantasy and alternate realities aligns with his presentation of himself as an “underground” rapper committed to making it in the industry through his own means.

The idea of using rap to explore alternative worlds of fiction and fantasy is nothing new. From Afrika Bambaataa’s space-age afrofuturism to the Wu-Tang Clan envisioning Staten Island as the Mysterious Land of Shaolin, all the way up to HBO’s rap promo for *Game of Thrones* titled “Catch the Throne,” hip-hop shares with fantastical worlds the act of imagining life beyond the limitations of reality. This is related to the close connections between—and parallel to the technical and social emergence of—video games and the hip-hop

generation.<sup>4</sup> Aaron Trammell (2023) pinpoints hobby games more specifically as a fraught space that defined, on the one hand, the hegemonic masculinity and white privilege of the tech industry and, on the other, “a lifeline—a space of belonging set apart from the bullying and turbulent dynamics they encounter in their day-to-day lives” (xi). Mickey Hess (2005) notes how second personas specifically demonstrate the use of “play as resistance” in hip-hop, as they “subvert commercial presentation of the hip-hop artist and the standards by which his or her marketability and authenticity are judged” (301). Like hip-hop, games provide spaces that simultaneously critique and reify issues of race, class, and gender in American culture.

Of course, playing up positions of alterity in their artist brand doesn't mean that Rap Collective members are actively avoiding the business, or that they don't want to make a living off their music. As Russell Potter states, “hip hop is not merely a critique of capitalism, it is a counter-formation that takes up capitalism's gaps and contradictions and creates a whole new mode, a whole new economics” (quoted in Hess, 309). Indeed, most artists in the Rap Collective pursue a Music Industry Studies degree at Albright to learn how to do it all on their own and prevent labels, publishers, and promoters from taking advantage of them. As part of the curricular redesign I previously mentioned, the Music Department catered its major degree program in a way that focused on accessibility of content and materials (studio technology, for example) while prioritizing skill building for music-making scenarios that students will more likely encounter post-graduation. For example, rather than forcing every student to learn how to use the most expensive equipment, we require every major to understand how to build their own studio and navigate the recording, mixing, and mastering process regardless of the specific studio setup. Further, since all Music Industry Studies majors are required to take an equal number of courses in music business, technology, and composition, students are taught to distinguish themselves from “specialists” by foregrounding the soft skills fostered through experiential learning, including teamwork, leadership, and critical thinking. This well-rounded approach to Music Industry Studies pedagogy empowers a bottom-up perspective among students, in which they feel that they have control in shaping the future direction of the industry, rather than simply reinforcing how things have always been done.

Another important element in empowering students to feel in control of their educational experience is developing shared spaces designed for both creative and social use. At Albright, our recording studios are designed in collaboration with students based on their musical and technical needs, as well as the social function of the spaces. While the technical setup in each space may not

<sup>4</sup>For an in-depth look at how rappers use popular culture references in their performances of identity, see Greg Dimitriadis, *Performing Identity/ Performing Culture: Hip-Hop as Text, Pedagogy, and Lived Practice*. New York: Peter Lang, 2009. Connections between hip-hop and video games were documented throughout the Red Bull Music Academy's 2014 video series, “Diggin' in the Carts.” <https://www.redbull.com/us-en/shows/diggin-in-the-carts>.

mirror a “professional” studio, the students and faculty work together to ensure the spaces are stocked with backline equipment (guitars, drums, synthesizers, etc.), specialty “mood” lighting is designed to foster a comforting environment, and the workstations are always equipped with a microphone nearby and ready to record. This promotes accessibility and creativity while breaking down traditional studio hierarchies of “engineer” and “musician.” Instead, the division of labor in the production process is shared by everyone present in the space.

Like the use of second personas, the creation of spaces that students of color feel ownership of is important in both the music industry and higher education, contributing to what Rose calls the “hidden transcript” of resistance in hip-hop to engage in “symbolic and ideological warfare with institutions and groups that symbolically, ideologically, and materially oppress African Americans” (quoted in Hess, 298). While the student demographics at Albright increasingly diversify, faculty and administrative leadership remains largely white, and this lack of representation from figures of authority reminds students of their experience with a public education system that reinforced various race- and class-based power dynamics. One Rap Collective member even mentioned to me how they broke into tears when they first met a newly hired black professor in the Music Department, describing how it was the first time he had ever had a black teacher. Studies have found that combining an increase in faculty members of color with the establishment of “affinity spaces” on campus (such as Albright’s recording studio) can significantly improve racial and cultural climates at institutions of higher education, as well as contribute to broader DEI efforts led by faculty, staff, and administrators (Mowreader 2023).

Members of the Rap Collective extend the impact of space and representation to community members through a variety of service-learning opportunities. For example, the “Making Beats” program allows Music Industry Studies majors to teach music production and songwriting to students at the Northeast Middle School in Reading, PA. In many ways, Reading represents one of the many products of New York’s ongoing gentrification following post-industrial initiatives like the Cross Bronx Expressway in the 1970s—a moment that many have argued allowed for the sociocultural formation of hip-hop in the first place (Chang 2005). A little over an hour away from Philadelphia and surrounded by rural towns and farmland, the city of Reading represents a uniquely diverse population. With a majority-Hispanic demographic that still struggles economically from the effects of deindustrialization, the city boasts a poverty rate of nearly 30 percent, down from 41 percent during the 2011 Census in which it ranked as the poorest city in America.

While this may not, at first glance, seem to relate to the idea of artists’ second personas, having college students of color demonstrate how they can use their creativity for their own practices in worldbuilding goes a long way in empowering young kids in disadvantaged school districts. Of course, comic books—like hip-hop—have long-recognized the power of representation in educational institutions. It’s no coincidence that Black Lightning, DC Comics’

first black superhero with his own series, was an English teacher by day. Other outreach initiatives that Rap Collective members have been involved with include performing shows and talking about careers in the music industry as part of “Career Day” events at local high schools and building industry connections through their required internships.

Finally, the Rap Collective encourages a significant reshaping of roles for me as an ensemble director, music teacher, and ally. As a white kid who grew up in the New Hampshire suburbs outside of Boston, my experience with hip-hop mostly came from the world of beatmaking. I acknowledge on a regular basis the limitations of this perspective, as well as my privilege as a white man working in the world of music, more generally, as a way of reminding students that I have as much to learn from them as they do from me. This lets everyone’s guard down a bit and facilitates an atmosphere of co-creation within the rehearsal space.<sup>5</sup> Students know that they don’t come to rehearsals for me simply to provide workshops and other skill-building exercises, although I provide that instruction when requested or called for during project feedback sessions. Mostly, I see myself as a facilitator for the student’s creativity inside and out of the studio. This involves things like helping them to get gigs on- an off-campus; providing technical support throughout the recording, mixing, mastering, and distribution process; and developing and maintaining the studio spaces according to their creative needs. However, it also involves advocating for them as students on a campus which—like many campuses across the country—includes faculty, staff, and students who are dealing with true diversity and adversity for the first time in their lives. There have been moments, for example, in which microaggressions have been aimed at members of the group by figures of authority—staff members claiming that students would be more successful in the music industry if they stopped talking about “bitches and hoes,” administrative members telling students of color to stop saying “the n word” in their music, or security officers racially profiling members of the group, among other incidents. In these moments, I had to give up my insecurities about speaking up as a tenure-track faculty member and advocate on behalf of the ensemble members. In every case, my speaking up has led to productive conversations with stakeholders across campus about how to implement ongoing DEI initiatives in ways that impact the students.

### WORLDBUILDING AS COMMUNITY BUILDING

Together, the unique elements that define the Rap Collective as an ensemble—second personas, co-creation and personalized control of space, collaboration, and self-reflection—are features shared by the mechanics inherent to open world video games. As such, we might align the practices of strategic storytelling in the Rap Collective with a type of “worldbuilding”: a term used by

<sup>5</sup>For an introductory overview of co-creation pedagogy, see Carmen Werder et al. (2016), Alison Cook-Sather and P. Felten (2017), and Catherine Bovill (2017).

writers, game designers, and filmmakers to describe the creation of imaginary worlds. As Peter Von Stackelberg and Alex McDowell (2015) write, “Rich storyworlds—the ‘universes’ within which stories are set—provide detailed contextual rulesets that develop a larger reality that extends beyond a single story, while potentially providing a deeper understanding of the underlying systems that drive these worlds” (25–26). It’s natural to imagine this process only applying to the creation of fictional worlds. However, folks from WorldAnvil—a popular online worldbuilding platform—describe three kinds of worldbuilding, including “second world” (the creation of new worlds), “alternate Earth” (our current reality but something is different), and “real world” worldbuilding, which they describe as the creation of “fictional but realistic” places.

This last one may apply particularly well to “the hidden transcripts” of hip-hop, which, like video games, simultaneously reify and critique the most troubling aspects of the American Dream. As one of the most dominant idioms of popular media and culture, it’s no wonder that so much praise and disdain is hurled at hip-hop. However, as the culture continues to make its way into K-12 and higher education, it will be especially important for scholars and community members alike to consider the perspectives of the young artists that are likely to be the most influenced by, and most conflicted over, the genre’s messages, roles, and functions within popular media and the entertainment industry.

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# Standing in the Way of Control: The Vinyl Revival, the Record Industry, and Record Store Day

*Veronica Skrimsjö*

## INTRODUCTION AND CONTEXT

It could be argued that music consumption in the twenty-first century developed in a way that few would have predicted at the turn of the century with streaming, on the one hand, and vinyl records, on the other, becoming the preferred options for many listeners by 2020. While the twenty-first century started on somewhat turbulent grounds with the early 2000s characterised by illegal peer-to-peer (P2P) file-sharing clients like LimeWire and BearShare, these are an increasingly distant memory in the 2020s with overall music consumption expanding rather than constricting (International Federation of the Phonographic Industry 2023). It seems that contemporary consumers are generally willing to pay for music by engaging with the legal options available to them, which, in turn, has also calmed concerns about an imminent crash of the music industry (Pallotta 2020; Sweney 2021; Massimine 2023). However, on closer inspection, we might find that the concern about the music industry as a whole in the 2000s and 2010s was, instead, a concern about the record industry more specifically, and that transforming the music consumer to a music user via premium subscriptions and, thus, engaging them in unending

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consumption is a distinct and deliberate strategy to increase financial profits of major labels (Arditi 2018).

During the twentieth century, the record industry dominated the music industry<sup>1</sup> to the extent that it may have seemed like the only industry. This was, in part, achieved by selling and reselling consumers their music on different—new and ‘improved’—formats (Everitt 2016). With the emergence of digital formats and illegal downloads at the turn of the century, the playing field shifted. Rare recordings became less rare as they were shared between fans on P2P networks, and in some cases even unreleased material was in circulation. In this scenario, one might argue that the only remaining rarity is live music as it is impossible to download the experience of being there. This would, however, also signal a considerable change for the record industry and challenge its dominance. According to the Recording Industry Association of America (RIAA), the record industry reached its peak in the US in 1999 with a total revenue of USD 14.6 billion, so the impact of this kind of change should not be underestimated. In the decade following the peak, revenue fell, before reaching relative stability between 2010 and 2015 with a revenue of around USD 7 billion/year (Recording Industry Association of America 2022).<sup>2</sup> In other words, according to these figures, the industry contracted by over 50% following the introduction of digital formats after decades of continual growth, so the concerns for the record industry might seem justified from this perspective.

However, these figures should perhaps be taken with a grain of salt as research has also shown that there are various ways that data can be manipulated (Osborne 2017; Osborne and Laing 2021) and that certain narratives are shaped to enable the record industry to retain control (Arditi 2020). In a recent example of data manipulation, Luminate changed the data being fed to Billboard at the beginning of 2024 and moved away from a weighted model in favour of a system where the reported numbers from independent record stores are those directly sent to them by the stores (Tencer 2023a). At first glance, this might seem like a more accurate way of reporting sales; however, Burgess notes that only a very small number of independent shops in the US are currently on-boarded and consistently reporting to Luminate: “less than 12% by their own math, less than 5% by some coalitions’ count [...] Luminate identifies what we understand to be 642 stores [...] while coalitions estimate that number at 1100, 1400 or even 1600” (Burgess 2023). This change has very quickly had dramatic results with an estimated 40% reduction of units sold being reported (The Vinyl Record Manufacturers Association and Vinyl Alliance 2023; Fields 2024) giving the appearance that vinyl sales are going down (YoY) in the US. The changed model, furthermore, only affected

<sup>1</sup> It should be noted that the music industry contains several different industries; however, for clarity and continuity, the term music industry will be used.

<sup>2</sup> USD 7.0 billion in 2010, 2012, and 2013; USD 7.1 billion in 2011; USD 6.7 billion in 2014 and 2015

independent record stores, which is a considerable retail space for vinyl records, suggesting that sales figures will be skewed. Fields (2024) puts this into context in relation to The Smile's album *Wall of Eyes* (2024). The album reached number 43 Billboard's top 200 chart with a sale of 17,402 units; 446 of these units were from independent record shops according to Billboard and Luminate. Fields, however, notes that 3642 units were sold by independent retailers according to Hits Daily Double (2024). This would mean there is a discrepancy of 3196 units, i.e. the majority of units sold that week in the US, and for The Smile it was the difference between a top 25 record and a record at number 43 (Fields 2024).

Nevertheless, if we consider the revenue figures from 2015 onwards, an interesting pattern emerges, and it is also where discourses start to shift more noticeably. In the US, from 2016 music revenue increases again, and in 2021 revenue finally matches—and surpasses—the peak of 1999 with USD 15 billion (Recording Industry Association of America 2022). However, the driver behind this resurgence in revenue was paid streaming subscriptions, which accounted for 57.2% (USD 8.6 billion) of all revenue (Recording Industry Association of America 2022). With this kind of growth, and positive reports regarding engagement with music generally, it becomes difficult to demonstrate how the record industry is collapsing. However, before record labels were able to reassert their control via premium subscription services, the vinyl format slowly started to re-emerge as well. This re-emergence was mainly driven by consumer interest; however, vinyl sales also provide a further opportunity for the record industry to profit, and it is in this intersection—between consumer and profit-driven interest—that the vinyl format becomes particularly contested grounds.

During the tumult with streaming and downloads during the 2000s and first half of the 2010s, the vinyl format slowly simmered. That is to say, consumers could still buy vinyl records—the format did not completely disappear from the marketplace—but they were very limited in where and what they could buy and consisted mainly of second-hand vinyl from small, specialised shops or market stalls. The prevalence and popularity of the CD grew quickly after it was introduced in 1982 and overtook vinyl revenue in 1987.<sup>3</sup> Some independent record shops that solely sold vinyl managed to stay open, albeit under considerable pressure (Jones 2009; Palm 2017), and vinyl records would occasionally appear in car boot sales, yard sales, and thrift stores. By 2007, we can observe the beginnings of a shift in consumption, where vinyl records slowly—very slowly—start regaining revenue (Palm 2017; Recording Industry Association of America 2022), and, as such, this work marks 2007 as the starting point for the current and ongoing vinyl revival. As suggested above, the main form of recorded music consumption is currently through streaming (International Federation of the Phonographic Industry 2022), accounting for approximately 83.5% of music format revenue in 2022 (Recording Industry

<sup>3</sup> Cassette revenue overtook LPs and EPs in 1983, and CD revenue overtook cassettes in 1991.

Association of America 2022), but within this context the vinyl record appears to be the physical format of choice for consumers as the only format with consistent and sustained growth over an extended period of time (i.e. from 2007).

This chapter examines the relationships between the record industry, independent record shops, vinyl buyers, and Record Store Day (RSD). It will begin by detailing some of the benefits as well as concerns in relation to RSD, including limited-edition releases, scalpers, and how RSD navigates online spaces. It will argue that while RSD is often presented as something that benefits independent record shops, sometimes these benefits are not necessarily felt. The chapter, further, includes a discussion around accessibility for disabled consumers. Access is a very important topic overall, but it is also via an analysis of RSD's disability code that the chapter starts to question the true motives behind RSD. The tension is between the stated intention of celebrating record shop culture and the importance of quick sales.

The chapter continues by considering RSD's relationship with the vinyl revival, and notes that some practices are revived—albeit temporarily—via RSD's exclusive content. However, the vinyl revival remains a contested area: it provides an opportunity for the record industry to re-engage in many of its old practices, namely a format replacement cycle, while also benefitting from unending consumption via streaming. But the vinyl revival was instigated by consumer-led action, fans making an active choice about what formats they valued, and, as such, the vinyl revival can also challenge the record industry. Finally, the chapter considers the delicacy of situation and urges the record industry to not alienate vinyl buyers.

## RECORD STORE DAY

The inaugural RSD was launched on 19 April 2008 following a gathering of independent record shop owners in the US in 2007 (Record Store Day 2023). According to the official RSD website, there are participating stores on every continent (except Antarctica) (Record Store Day 2023), but unfortunately there are no specific details regarding participating countries. RSD celebrates its 16th year running in 2024, and the event results in increased sales of physical formats (Luminate 2023b), predominantly vinyl records, yearly. It is often colloquially referred to as Christmas for record collectors (Della Cava and Snider 2023), and Luminate notes that in 2023 RSD was “the best vinyl week on record for independent record stores, since [RSD's] inception”, resulting in “Independent Record Stores [selling] 1.7m physical units (LPs, CDs and cassettes) during week 17 2023, 82% of which were vinyl (1.4m LPs)” (Jones 2023). Moreover, RSD lists, which detail the particular releases, are often highly anticipated by vinyl consumers, and it is typical for vinyl buyers, particularly record collectors and superfans, to review lists in detail before the event so that they are well prepared before shops open on the day. RSD themselves state that the purpose of RSD is “a day for the people who make up the world of the record shop—the staff, the customers, the artists, the labels—to come together

and honour the special role they place in their local communities” (Record Store Day 2024).

However, despite these positive indications RSD is not without its critics with both industry professionals and consumers raising concerns around issues such as ‘false’ limited-edition releases (e.g. releases that are labelled as limited-edition, but are available in significant quantity), inflation of prices, and scalpers. Morrison writes: “15 years is a long time in technology and retail. [...] Even the most idiosyncratic physical record shops now reach a global audience via the internet. Record Store Day, meanwhile, hasn’t adapted to the modern realities of selling physical music” (Morrison 2022). Speaking to shop owners and managers—who specifically requested to remain anonymous—they tend to highlight similar concerns, that certain practices feel outdated considering the changes in society at large since RSD’s conception. In fact, to someone not involved in the business side of RSD, the event might seem essentially unchanged since the first event in 2008, whereas much of society has become more digital. This is perhaps part of the charm with vinyl records to begin with, that they resist digitalisation, but the way we engage with vinyl events and communities does not have to be. Neither Morrison nor my participants gave specific details about which practices they felt were outdated and why, but when asked to elaborate further they referred to distribution and purchasing practices generally. This is an issue further noted by Palm (2017), who highlights that the demands RSD has on the pressing plants has a direct negative impact on independent labels and smaller artists. He writes: “A severe economy of scale for vinyl’s production means that pressing plants increasingly delay small-batch runs in order to accommodate mass orders from major labels, especially during the annual run-up to RSD” (Palm 2017). In a similar vein, my participants, in turn, emphasised what they regarded as a disparity. While the event is presented as a way to support and celebrate independent record shops, with the RSD retail code noting that “Participating stores must adhere to the spirit of Record Store Day, which is designed to encourage music buyers to visit Record Stores both on the day & after the event” (Record Store Day 2022b), they remarked that they did not always feel any benefit.

There is a certain (undisclosed<sup>4</sup>) cost associated with taking part, and as is often the case, shops have to buy their inventory for RSD. However, shops do not necessarily have full control over what that inventory looks like. For instance, for RSD 2022 my local record shop received two copies of each album they were sent, which was not the entire RSD list. This allocation was based on the size of the shop (small-medium), and previous RSD sales. For RSD 2023, on the other hand, the shop was able to request numbers and titles, which meant they were able to customise their inventory to a much greater extent. As a result of doing well in RSD 2022, the shop was also rewarded with 15 copies of Taylor Swift’s highly anticipated and limited-edition *Folklore: The*

<sup>4</sup>There is an admin fee of £114 that shops are required to pay when requesting to take part, but participants suggested that the financial burden was higher than this.

*Long Pond Studio Sessions* (2023). This briefly illustrates that there are complex mechanisms at play in regard to RSD inventory and distribution. A key concern is that a shop could receive records that are less attractive to the usual patrons of that shop making them more difficult to sell, and one should not forget that if records fail to sell at the original price and get reduced, this usually comes with a financial loss for the shop.

From a consumer perspective, one can also identify gatekeeping practices, particularly around accessibility. RSD has a disability guide, but it is limited in what it can achieve because of the emphasis on queuing up early (Record Store Day 2023):

The Record Store Day exclusive releases are available in limited quantities on a first-come first-served basis. We know some customers will be disappointed that their favourite product may have sold out but unfortunately, that is the result of their “exclusivity”. Queue up earlier is the only answer I’m afraid

The early queue is further emphasised on social media where queue updates are posted. For example, on Thursday 20 April 2023, two days before RSD 2023, the official RSD account on Instagram posted a story<sup>5</sup> about people already forming a queue. One might suggest that this kind of promotion is also found in the retail code: “By signing up to RSD you agree you will use reasonable endeavours to be active and positive on social media and use #RSD23 to generate awareness and interest in the event. Participating stores will [...] communicate proactively with customers to build excitement and positivity around the event itself” (Record Store Day 2022b). Frequent social media posts are, arguably, one of the key ways for stores to communicate proactively and to build excitement, and has the potential to reach consumers who for whatever reason may not be able to participate on the day itself. However, an event may become exclusionary—and unlawful—if it prevents people with a disability for taking part. For instance, in the UK, the Equality Act 2010 provides the framework of protection against direct and indirect discrimination (Gov.uk 2024) and notes that a person should not be put at substantial disadvantage due to disability. This might mean removing or altering the design or construction of a building and the fixtures and fittings inside (Equality Act 2010 n.d.). There are, furthermore, several disabilities and conditions<sup>6</sup> that make it virtually impossible for people to queue for any length of time. As such, while posting updates about queues forming is, arguably, building excitement and creating a buzz about RSD, the strong focus on queuing up early is potentially a significant barrier, and if it is the only means of participation, one might ask if it puts disabled people at substantial disadvantage. The RSD disability code does state that stores are asked to take steps to increase accessibility, and in the UK stores

<sup>5</sup> Stories are temporary posts, usually only available for 24 hours unless they are saved to a so-called highlight.

<sup>6</sup> Including POTS and other forms of dysautonomia where people are at risk of fainting, fatigue, and struggle to regulate body temperature, among other things.



would already be subject to the Equality Act 2010 mentioned above. However, the RSD disability code also notes (Record Store Day 2022a):

it is not possible to experience an event like Record Store day without going to the place in which it is taking place. RSD stores are under a strict code not to reserve items and to sell them on a first come first served basis. The best option for many is to ask a friend or family member to queue up as this is the best way to guarantee they will get the product they want.

This statement might be disheartening to some as the advice seems to be to ask a family or friend to queue up in your stead rather than finding ways to make the event accessible to disabled people. Other events, such as live concerts, have managed to implement reasonable adjustments by, for instance, setting aside tickets for disabled costumers. It also seems somewhat contradictory to, on the one hand, insist that it is impossible to experience RSD without visiting a record shop while, on the other hand, suggesting that the best option for disabled consumers is to send someone else on their behalf. This notion further suggests that RSD is, perhaps, not about experiencing and celebrating the unique culture of independent record shops, but about individual transactions.

One might, at this point, note that there appears to be some friction between RSD as an event and as a transaction: is RSD about “encourag[ing] music buyers to visit Record Stores both on the day & after the event” (Record Store Day 2022b) or is it about selling specific records? RSD has specialised in exclusive and limited-edition releases that may drive consumers to shops on the day, but there seems to be very little incentive for consumers to return day to day. Perhaps the hope is that once consumers visit the store for RSD, they are more likely to visit again after experiencing the space, much like a welcome event. Some bigger shops, additionally, put on live performances in the shops as part of RSD. In these cases, RSD does seem to feel more like an event; however, many shops already have very limited space and are not able to accommodate both a live performance and the increased RSD crowd. Thus, there appears to be a gap in the conceptualisation: RSD is presented as an event, but the element that often creates the sense of an event—the live performances—is not a viable option for many participating stores. This research would, hence, encourage further development of the events side of RSD to allow more stores to engage the patrons. For instance, whenever I have participated in RSD, I have very rarely observed anyone taking their time to appreciate the shop, and during my latest RSD (2024) I spent less than 15 minutes in the shop. In my case, I was already familiar with the shop I visited, as were many other patrons, but there were also consumers who had never visited the shop before, and I wonder what kind of impression—if any—they might have left with.

Unfortunately, the exclusivity of RSD releases creates pressure to get in, get what you want, and get out, and does not typically lend itself to extended browsing in a shop. Any release as part of RSD is in effect exclusive, even when



a release is pressed in enough quantity to meet demand. This is due to several reasons including rhetoric, which might include specifying the exact number of copies available, as well as release process (or ‘drop’). RSD releases will only be available in certain (physical) shops,<sup>7</sup> will be released at a certain time, and will be limited in number (as mentioned, even if this number matches demand). This process is, perhaps, somewhat unfamiliar to today’s consumer who might be used to getting virtually anything at any given time via online services. Some RSD releases are what one could call true exclusives, which could mean an actual limited amount (say, 1000 copies worldwide), a specialised pressing in terms of record, sleeve, and/or bonus material (tracks, memorabilia, etc), but very often these true exclusives are more niche releases that a likely to have lower demand anyway (i.e. being more niche material).

For many RSD participants, RSD usually involves joining a queue early (George 2023; Vesty and Shufflebotham 2023), as advised. Shops are normally not allowed to open before 08:00, and it is not unusual for patrons to start forming a queue around 03:00–04:00. By 08:00, most shops will have some kind of queue, in some cases a very considerable one. After visiting one shop, you may decide to go to another one, especially if you were not able to purchase the record you were hoping for. Usually patrons will be let in, in smaller groups so as to not overcrowd the space. As such, once you have found the record you wanted (or established that it is not there), you often do not want to hold up the people behind you knowing that they might have been there for hours and have an additional destination in mind. In some cases, the quick in and out appears to be supported by the shops as well, as noted by Vesty and Shufflebotham:

Ahead of the doors opening at 8am, Piccadilly Records staff took orders from the first 20 or so people in the queue and prepared their orders so that they were ready for shoppers who has [*sic*] spent the night out in the cold. “I was straight in, pay, straight out,” said Daniel. “It was really efficient and they’ve been doing it long enough, so they know what they’re doing.” (2023)

Daniel, who is quoted by Vesty and Shufflebotham, had started queuing at 11:44 on Friday, 20 hours before the event. He said that he had been encouraged to start queuing early following an email by the record shop that stated they were expecting a queue from around midday, but Daniel was first in line with people joining after 16:00 (Vesty and Shufflebotham 2023). As a subscriber to the shop’s email list, we might assume that he had been in the shop before, and patrons probably appreciated not having to wait around longer after spending a rainy night outside, but “straight in, pay, straight out” suggests RSD is not an event, only a transaction for the shoppers.

As mentioned above, RSD acknowledges that some consumers may be disappointed if they are unable to get the record they wanted, but RSD states that

<sup>7</sup> Until the Monday evening following the Saturday event should quantity last.

this is the result of the product's "exclusivity". Luminate further report that "In 2023, the emerging star of Record Store Day is exactly what RSD founders had hoped: exclusive content" (Jones 2023). However, it is not clear why there is such an emphasis on exclusive content. After all, one should remember that it is in the interest of labels, shops, and artists to sell as much as possible on (or very close to) the event to generate a (positive) buzz, increase their sale numbers, and avoid reduced prices further down the line. Furthermore, if RSD is about celebrating the people somehow connected to independent record shops as they suggest, it is not in anyone's interest to limit the possibility of purchase. Thus, we might note that the concept of exclusivity and the focus on limited-edition releases is both complicated but, in some ways, also contradictory. Exclusive content does create traffic on the day, but it also creates the sense of urgency for consumers to get in and out of the shops quickly and does not seem to have a positive impact for shops after the event. Additionally, it creates opportunities for scalpers, which is a noted problem by both RSD and consumers:

Unfortunately, the nature of the exclusive releases means that some unscrupulous ebayers list the product at inflated prices online. [...] This is the downside of the value in having a Record Store Day release. [...] Sadly we find this kind of behaviour as frustrating as you and can only apologise that such people try to use RSD to make a quick buck. We can only apologise that there are people out there who want to profiteer from the event but we work hard with stores to try wherever possible to restrict known culprits from buying our products. (Record Store Day 2023)

I'm not sure I like the concept [of RSD] anymore. I don't know but I've never really liked it. All this fomo [fear of missing out] for people to just try to sell it [a] few months later because they never liked it in the first place. The stress, the bad lists, flippers you name it. The world's most overhyped day? All for the sake of rarity? (eppie 2023)

While queuing during RSD 2023, a fellow consumer noted that several coveted releases had been listed online for sale at inflated prices within a few minutes of shops opening. These kinds of discoveries are demoralising, and do not benefit shops or independent record shop culture in any way. In fact, one could even argue that it might have the opposite effect—if consumers feel like they are being taken advantage of, they are more likely to disengage. Thus, we might ask if RSD achieves its intended purpose of bringing the "people who make up the world of the record shop[s]" (Record Store Day 2024) together and honours their special role.

One possibility is that exclusivity is utilised as an attempt at recreating crate digging. Crate digging is an important cultural aspect of record collecting, and something more casual consumers also enjoy occasionally (Pettit 2008). Put simply, it refers to the activity of carefully (and sometimes quite quickly) going through the crates with records in them. Collectors particularly honed the skill

of flicking through records at speed when ‘hunting’ for rarer releases because this usually meant searching through significant volumes before finding what they were looking for (if they ever did). Both the hunt and the digging formed ritual aspects of collecting practices, and at times became more important than actually finding what they were searching for. However, following the digital revolution, there is a much less need to crate dig as collectors can set up alerts on online sites and wait for a notification that the record they are after has become available. This might increase the chances of finding what you are looking for as you can widen your search, but the ritual is also lost, and your reach is limited to shops that are connected to these online services. Releasing limited-edition vinyl records that will not be made available online until (at least) a few days later results in a restricted need to crate dig at record stores. The ritual might not be fully restored via these limited-edition releases, but elements of it are arguably, which might also help create an excited expectation.

More cynically, though, one could argue that exclusivity is nothing more than a means to generate income—a way to ensure demand surpasses supply, or a sense thereof—but does this increase in income benefit the independent shops, or is it further boosting the profit of major labels and distributors? The manager of one independent shop was particularly convinced that this was the case and stated that they believed RSD was driven by personal interest and the desire for financial gain. Thus, there seems to be two main contrasting narratives: one of RSD saving the day (Savage 2016)—for vinyl records, for the record industry, or both—and another where RSD is a gimmick to increase sales and further cement the dominance of major labels. As Franco Fabbri notes, the economic and juridical elements in popular music are often subject to ideological concealment (Fabbri 1981), so it is perhaps unsurprising that the financial gain of distributors and labels are not highlighted, particularly when this financial gain is benefitting existing conglomerates. Interestingly, the economies of the independent shops are, on the other hand, emphasised quite heavily. One might even suggest that increased income to independent shops is one of the cornerstones of the event. Page, RSD coordinator at the Entertainment Retailers Association (ERA), even commented thus:

It’s amazing to have that significant commercial boost and uplift but ultimately, first and foremost, [RSD] is a cultural event [...] It is about celebrating the culture of the stores and the art of vinyl. But of course we’re really delighted when we see those numbers come in and the impact that it’s having on the industry as well. (Paine 2023)

However, while there is data to suggest that RSD does result in an increase in sales, Morrison argues that his business is harmed by RSD:

There is an international shortage of the various components required in vinyl manufacture, as well as a backlog exacerbated by last year’s pop-heavy release schedule. The issue is not going away. Whereas vinyl would typically take 12

weeks to produce, we're now looking at nine months for a short run of 12-inch vinyl. [...] When I first got a glimpse of the sheer scale of what was in production [for RSD 2022], I suggested on social media that the best thing for the whole record community would have been to take a year out. Inevitably, many people responded, "If you don't like it, don't take part." But this is perhaps the greatest modern mistruth of RSD. Even shops that opt out altogether are suffering long term thanks to continued stock delays and shortages which are exacerbated by the RSD production schedule. The logistics of the celebration now affect every month of the year, riding roughshod over carefully planned campaigns. (Morrison 2022)

Morrison's suggestions might thus imply that the increased sales brought on by RSD are a result of suppressed sales throughout the rest of the year. If Morrison is correct in his analysis (which also seems to be supported by Palm (2017)), we are, once again, prompted to consider the purpose of RSD. Perhaps it is no longer about celebrating independent record shops, and more so about capitalising on the vinyl revival? Let us examine this notion in more detail by considering the vinyl revival itself.

### THE VINYL REVIVAL

As noted, the vinyl revival starts to emerge around 2007, while many sectors of the music industry are still trying to figure out how to handle digital formats and before the launch of streaming services such as Spotify. The vinyl revival is largely the result of consumer action (Skrimsjö 2024), where music listeners increasingly turn to the format without direction from the record industry but on their own accord. As such, we could argue that the vinyl revival is also a consumer-led paradigm shift, which results in increased autonomy for the listener (Skrimsjö 2024) who is making choices based on their own narratives rather than engaging in a format replacement cycle continually. Thus, while being empowering in many ways for the consumer, the vinyl revival also leads to a tension: the potential for the record industry to reclaim some of its former glory and dominance via the increasing sales of physical records, as well as the potential for consumers to grow increasingly independent from the direction of the record industry by making an informed decision on which music format they prefer. While vinyl is the market leader in terms of revenue for physical formats (Recording Industry Association of America 2022), it should be noted that consumers have also returned to other physical formats in the early 2020s. For instance, even though CD sales have continued to decline, there are some indications that the decline is slowing down (Luminate 2023a). Similarly, throughout 2023, many media outlets in both the US and the UK reported on an increase in sales of cassettes, sometimes dubbed the cassette comeback (British Phonographic Industry 2023; Browne 2022; Knopper 2023; Ledsom 2021; Zahid 2023). The interest in CDs and cassettes in addition to vinyl records is indicative of the importance of physical sound carriers to audiences

and fans. Again, we do not need these formats, we are choosing them and, hence, showing that they are of value to us (even if this is ‘just’ aesthetic value).

However, this increased autonomy for the listener can upset the record industry in a number of ways, not least in that it might break the cycle of unending consumption where we are forced to continue our consumption—payment—in order to keep access to the music we want to listen to. Premium subscription services might be democratising in some ways, for example by increasing the visibility of music that could have been overlooked by certain groups otherwise, but we must not forget that when we subscribe to them, we are paying for a service and access that we do not control. As Arditì (2018) points out, if we terminate our subscription, regardless of how long we have been subscribers, we lose access to all ‘our’ music. One way in which the unending consumption is broken or threatened is, for instance, when a consumer decides to only purchase second-hand vinyl records. This practice would essentially equate to a loss for the record industry as that purchase is ‘removed’ from the marketplace since second-hand sales only generate income for the seller rather than the seller, the label, the artist, and so on. The music industry has on many occasions attempted to account for this kind of consumption by, for instance, receiving payment for blank cassettes to account for the ‘loss’ of people recording music from the radio, but while some income might get accounted for, the bigger stake is securing ongoing consumption from listeners.

When faced with this kind of dichotomy, RSD seems like a rational solution: consumers are provided with new releases, shops gain access to material that is likely to attract consumers, and the record industry finds a path to become lucrative again. However, music consumption in the twenty-first century is not what it was in the twentieth—streaming, social media, and globalisation more generally have all resulted in much more fragmented consumption. The amount of choice available to individual consumers means behaviours are harder to predict, partly because our choices can alter from release to release, and we have a plethora of reasons for our choices. For example, while vinyl records are overall my first choice for sound carriers, there are albums that I enjoy and frequently return to that I have no interest in owning on vinyl because I find the vinyl format does not add anything to that particular album.<sup>8</sup> Even in instances where labels might be able to predict behaviours of certain fan groups, if the audience is buying vinyl records to hold while streaming the album or to display, their purchase behaviour will be slightly different from the audiences who buy to listen to the vinyl record primarily. These two types of consumers are also likely to have different priorities, where one is likely to prefer high-quality or more intricate packaging and the other a high-quality disc (D’Eugenio 2022). What is more, record labels have typically struggled (or resisted) to understand any kind of consumption that goes against the grain (Luminate 2023c; Tencer 2023b), which in the case of vinyl records typically

<sup>8</sup>This includes albums such as *Kauai* (2014), which had a much-anticipated RSD release, but in my experience sounds better via streaming services.

means consumption that does not include listening to the record. This arguably creates further fragmentation as labels may hyperfocus on one aspect of consumption (listening). If we consider music consumption and fandom more generally, we see further evidence of fragmentation with subcultures becoming less prevalent and distinct, and may predominantly exist online, and consumption of catalogue music becomes more and more widespread (Luminate 2023a). This fragmentation is a difficult realisation: if there is no ‘mass’,<sup>9</sup> how do we ensure a profitable sector? As one shop owner noted, at the beginning of the twenty-first century one title typically attracted a large audience and could sell in considerable numbers, whereas in 2021 (at the time of speaking) lots of titles sold in smaller quantities to different groups instead (Sandberg 2021).

Unfortunately, rather than grappling with the issues that arise from this, which would take considerable work—the record industry seems to have wholeheartedly embraced RSD and the concept of exclusivity instead. One of the people I spoke to at length in the RSD 2023 queue shared that he was hoping to buy Duran Duran’s *Carnival Rio!* (2023) after buying *Hammersmith ’82!* (2022) during RSD’s Black Friday event in 2022. He told me that Duran Duran was an important act for him, and he just wanted to buy anything new that came out and shelve it—he had no intention of playing the record and actively disliked coloured vinyl (*Carnival Rio!* was released on pink and blue swirl, *Hammersmith ’82!* on gold). He was at ease with his choice, but upon reflection I wonder if his comments suggest that we have entered into a familiar relationship with the record industry again where we re-buy what we have already told them we like, or, as Palm (2017) suggest, are we simply refilling the vinyl buyer pool rather than expanding it? For the record industry, that distinction does not necessarily matter—a transaction is a transaction—but it is an important consideration for researchers and the vinyl community more generally as refilling has no impact on diversification or sustainability. In the current scenario, we might not be re-buying the music on a new format as was the case during the twentieth century, but instead consumers are buying the same vinyl record (in terms of sound) on a different, limited-edition pressing. Morrison (2022) comments:

perhaps you saw an obligatory news puff piece about how ‘vinyl is back’ as the David Bowie and Prince estates scraped together yet another previously unreleased artefact [for RSD]. [...] [In 2022] RSD offers 411 new releases, a fact that should leave those in the physical music business seething. [...] these 411 records—among them, yep, four Bowie releases and one Prince—will be ready and awaiting sale on 23 April.

Morrison seems to be suggesting that perhaps consumers do not ‘need’ more post-humous, previously unreleased material, but as acts with a proven

<sup>9</sup>Though this work would suggest there never were any masses, only ways of thinking about masses to paraphrase Raymond Williams (1963).

sales record, we can expect releases by artists such as David Bowie and Prince. Similarly, we might ask if there is a ‘need’ for a release such as *Folklore: The Long Pond Studio Sessions* (2023), which contains acoustic versions of tracks from *Folklore* (2020) that were also released as part of a documentary concert in 2020. Yet as one of the biggest selling artists in the early 2020s (International Federation of the Phonographic Industry 2023; Luminate 2023b), it seems Taylor Swift is a safe bet to ensure a queue on release day, even if the price we pay is less music (Morrison 2022):

We have online customer pre-orders that were placed 12 months ago for albums that have been delayed so frequently that it feels futile to set a new hypothetical release date. The administrative ramifications [of RSD] are hugely consuming for shops and the economic impact for independent artists and labels is devastating. Instore tours—crucial for promotion and first-week sales—have been cancelled and rescheduled; artists are missing out on the chart positions they should expect; entire summer touring schedules are being scrapped because there is such uncertainty about when the physical product will materialise. The job of the record shop in its simplest terms is to sell records. We are part of a long established musical ecosystem and now, in no small part due to RSD, we are becoming ever more impeded in fulfilling our duties. Will there be shops to celebrate when the racks are threadbare and retail prices continue to rocket?

Indeed, price point is becoming a concern in the vinyl communities, and during 2023 and 2024 I have noted an increase in social media posts complaining that retail price is too high for vinyl. In a survey of both industry and consumers, Women in Vinyl noted a similar disparity where the vinyl industry felt they were doing as much as possible to provide a balanced price point, and collectors complaining it was too high (The Women in Vinyl Podcast 2023a; The Women in Vinyl Podcast 2023b). Luminate further noted that different consumers had different expectations with Baby Boomers indicating that USD 19.60 was their optimum price point, while jazz fans, in contrast, suggested USD 29.40 (Luminate 2023a). Regardless, unless we find some kind of resolution to this schism between industry and consumer, many collectors are indicating that they will turn to the second-hand market exclusively *again* (Karlund 2023; Peder 2023). The emphasis on ‘again’ is crucial as most record collectors and vinyl consumers remember the state of affairs before the vinyl revival. We remember how the shops struggled but survived on an essentially second-hand market only and how we as a community transformed vinyl into the most lucrative physical music format so far in the twenty-first century. In this context, alienating consumers is high stakes.

### CONCLUDING REMARKS

Digital music formats stripped the record industry of its dominance, and during the scramble to regain losses from illegal downloads, paradoxically, a long dead physical format—the vinyl record—emerged as a potential saviour. As the



vinyl revival grows stronger, it is no coincidence that streaming services are also further vilified. The discourse around streaming in the 2020s is concerned with issues around fair remuneration for artists, ownership of music (e.g. as a subscriber you regularly pay for access to music, but this music can be removed or geo-blocked at any given time), and cultural intermediaries and playlist culture (is your playlist being curated by a human or created by AI?). While these are all very valid issues that should be carefully considered, highlighting them (and others) during a time when vinyl is continuing to increase helps usher consumers towards the format. For instance, consumers are driving up direct-to-consumer sales of vinyl at above market rate (Luminate 2023a)—perhaps unsurprising with comments such as: “streaming doesn’t pay the artist very well. Compared with physical album sales, [...] pay-outs from streaming companies are a regular bone of contention for those trying to make a living in the music industry” (Henshall 2023), “[the artist’s] online store is better, as long it’s not just their label’s site handling it. This allows the artist to collect the retail markup along with their royalty money” (vinylontubes 2023), and “Vinyl products, inclusive of the products’ art cover, also provide a tangible connection between the artist and consumer and this connection, fandom and loyalty, cannot be underestimated” (England 2023).

In many respects, the vinyl revival has a positive impact on consumers who report that they are becoming more engaged with music and that it is an important part of their lives. We also know that music can have a positive impact on well-being (UK Music 2022), suggesting that stronger engagement has benefits in more than one area of life. RSD might have been conceived with the premise of supporting, highlighting, and celebrating independent record shops at a time when they were still mostly struggling, but somewhere along the line it seems the hunt for exclusivity became more important. This work would suggest that we will find that point in the intersection where consumers start feeling empowered by the vinyl revival, because that is also when the vinyl revival can be regarded as a threat to the record industry, where it symbolises a loss of control of the market that might never be regained.

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# Redefining Liverpool's Purpose as a Music City: Identifying the Cultural, Demographic and Geographic Challenges to a Career in Music for Liverpool's Black Community

*Mathew Flynn*

## INTRODUCTION

Testifying to the ever-increasing popularity of UK-produced rap music, the strapline for the *Guardian*'s review of grime star Stormzy's 2019 Glastonbury performance read: "A glorious victory lap for black British culture" (Petedris 2019). In 2020, less than a year after Stormzy's apparent victory lap, global Black Lives Matter protests prompted UK music organisations to recommit to challenging prejudice and systemic racism across the music industries. With a Diversity Taskforce established since 2015, UK Music<sup>1</sup> authoritatively called for the music industry to stop using the offensive acronym BAME (Black, Asian and Minority Ethnic), as "It does not relate to country origin or affiliation" (UK Music 2020). The organisations Black Music Coalition<sup>2</sup> and Black

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<sup>1</sup>The organisation that represents the collective interests of the UK music industry to UK government.

<sup>2</sup>An organisation dedicated to eradicating racial inequality and establishing equality and equity for Black executives, artists and their communities within the UK music industry.

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Lives in Music (BLIM)<sup>3</sup> were both formed in 2020, and in 2021 BLIM published a report that surveyed 1712 Black musicians and music industry professionals. The research detailed the ongoing challenges of systemic racism and discrimination regularly encountered by people of colour working across the UK music industries (Gittens et al. 2021). Similar findings were reported in the 2023 UK Musicians Census (Help Musicians 2023). The progressive poignancy attributed to Stormzy, as the first Black British solo headliner of the UK's largest music festival, starkly contrasts with the day-to-day reality of Black peoples' music industry experience, and exposes the inherent tensions and contradictions within the operations of music industry organisations. These paradoxical examples illustrate that at the same time as capitalising, supporting and promoting symbolic representations of Black British culture inherent in genres such as grime, the music industries systemically discriminate against its creators and performers.

At a UK regional level, as a member of the Liverpool City Region Music Board<sup>4</sup> (the Music Board), I engaged in similar debates about how to address the complexities of systemic racism across the region's music ecosystem. Although the Liverpool City Region (LCR) is less diverse when compared to the rest of England, across the LCR between 2011 and 2021 there was a 154% increase in the population who identified as Black (LCR 2022). In the city of Liverpool, 3.5% of the population identify as Black, Black British, Black Welsh, Caribbean or African (ONS 2023). Citing the work of Keith (2005), as Hesmondhalgh and Saha recognise, "Cities are especially important for understanding dynamic interplay between people from different ethnic groups" (2013, p. 191). Research in 2011, based around an artist development project entitled Liverpool One (Lashua 2013), explored how aspiring Black musicians engaged with their home city. It concluded that Black music makers, although working in unrelated genres, "must bear the impress of the city's canonical popular music narratives – i.e., the dominant heritage of the Beatles and subsequent guitar-based rock bands" (Lashua and Owusu 2013, p. 205). Curated and coordinated by Yaw Owusu,<sup>5</sup> as part of Black History Month 2020, the Music Board's initial Black Lives Matter response was to deliver the ON RECORD (2021) multimedia programme, which aimed at restarting discussions about the importance of Black culture in and to Liverpool. In the 'Listen Up' video for ON RECORD (Easthope 2020), members of Liverpool's Black music community discuss the limitations of making and marketing Black music. Although delivered almost ten years apart, the striking similarities of the observations, between the 2011 research and 2020 video, illustrated the inertia within Liverpool's music industry to enable and support Black musicians. As a

<sup>3</sup> An organisation that aims to achieve equality for Black, Asian and ethnically diverse professionals at all levels and in all areas of the UK jazz and classical industry.

<sup>4</sup> Established in 2018, the Music Board, made up of 22 volunteer members, is charged with cementing the city region's position as one of the world's music capitals and will work to ensure music businesses and communities have a stronger voice in local and regional decision-making.

<sup>5</sup> The co-investigator in the 2011 research entitled Liverpool One.

starting point towards understanding and overcoming Liverpool's regionally specific challenges, on behalf of the Music Board I conducted research into the experience of Liverpool's Black musicians and industry professionals.<sup>6</sup> Entitled ReMap, the research combined interviews, focus groups and a survey with 57<sup>7</sup> participants across three phases between October 2021 and January 2023. The combined findings were published in the ReMap report in April 2024 (Flynn 2024).

This chapter summarises ReMap's (Flynn 2024) key findings to enable a more comprehensive understanding of underrepresentation and marginalisation in Liverpool's music sector, and discusses how the findings and recommendations of regionally specific research can intersect with and inform wider national and international debates surrounding diversity, equality and inclusion. The analysis is structured around five sections. Section "Liverpool Rock City" introduces Liverpool's music city status and outlines the historical context and structural reasons for some of the long-standing challenges encountered by Liverpool's active and aspiring Black musicians/industry professionals. Section "Perceptions and Experiences of Discrimination and Racism in Liverpool's Music Sector" summarises ReMap's detailing of participant experiences of discrimination and racism, and identifies specific sectors of Liverpool's music industry where structural racism is most prevalent. Section "A Lack of Infrastructure Intensifies Competition" considers Black musicians/professionals challenges in accessing and utilising the existing infrastructures of Liverpool's music sector, and how the limitation on opportunities fosters intense competition between regional Black music makers. Section "Drilling Through the 'Liverpool Sound'" focuses on the specific challenges experienced by young aspiring Black artists predominantly operating within genres such as grime and drill. Section "Participant Proposed Solutions for Overcoming the Identified Challenges" summarises key recommendations towards addressing and overcoming the challenges identified, emphasising the importance of mentoring. The chapter concludes by arguing that Liverpool and other music cities around the world have an integral role to play in enabling diverse and inclusive music industries environments regionally, nationally and internationally.

### LIVERPOOL ROCK CITY

Shain Shapiro's 2023 book *This Must Be the Place* underlined a twenty-first-century trend of designating and promoting cities as music cities. The creative, cultural, tourism and general economic benefits of music city status, and the numerous routes to recognition, from self-proclamation to official designation, have generated an expanding range of global music city locations and an array of academic perspectives (see Kallioniemi et al. 2023).

<sup>6</sup> Participants engaged across the research identified their ethnic group as Black, African, Black British, White and Black African, White and Black Caribbean, Asian and Mixed/Multiple ethnic groups.

<sup>7</sup> See ReMap report for full participant details.

Liverpool's status as a UNESCO City of Music<sup>8</sup> acknowledges both its rich musical heritage and its vibrant live music scene (*Cities of Music* 2023). The success of Liverpool's hosting of the 2023 Eurovision Song Contest (Megraith 2023) reinforced the city's credentials and external perception as a progressive modern music city (Ballico and Carter 2022). The city's contemporary musical relevance was also evidenced in the British Phonographic Industry's (BPI)<sup>9</sup> recognition that Liverpool counted the highest number of successful album artists for any UK city outside of London in 2021 (BPI 2022). However, it is notable that the list of artists the BPI cite as contributing to Liverpool's success, with the exception of dance music outfit CamelPhat, are all guitar-based rock bands. As the BPI example demonstrates, despite Liverpool's continued achievements, it is broadly accepted that the post-Beatles rock sound, as described by Cohen, has become synonymous with Liverpool:

Guitar and sometime guitar keyboard-based music of medium tempo, featuring a strong emphasis on song, and melody rather than rhythm and dissonance, and a relatively high pitched male vocal style, characterized by thin, reedy, or nasal tones, the distinctiveness of which may be partly attributed to the Liverpool accent and vernacular, with its recognizable styles of intonation, pronunciation and phrasing. (1999, p. 241)

Cohen has consistently used the framing of the 'Liverpool sound' (1994) to discuss the constraints that dominant rock narratives place on Liverpool artists and professionals working in other styles and genres (Cohen 1999, 2005, 2007, 2012; Cohen et al. 2014; Lashua et al. 2010). As Connell and Gibson observed in 2003:

While Liverpool is primarily associated with the kind of music played by the Beatles (and their contemporaries), and there are economic and ethnographic reasons why that should be so ... the city also hosts metal and country bands as does any large city. (p. 106)

However, despite numerous attempts to establish Liverpool's diversity of genres (see Brocken 2010; Du Noyer 2007; Hassan 2021; Lashua and Owusu 2021; Young 2010), the commercial imperative to "own the history and cultural legacy of particular music genres and their associated artists and sell this back to eager consumers" (Bennett 2022, p. 19) sees the 'Liverpool sound' continually deployed as a music city branding tool that dominates alternate sounds and styles.

Invariably, this persistent sonic framing contributes to a musical continuity in the city's contemporary live event programming, label and artist

<sup>8</sup>Part of UNESCO's Creative Cities Network, the Cities of Music programme awards Music City status to cities around the world that through an application process can demonstrate they consistently meet the seven criteria for designation—see <https://citiesofmusic.net/music-cities/>.

<sup>9</sup>The BPI represents the UK's recorded music industry.

management rosters (*Modern Sky* 2023) and mediated narratives (Sleight 2021; King 2022). Although there are a notable number of female and some Black artists listed in the above-referenced mainstream media examples<sup>10</sup> of 'ones to watch' in Liverpool's 2020s music scene, the predominance of White male guitar bands remains evident. Online hubs such as ON RECORD and Culturedeck<sup>11</sup> promote Liverpool's Black musicians and culture, and offer counternarratives to the confines of the 'Liverpool sound'. However, arguably in positioning themselves as alternative they also serve to reinforce the dominant narrative. The persistence of these dominant heritage narratives remains evident in Wray's 2020 historic evaluation of the roots of Liverpool's urban creativity, which acknowledges the influence of Black culture on Liverpool's musical history and heritage, but predominantly addresses the city's propensity for musical innovation through the prism of its famous White rock acts. Maloney and Schofield assert, "Sonic identity encompasses how sound changes spaces and us, how we change spaces through sound, and how spaces can change our understanding of sounds" (2021, p. 4). However, despite a long-standing history of Black music in Liverpool (see Strachan 2010, p. 102), the overriding conclusion of Lashua and Owusu's 2011 Liverpool One project was the limited ability of Liverpool's Black musicians to change spaces and understandings through their sounds because of the dominance of the 'Liverpool sound', and the constant recycling of its associated heritage.

Maloney and Schofield define heritage as "what we choose to remember and what we choose to forget" (2021, p. 5). Celebrating 50 years of hip-hop in the Museum of Liverpool was a display that uses an adaptation of the Liverpool underground map design to identify the artists, DJs, producers, dancers, clubs and studios and so on that have been integral to Liverpool's hip-hop scene within that time frame (Liverpool Hip Hop 1973–2023 2023). As a clear attempt to choose to remember and recognise Black music culture in Liverpool, what the map also underlined was that despite Liverpool's ability to continually produce charting acts, in the twenty-first century only three artists featured on the hip-hop map had achieved a top 40 UK single chart success, with each act scoring only one hit each to date.<sup>12</sup> Although the heritage narratives around Liverpool hip-hop and Black music exist, as a genre with parochial city scene structures, and limited mainstream success to date, Black artists appear bounded by the sonic identity and reinforced heritage of the 'Liverpool sound'. Within these dominant narratives, the "perception of Black people as outsiders has continued to define the daily reality of life" (Zack-Williams 1997, p. 529) for Black musicians.

<sup>10</sup> While selective samples of the main indie label rosters and 'top ten' bands to watch articles, these examples are typical of mainstream music press listings.

<sup>11</sup> Culture Deck is a collaborative media platform that celebrates Liverpool and the North West's urban culture.

<sup>12</sup> Fitzzy featured as the rapper of the 2003 UK no. 7 Husan track—'Bhangra Knights vs Husan'; Jetta's 2015 no. 10 'I'd Love to Change the World'; Hazey no. 11 2022—'Packs and Potions'.



## PERCEPTIONS AND EXPERIENCES OF DISCRIMINATION AND RACISM IN LIVERPOOL'S MUSIC SECTOR

ReMap (Flynn 2024) offers a detailed statistical analysis of participants witnessing, and personal experience of, direct and indirect racism while working in the Liverpool City Region. Nationally, the BLIM data (Gittens et al. 2021) reported that 65% of UK-wide survey respondents had witnessed or experienced racism while working in the UK music industries, and the main finding of the ReMap research is the number of LCR Black musicians witnessing and experiencing racism is statistically similar to their professional contemporaries across the UK. In a Liverpool context, the continued experiences of discrimination and sense of exclusion manifest in participant expressions of doubt and questions of deservedness: "You always get those people observing you all the time and thinking that person doesn't deserve it" [under 25-year-old female musician focus group participant];

Having spent my entire life with some degree of racism, I've refused to allow it to stop me progressing. Having said that, I do wonder if I might have had a few more opportunities along the way if I was White?? I'm not sure if I'll ever know for sure. (34–44-year-old male musician survey respondent)

In adopting a more nuanced approach to the data gathering than the national BLIM report (Gittens et al. 2021), the ReMap research revealed that the frequency and regularity of racism varied considerably depending upon the context. In situations such as socialising with specific colleagues and working with other musicians or industry and media professionals, and most notably when recording in studios and production spaces, racism is experienced far less frequently when compared to the overall 65% national figure. This suggests racism is witnessed and experienced far less in situations where LCR Black musicians and industry professionals have greater autonomy to choose the spaces, places and people they interact with. Conversely, participants reported both high levels and regular instances of racist experiences at gigs and venues, in the workplace and on social media, which implies that racism is more systemic and structural within these scenarios.

From a regional perspective, a key theme across the interview and focus group discussions was how a lack of representation and input into decision-making in workplaces, and in organisations operating across the live sector, maintained fundamental barriers to challenging and changing structural racism within these scenarios. These views are typified by this participant comment:

You want to look at, like the structure of your staff. So the people who are making decisions on what the artists that's being programmed, the audience developments like, those people need to be people like us. And it's just that simple. And if you want people like me to come into your theatre to watch the show, people like me need to be creative in the program to be getting the artists in. And also, those spaces need to be safe for Black artists. (24–34-year-old female musician interview participant)

Research participants identified that having more Black people in senior and decision-making positions within the existing venues and organisations would improve inclusivity. Their observations are consistent with Jay Z's 2024 Grammy Awards acceptance speech for the Dr Dre Global Impact Award, where he called out the racial inconsistencies in the Grammy's nomination and voting structures (Kuo 2024). A 2021 US study on executive-level ethnicities evidences Jay Z's concerns, concluding that "a lack of inclusion in the music industry is not the problem of one company or one sector" (Smith et al. 2021, p. 4). While in the UK there is some national ethnicity workforce data (UK Music 2022; McLennan 2023), no regionally specific dataset exists. Meaning, the task of establishing baseline data on workforce diversity from which to measure any improvement in Black representation in regional senior management positions is a considerable undertaking. This is a step that the Music Board, and similar regionally based organisations, must take a lead in addressing. Because as the following section details, a lack of regional diversity data is just one of many infrastructural issues experienced by Liverpool's Black musicians and practitioners.

### A LACK OF INFRASTRUCTURE INTENSIFIES COMPETITION

Having established that direct and indirect racism remains a persistent barrier to access, the ReMap report (Flynn 2024) identified other dominant structures and narratives that affect Black musicians and industry practitioners' equality of opportunity. As one of the key organising principles of all music scenes and industry infrastructures, a fundamental structural issue is one of genre (Hesmondhalgh and Negus 2002; Nowak and Whelan 2022). The ReMap report shows that while Black music makers engage in a wide variety of music genres, they are most active in genres such as R&B, hip-hop and rap, and to a lesser extent soul and jazz, which are genres that fewer of the general population of Liverpool musicians engage in (Flynn 2024, p. 27). As one participant stated: "I've always felt there's a sort of divide ... There is a division between genre but I also think race comes into it as well" (25–35-year-old male musician focus group participant). The infrastructural constraints surrounding genre are also evident in the analysis of live performance. The data shows that although the LCR Live Music Venues map lists 70 dedicated live music venues (*LCR Live Venue Map* 2024), Black musicians regularly perform or promote at just 7 of them. The report demonstrates that live performance opportunities are clustered around a small number of events and spaces that generally programme more established artists, limiting performance and audience opportunities for local emerging Black artists and acts to perform original live music (Flynn 2024, pp. 28–29).

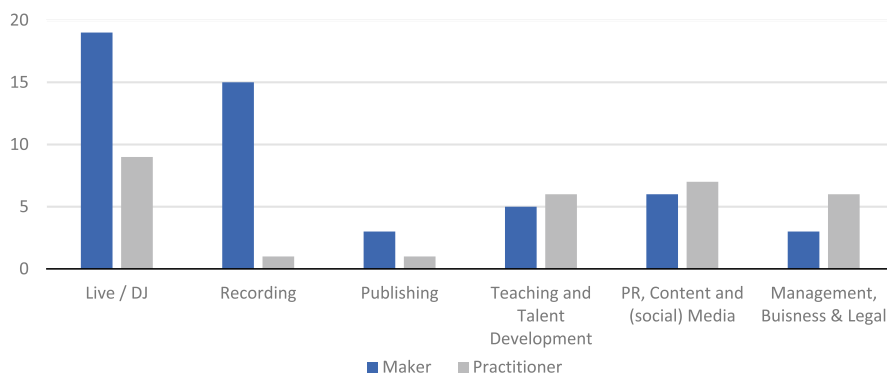
In addition to the opportunity to perform live, Zwaan's (2009) research established the importance of musicians establishing professional networks, such as managers, agents, publishers and record companies which, he argues, "directly leads to measurable career improvement" (2009, p. 109). Each participant was asked to state the number of contacts in their active industry

networks in each role, and the number of contacts who are Black. The data showed significant numbers of Black people occupying roles in traditional and online media (influencers), mentoring and, to a lesser extent, artist management. Generally, the percentage of Black people in active industry roles amongst participants networks was between 10% and 20%. At around five times higher than the percentage of people that identify as Black in Liverpool's overall population, this data supports this participant's observation: "There is a support network between Black people working within the city that's continuing to get stronger and stronger" (35–45-year-old female industry survey participant). Despite this, although individuals operating in the core music industries of live, publishing and recording were evident in the data, there are very few Black people in the participants networks in those roles. Figure 27.1 shows a direct comparison of the areas of Liverpool's music sector that music maker (musician) and professional (practitioner) survey participants are directly involved in. The data suggests that Liverpool's Black industry professionals are not very present in the industry sectors predominantly occupied by Black musicians.

A common theme across the focus groups with mainly younger less-experienced musicians was a lack of visibility of existing networks of Black professionals:

If you're White indie artists in Liverpool, there's gonna be an historical base of managers etc. in the city who know the path and can carve that out for you and know exactly what to do to get you from, where you are, to where you need to be. As a Black music creator, you walk on your own to figure out how you get to where you need to be, there's no set path. (25–35-year-old male industry interview participant)

One possible reason Black musicians perceive there is limited industry infrastructure to support their career development is that in the areas where they are most active, live, publishing and particularly recording, proportionally there



**Fig. 27.1** Participants' direct involvement with different industry sectors across the LCR

are very few regional Black music professionals. This observation is evident in this comment by a 25–35-year-old male musician detailing his professional network when identifying the lack available professional infrastructure in Liverpool:

My accountants are in Manchester. My lawyers are in London and NYC. My PR is in London and Manchester. My Publisher is in London. I manage myself. My distributor is in London, I have my own label. I mainly book my own shows but I have a booking agent in Europe.

Although once again concentrated around a few key spaces, there is generally a positive view of the region's recording/production studio and rehearsal sector: "We've got so much accessibility to doing collabs with different people whether that be in your city or outside of your city. I feel like that is so easy to do now. Like getting a bunch of creatives together in a room" (35–45-year-old producer interview participant). Yet, overall, comparisons between the paucity of opportunity for Black musicians compared to the plethora of opportunities for White indie/rock musicians was a consistent theme.

Representation of Black music and musicians within regional media was overall poorly viewed by participants. As one participant suggested, a lack of media exposure is in part an element of the wider lack of infrastructure: "As far as I'm aware of, there's no PRs, marketeers etc. in the city, especially for Black music, there will be for some indie stuff, obviously". Whereas a 25–35-year-old male musician survey participant noted: "Local media picked up on my story because it was already in the national and international press". Once again, while a wide range of media outlets have engaged with Black musicians/professionals, most opportunities to be featured in or work with LCR media outlets clusters around a few organisations. Another consistent theme across the research was participants' perception that the Black music infrastructures and live scenes in Liverpool compared poorly with the UK's other major cities. "If I go, say Leeds, Bristol, Manchester, a lot of these places to a venue full of people waiting to hear me who've never heard my music before, I don't have to prove myself to them" (25–35-year-old artist male focus group participant). When discussing Liverpool's lack of scene, an under-25-year-old artist male focus group participant stated: "There's no infrastructure here. So, you have to go out [of the city] to get it". This quote reflects many participants' struggles with a seeming lack of belonging and community.

Overall, LCR music industry infrastructures are fragmented and difficult to identify and access for Black musicians. Ultimately this results in often-unstated but intense competition between artists.

There's only room for one! So everyone's fighting for the same opportunity. And then there comes a little bit of hate, where it's like, well, why has he got that show? Why haven't I got that show? (35–44-year-old male industry professional interview participant)

It's like a bit of a rat race between us in this room [reference to the focus group] to try and get that spot and then maybe the mentality is when I'm there, then I'll share my man's thing. (25–34-year-old male musician focus group participant)

The participant quotes above allude to the perceived limitation of opportunities for Black music makers in LCR's music industry. The first quote is a reference back to the LCR scene in 2011, while the second quote was made about the scene in November 2022. These observations reflect frustrations with the lack of change or progress in the LCR's industry infrastructure in the past decade. The next section focuses on specific challenges encountered by artists in Liverpool's grime and drill scenes, and considers the range and types of interventions required to support these scenes and Liverpool's wider Black music community's development.

### DRILLING THROUGH THE 'LIVERPOOL SOUND'

In June 2023, 'Sprinter', a single by Dave and Central Cee, debuted at number 1 on the UK singles chart. 'Sprinter' posted the biggest number of first-week streams for a rap track in UK history (Griffiths 2023), and in sustaining the number one position for ten weeks it also became the longest-reigning rap number one of all time by UK artists (Jones 2023). Much like Stormzy's headlining of Glastonbury, 'Sprinter's' achievement serves to underline an uneasy 20-year journey to mainstream commercial success for UK rap. With a considerable contingent of British rappers contributing to a 22% share of the UK singles market (BPI 2023), UK rap and hip-hop is one of the most popular genres in the country. However, with the notable exception of Tik Tok sensation Hazy's sole 2022 top 20 chart hit 'Packs and Potions', to date, rappers from Liverpool have struggled to be part of grime and drill's journey to the mainstream.

Most academic research on UK grime and drill has explored challenges both genres have encountered in the search for mainstream recognition. In locating grime's emergence in South London, Ilan observed that lyrically "Grime often articulates the violent code of the street/road and contains references to criminality" (2012, p. 45). Lyrical and visual references to drugs and violence, along with the significance of unlicensed pirate radio stations in the early formation of grime (that initially identified it as operating outside of legal boundaries), have seen De Lacey (2022) explore the various modes of radio and performance censorship these genres, and the artists and industry professionals active within them, have had to overcome to reach and grow audiences. While these issues have also undoubtedly impacted the ability of Liverpool grime, drill and rap artists to perform and progress, ReMap (Flynn, 2024) identified an additional layer of parochial barriers towards achieving recognition.

Underlining the broader sense of competition between Liverpool Black artists for very limited opportunities, focus group participants active in grime and drill genres identified a judgemental attitude of others in the local scene:

"There's no trust man. If he [another focus group participant] was a random just walking down the street, I can't lie I'd think who's that. There's no love man, Black people don't have love for each other" (under-25-year-old male artist focus group participant). This sense of individual rivalry contrasted with the absence of community and localised fan support in Liverpool, which focus group participants perceived emerging rappers in other large UK Cities received. The consensus view was that, in early stages of their career, rappers from particular areas or boroughs within other cities benefited from so-called post-code support. This was viewed as problematic in Liverpool due to its small size compared to the likes of London, Birmingham and Manchester, and the specific histories and demographic distribution of the region's Black community. As one 25–34-year-old male artist focus group participant articulated:

Because London is so big it's like, you see the way someone will come up in South London and the scene in East London would be like, ah, our boy from around the corner is well better than him. So, then everyone in South London gets behind their boy... We don't really have that [in Liverpool]. It's not like the people in Wavo<sup>13</sup> push me and be like, f\*\*k man from Toccy,<sup>14</sup> f\*\*k [Artist Name] and these Huyton guys, because we're from Wavo, because we're just all Scousers.

One of the much-discussed strategies for overcoming the lack of local traction was building a reputation outside of Liverpool first: "I think like when people from outside the city take you in first and then people from the city are gonna take you in. But if people aren't taking you in outside of the city first then no one's really going to take you in in this city" (under-25-year-old male artist focus group participant). Despite its considerable issues with enabling the expression of racist opinions, social media was broadly viewed as a positive tool for growing awareness and audience beyond the confines of the region.

The DIY nature of being able to succeed, not necessarily relying on the big industries and infrastructure to give them a platform. Yeah, the internet being a massive factor in being able to connect with artists and producers up and down the country where it's almost as if they're connecting with each other in Liverpool via people outside of Liverpool. (35–45-year-old male practitioner interview participant)

The dichotomous complexities of both the opportunities and challenges of engaging with social media evident in the ReMap research reflects how "digital media emerge as sites of struggle for cultural workers, rather than as monolithic forces determining what they do" (Sobande et al. 2023, p. 1463), and underlines how emerging Black artists have to continually judge and make compromises in their use of online platforms due to their ethnicity.

<sup>13</sup> Slang for Wavertree, a local area in Liverpool.

<sup>14</sup> Slang for Toxteth, a local area in Liverpool.

For all their considerable efforts to build profile and networks to progress their music and careers, these aspiring Liverpool artists, producers and rappers seem trapped in a circular conundrum. One of having to establish themselves outside of Liverpool to become established in Liverpool, yet they find it difficult to establish themselves outside of Liverpool because they lack the local and regional support that artists from other UK cities use as their platform to build national recognition. This seeming vicious circle of establishing a regional versus national profile was epitomised by the discussion around the challenges of rapping in a Scouse accent. Although there was recognition that, nationally, ‘regional accents in music are becoming a lot more accepted’, participants agreed that “People from Liverpool only want to hear you sound Scouse”, which contrasted with “The scouse accent being very, very, like taboo on a national scale”. The contrast between the significance of the advantage of the Scouse accent to the construction, identification and location of the ‘Liverpool sound’, when compared to the conundrum of authenticity it poses to Scouse rappers, acts as an obvious metaphor for the challenge young Black artists face in, if not redefining, then reaching beyond the ‘Liverpool sound’ to gain recognition within and outside their own city. While the ReMap participants legitimately view these limitations as a Liverpool issue, research by Reisner and Rymajdo (2022) identified similar reasons for the marginalisation of Black rappers in Manchester. As McCann states, “The UK is one of the most regionally unbalanced countries in the industrialized world” (2019, p. 256). This suggests that these issues may be just as attributable to the shared challenges experienced by Black artists forging careers in regions across the UK, as they are to the geographies and cultures of any specific region.

#### PARTICIPANT PROPOSED SOLUTIONS FOR OVERCOMING THE IDENTIFIED CHALLENGES

Participant proposed solutions to the challenges of their circumstances cohered around two main suggestions. First, the current scenes need for a ‘talismanic figure’ to break out nationally, making the entire scene more visible. “I want the scene to be like Manchester to be like London. There’s so much talent here that no one knows about. So, I feel like it needs that person to like break through to like shine that light” (under-25-year-old female musician focus group participant). The other suggestion that attracted broad support across the research was the need for experienced and professional mentors. As a 25–35-year-old male industry interview participant asserted: “For a Black artist in Liverpool without experienced mentors, it’s definitely gonna be difficult. So what we really should be doing is finding a way to connect them with people that know what they’re doing”. The proposal for the development and deployment of a mentoring scheme is largely consistent with a key recommendation in Watson’s 2022 report focused on developing the entire North West’s music

ecology, and with national initiatives such as Mobolise<sup>15</sup> and Power Up.<sup>16</sup> From the participant role descriptions in ReMap (2024, p. 18), it is evident that 35% of participants are already involved in mentoring, but for the majority 62% this mentoring is undertaken in an informal capacity. Although good artist development programmes already operate in Liverpool (Flynn 2024, p. 18), it seems if there is any potential for a relatively quick remedy to the challenges of supporting the growth and development of all Black musicians from Liverpool, then the Music Board should consider building upon existing informal Black mentoring structures and formalising and financing a comprehensive and far-reaching (both in scope and in timeline) professionalised mentoring scheme.

While mentoring offers a possible shortcut towards identifying and uplifting the 'talismanic' figure participants in the scene feel necessary to 'shine a light' on all the other talent, the deep-rooted and long-standing issues with racism and discrimination, the paucity of the music industry infrastructure for Black musicians, and general precarity of careers in music in Liverpool imply far greater challenges to overcome. In a self-reflective moment during one of the focus groups, a 25–34-year-old male musician posed a direct and simultaneously rhetorical question: "I have a decent support in Liverpool and not much of it's from Toxteth. And it's weird, because there aren't many other areas in Liverpool that will back a Black rapper like Toxteth does. Who am I representing really?"

Based upon the evidence in ReMap, Liverpool has much work to do to improve the representation of Black practitioners across its range of music businesses and organisations, and the representation of Black musicians and the music genres they favour across the live sector, mainstream media and wider infrastructure. Strategically the undertaking assumes there is truth in Cohen's contention, that "the relationship between a city and a musical sound is not deterministic, organic or homological" (2007, p. 68). However, in following the history of Liverpool's successful Black acts, Strachan argued that it was the "inscription of locality into globalised music forms" (Strachan 2010, p. 101) that was the essential ingredient to success. Given these somewhat contradictory positions of needing to use the city and locality but not be determined by it, for all those involved in enacting change, hitting the sweet spot for how much 'Liverpool' is represented in the music, music projects and music industry infrastructures of the region's Black community may prove the biggest challenge of all. Unravelling the particular conundrum of elevating aspiring Black artists from the region would go some way to redefining Liverpool as a music city, even if it falls short of redefining perceptions of the 'Liverpool sound'.

<sup>15</sup>The Music of Black Origin Awards new digital platform that connect Black talent, with the best career opportunities, within the most forward-thinking organisations.

<sup>16</sup>PRS Foundation's initiative supporting Black music creators and industry professionals and executives, as well as addressing anti-Black racism and racial disparities in the music sector.



## CONCLUSION

Liverpool has significantly enhanced its global profile as a music city and music tourism economy throughout the twenty-first century, and has continued to produce successful chart acts. However, particularly against a national backdrop of Black artists and genres dominating the UK single and album charts, within the same time frame the dearth of sustained success for Black acts and artists from the Liverpool City Region is confounding and perplexing. The ReMap report evidences that the odds for achieving career success have been disproportionately stacked against Liverpool's Black music community for far too long. What is evident from this case study is that despite Liverpool's embedded sonic- and heritage-based musical narrative being difficult to assail and nuance, for a regional location Liverpool also has a comparatively sizeable music industries infrastructure. If the barriers to entry and success for Black musicians and industry professionals are so considerable in Liverpool or similarly Manchester, these challenges can only be amplified in cities and regions across the world with less-well-developed music profiles and access to professional networks and services. Above-mentioned examples from the UK and the US evidence an increasingly concerted and coordinated top-down effort to produce national-level data and deliver nationally led initiatives that will begin to address the challenges of music industries' inclusion encountered by Black people. If these national efforts can meet in the middle with a bottom-up regional and local approach of other music cities and beyond, as ReMap aims to facilitate in Liverpool, then music associated with places could be less synonymous with sound, heritage and tourism, and more about ensuring equity and equality of opportunity.

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PART IV

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Alternatives Through Cultural Policy



# Misogyny in Music: Actors, Business, and Law

*Vick Bain and Metka Potočnik*

## INTRODUCTION

In the summer of 2022, the UK Parliamentary Women and Equalities Committee (WEC) started an inquiry into “Misogyny in Music” (“WEC Inquiry”) responding to the increasing awareness of intersectional gendered hardships (Crenshaw 1991) experienced by women and gender-diverse artists in the music sector. Continuing on through 2023, this inquiry investigated culture, and behaviours, which have previously been rendered invisible behind the perceived glamour of the industry. With the release of their report on 30 January 2024, the WEC agreed with researchers, non-profit organisations, and activists that misogyny in music is “endemic” (WEC Report 2024, pp. 3, 17). The WEC has called for a significant culture change and made thirty-four recommendations for action, addressed at the industries and the government.

In fifty-six written submissions and eight oral evidence sessions, all made public, supplemented by several confidential group sessions, and a confidential call for evidence regarding non-disclosure agreements (NDAs) with witnesses protected by parliamentary privilege, the WEC Inquiry heard academic, industry, and individual first-hand reports of how “endemic” (Annetts 2023, pp. 8, 13)

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misogyny is in music. The authors of this chapter submitted written evidence to the WEC Inquiry in July 2022, participated in an oral session held in parliament in February 2023, followed by further written information in April 2023 on behalf of a campaigning organisation called The F-List for Music CIC, representing female and gender-diverse musicians in the UK.

It is expedient to start by clarifying the difference between misogyny and sexism. Sexism is the belief that women are less competent than men. This is a form of prejudice. The United Nations Development Program's Gender Social Norms Index (UNDP 2023) demonstrates that in 2023 over 90 per cent of the world's population still hold gender biases that restrict women into subordinate roles in their careers, professional opportunities, and personal lives. This prejudice has a range of forms along a continuum from benevolent sexism, a condescending form of prejudice (Glick et al. 2000), to misogyny, discrimination, and harassment in the workplace, or outright hostility and its most dangerous manifestation, violence. Misogyny is the enforcement mechanism of patriarchy which results in the debasing and controlling of women and is a backlash against any action which may threaten man's dominance and privilege (Banet-Weiser 2018; Manne 2018).

There has been an increasing focus of academic interest in this particular belief and behaviour system over the past decade because of the growing awareness of it as a fundamental cause of violence against women and girls. Rottweiler and Gill (Rottweiler and Gill 2021, p. 6) identified several dimensions pertaining to the construct of misogyny, including the distrust of women, the devaluation of women, and the belief that women are manipulative and exploitative by nature. These beliefs then result in hypermasculinity, sexual entitlement, a tendency to seek revenge, violent beliefs, and, ultimately, physical aggression. Although they failed to recognise misogyny as a specific hate crime in their "Hate Crime Laws" report of 2021, the Law Commission in the UK (p. 128) reported that numerous police forces consider behaviours such as unwanted sexual advances, online abuse, sexual harassment, threatening/aggressive/intimidating behaviour, stalking, and sexual assault towards women as constituting misogyny. Multiple recent music industry reports outline the prevalence of sexual assault including rape and other gender-based violence (Jones and Manoussaki 2022; Williams and Bain 2022).

These circumstances affect both business and law, governing the position and power stakeholders hold in the music industry. In this chapter, we offer a multidisciplinary overview of the ways in which the patriarchy of the music industries is maintained and, when needed, enforced through misogyny. After this introduction, the chapter focuses its investigation on three areas: first, mapping the relations, stakeholders, and actors (organisations and individuals) in the music industries. Second, the chapter investigates the accepted precarious employment practices and asymmetric power dynamics in music and the behaviours this supports, including bullying and harassment, and explaining why matters in music are more alarming than in other parts of society. And third, the chapter explores the role of intellectual property ("IP") laws



(especially copyright) in maintaining the accumulated power in the music ecosystem and, with it, the perpetuating of the intersectional gender hardships lived by women and gender-diverse people. It is argued that IP laws could act as a social justice corrective, by redistributing the power across the sector. In conclusion, we outline an agenda of what needs to happen next.

## MAPPING THE MUSIC INDUSTRY

The WEC Inquiry identified seven key stakeholder groups in music it wished to consult with in public oral sessions, interviewing the following: music academic researchers, music membership and lobbying organisations, live music and festival organisations, major music organisations, government representatives, in the cultural industries, two high-profile women in music, the musician Rebecca Ferguson and radio DJ Annie Macmanus, and also women in music campaigning representatives. This inquiry has been notable in that it has included less powerful voices, such as individual women and grassroots campaigners who have experienced discrimination and harassment and who are usually not given such a public platform to discuss misogyny in music. Conversely, WEC also interviewed those from a number of the most economically successful and prestigious music companies in the UK, who were adamant in their testimony that misogyny was a thing of the past, no longer an issue. Thus, as we review the main actors, stakeholders, and relations in the music industry, we ask who does this status quo benefit and who is keeping these structures intact?

The music industry is, at first glance, a huge success for UK plc (the informal term given to the whole of the UK economy) (UK Music 2014). Numerous reports published by the sector's lobbying body, UK Music, celebrate its economic success. According to the latest figures from 2021, the music industry's contribution to the UK economy was £4 billion and exports rising to £2.5 billion (UK Music 2021), down from pre-Covid figures but still a sizeable contribution to His Majesty's Revenue and Customs. In addition, the industry's cultural importance, prestige and soft power cannot be overstated either.

Notably, the recorded and publishing industry is an oligopoly (Guichardaz et al. 2019, p. 2) with 70 per cent of the UK's music economy generated through only three companies: international and stock-floated organisations Universal Music Group, Sony Music Group, and Warner Music Group, also commonly known as "the Majors" (Competition and Markets Authority (CMA) 2022, p. 19). As of April 2022, there were only thirteen music-related organisations (not including educational organisations) who employed more than 250 people and therefore must mandatorily report their pay gap in the UK (out of over fourteen thousand in the rest of the economy) (Gov.uk 2022). These include the two collective management organisations ("CMOs"), PRS for Music and the Phonographic Performance Limited (PPL), alongside the dominant newcomers, the digital intermediaries such as Spotify, as well as the more traditional live music promoters AEG and Live Nation.

In addition to the Majors, CMOs, and streaming service providers, there are several thousands of other companies existing in the music ecosystem employing tens of thousands of people; however, most of them are small. The Creative Industries Federation (Cauldwell-French et al. 2018, p. 8) calculated that 95 per cent of creative businesses are “micro,” that is, they employ fewer than ten people. Alongside this there are also extraordinarily high levels of self-employment, where short-term non-standard employment and freelance contracts predominate. All musicians signed to record labels are self-employed and have investment contracts in the form of financial loans, not employment contracts (Arditi 2020). Ultimately, it is then up to them as their own business to create and generate income, usually via a mixture of studio-recorded music, now mostly consumed digitally, complemented by periods of “going on tour” with live performances. This is why the music industry is the original “gig economy,” a term initially used by jazz musicians in the early twentieth century, who were contracted one performance at a time (Bau Graves 2021; Bain 2024) so that most musicians live from one gig (paid job) to another with all the precarity, as we will further explore, that entails.

The Office of National Statistics (“ONS”) analysis of a decade of data (2012–2021) derived from the Annual Population and Labour Force Survey reports reveals that 83 per cent of those who report being a musician as their primary occupation are self-employed. The Department of Culture, Media, and Sport (DCMS 2018) reported 72 per cent of those working across music, visual, and performing arts were self-employed. This is significantly higher than the 13 per cent of those employed as of March 2022 (ONS) across all other sectors in the UK.

However, of all the roles it is those who create the musical works and perform them, the songwriters, composers, and performers, that are considered the most important and of the highest status and prestige. After all, we argue, it is their creativity that forms the bedrock of the industry. Musicians are considered one of the most elite occupations in the UK alongside architects, doctors, and judges (Carey et al. 2021, p. 12), and competition to train and become successful in these roles is demonstrated by the tens of thousands of young people who enrol in music performance degrees each year in the UK. The Higher Education Statistics Authority reports just over one hundred thousand students studied music performance degrees in the UK over the five-year period to 2018 (HESA 2018 cited in Bain 2019, p. 20).

When we explore who is benefiting most from the music industry, a picture of inequality and discrimination emerges. Analysis has shown 86 per cent of songwriters and composers with publishing deals; and just over 80 per cent of signed artists on record labels in the UK are men (Bain 2019). This male dominance directly results in 74.5 per cent of the artists booked to headline fifty large UK festivals in 2022 being men-only acts (Mansfield et al. 2022) and significant inequality in the popular UK music charts and on radio airplay (Coogan-Byrne et al. 2023). This is despite the education pipeline into the

sector being nearly gender equal with 46 per cent of the aforementioned performance students being women.

Turning to those in executive roles. Here, we see a quickly changing picture of apparent equality success; where a decade ago Creative and Cultural Skills (2013) had reported that only 32 per cent of the music industry workforce were women, in 2022 UK Music reported in its last published Workforce Diversity Survey (p. 5) that overall 53 per cent of its respondents were women (with a further 1.7 per cent preferring to self-describe their gender representation). However, they acknowledge this high number of women in the music industry workforce is primarily because of those working in their twenties who now predominate in entry level, low-paid work. Women constitute over two-thirds of these low-paid roles and only a third of its highest earners; this pyramid is known as vertical segregation. There is concurrently a gradual drop of women for those aged thirty-five and over, with women only making up just over a quarter of the workforce by the age of sixty-five. Government pay gap reporting has revealed that each year since 2017 in all the dozen or so large companies operating in music their top quartiles are dominated by men, as well as the majority of board and C-suite positions throughout the industry.

Thus, for both the roles they secure, and the career success they achieve, what men and women do in the music industry remains highly gendered. Men dominate in the most valued, high-status roles which are the best rewarded jobs in the industry in both creative, music roles and in the workforce. Moreover, despite the economic success of the Majors, the music industry is built on freelancers, who do not have adequate representation or power, and there are significant numbers of people working in the industry, who lack representation in any meaningful conversation, or policymaking processes.

### HEGEMONIC PATRIARCHAL POWER STRUCTURES OF MUSIC

Thus, we find a stark situation for those working in the music industry, particularly those from marginalised communities. Some of the structural barriers that women and gender-diverse musicians face are the lack of legal protection and financial vulnerability of the self-employed, and the normalisation of sexual harassment along with the lack of reporting mechanisms and retaliative behaviours if they do complain, which all signal a toxic and misogynistic culture. Not only does this affect those who work in music, but also fans and audiences who attend music performances and festivals.

Across all sectors in the UK, only 6 per cent of women run their own business (Rose 2019, p. 7). As we have seen with the high levels of self-employment in music, and increasing numbers of women entering the industry, women have had to adapt to these structures. Self-employment for women can offer some benefits, namely in the form of flexibility, and is one strategy undertaken to deal with the demands of parenting, a responsibility still predominantly falling to women to manage (Sevä and Öun 2015). Nevertheless, there are barriers for self-employed women in music, such as juggling their caring

responsibilities (McDowall et al. 2019), a lack of entrepreneurial training in comparison to men, and a lack of investment by banks and other financial institutions (Rose 2019). There are also fewer employment legal protections afforded to the self-employed, leaving many women particularly vulnerable. This situation has been highlighted in the WEC report.

Furthermore, whilst musicians have high-status positions in terms of the level of their social position, in reality the vast majority struggle financially. In partnership with the IPO, Hesmondhalgh et al. (2021) reported that in 2019 nearly two-thirds of musicians earned less than £20,000. Women averaged two-thirds of that, with a median income of just over £13,000; precarious working in music is gendered (Bain 2024). There were further intersectional penalties noted for non-white musicians and for Black women that means twenty-five per cent less (Black Lives in Music (BLIM) 2021). The recently published “Musicians Census” has outlined other intersectional pay gap penalties for those with disabilities, ethnicity, and the LGBTQ+ communities (Help Musicians and the Musicians Union 2023). Only those with existing financial capital can survive a music career, and this perpetuates gendered and racist socio-economic disadvantages.

Despite the intense competition to become a performer, or indeed to simply “work in the business,” working patterns and conditions for most of those in the industry are exemplified by high levels of self-employment, enforced under-employment with the need to work multiple jobs sometimes out of the sector, and low remuneration, concealed by a fractionally small minority who do achieve financial success. Because of the ideology and apparent glamour of being a musician, it means those in the industry remain vulnerable to the reality of these extremely poor working conditions with serious consequences for their well-being. These conditions particularly collude to exclude those from less economically privileged social classes and the intersections of women and those who are gender diverse.

There is another barrier which is perhaps the most dangerous of all, both personally and professionally. In the workplace, sexual harassment and other acts of violence act as a control mechanism to inhibit and remove women through the creation of a hostile environment (Acker 2006, p. 123, Equality and Human Rights Commission 2020, p. 3). Even those who have not experienced it but have been witnesses, sometimes called bystanders, can experience negative consequences. McDonald (2012) reviewed thirty years of literature on sexual harassment and found that victims consistently suffered significant psychological, health- and job-related consequences; some even developed post-traumatic stress disorder. Pina and Gannon (2012) reviewed the literature over a similar period finding that an organisation’s culture is the strongest predictor of sexual harassment with tolerant climates experiencing more sexual harassment.

It has been found that in creative organisations women consider these toxic attributes a part of their work culture and a normalised aspect of business they have to learn how to negotiate. Researchers working in the creative industries

found that there are four root causes contributing to its prevalence: (1) industry cultures, (2) gendered power relations (unequal power dynamics), (3) informal social networks, and (4) high competition for jobs which all contributed to tolerance for sexual harassment (Hennekam and Bennett 2017, p. 1).

The Independent Society of Musicians (“ISM”) has now published three reports into harassment and discrimination in music in the UK. The first report, titled “Dignity in Work” and published in 2018, revealed that 60 per cent of the nearly 600 respondents had experienced discrimination, including sexual harassment or inappropriate behaviour. The second report published a year later, “Dignity in Study,” co-authored with Equity and the Musicians Union, found that 37 per cent of respondents had experienced gender-based discrimination whilst studying. And the final report published in 2022, “Dignity in Work 2,” found that the prevalence of sexual harassment and discrimination had increased since the first report, with 66 per cent of the 660 respondents having experienced these behaviours. Shockingly 6 per cent reported having been raped and assaulted.

Safety for women and girls at live music concerts and festivals presents another serious issue and was a key question for the WEC Inquiry. In pubs, clubs, and festivals, large amounts of alcohol can be consumed, alongside the use of recreational drugs, which can leave women in a particularly vulnerable position to predatory men. Festivals are unique environments in that they usually involve multiple nights camping with oftentimes many tens of thousands of party revellers. Festivals of certain genres and sub-cultures may promote themselves as being progressive and libertarian, adding to an atmosphere of freer behavioural codes and egalitarianism, but conversely women are still very much at risk (Platt and Finkel 2020). Festivals may seem fantastical, other-worldly, and beyond the usual day-to-day humdrum but in fact they mimic mainstream society’s rules and prescriptions, magnifying gender-sexual power dynamics and all its concomitant risks (Motl 2018).

A recent paper by Bows et al. (2022) reported similar statistics, arguing that while many felt totally safe at festivals (with good networks around them), a third of women had been harassed and 8 per cent had been sexually assaulted. Alarming only 1 per cent had reported their experiences to festival staff and even fewer to the police. This displays a lack of trust in authorities, who are in principle entrusted with the maintenance of order, and where needed, the protection of women.

Of course, for women performers these spaces are their place of work. Women on stage may be seen as “easy targets” and receive higher levels of verbal abuse, heckling, disruption, unwanted touching, and physical assault than their male counterparts, all heightened by alcohol intoxication (Crabtree 2020). The anonymity in these spaces and lack of intervention by venue security leads to a toleration of such behaviours and increased risk to women musicians. The lower levels of women on event and festival line-ups are almost certainly influenced by the working conditions we have described above.

Post-performance abuse can also extend beyond the actual performance into the digital arena.

There is also an intersectional compounding of harassment with Black women being particularly susceptible to racism as well as gender-based abuse, that is, misogynoir. Black Lives in Music published research in 2021 into the experiences of nearly 2000 musicians and music professionals, revealing a high level of systemic racism throughout the industry. Women are particularly affected by the intersection of misogynoir: reporting more instances of abuse, 80 per cent of respondents had experienced discrimination, and other impacts such as lesser pay and career progression resulting in lower levels of mental well-being as a consequence. The ISM found that the more protected characteristics someone possessed, such as race or disability, the greater the likelihood was that they had experienced discrimination and harassment (Williams and Bain 2022, p. 3). This is backed up by recent research from Attitude is Everything and Black Lives in Music in their “Unseen Unheard” report (Attitude is Everything and Black Lives in Music 2023) demonstrating the multiple discriminations Black disabled people experience.

Of particular concern is the invisibility of trans women in this research, which hides and can reinforce transmisogyny, which is misogyny targeting trans women and transfeminine people. This manifests in behaviours such as objectification (trans women are often objectified and sexualised), exclusion (from women only spaces to reinforce that trans women are not women), and misgendering but also greater rates of discrimination and violence purely for one’s gender identity (Menendez, cited in Bain and Potočnik 2023). Trans women constitute one of the most vulnerable groups in the world today (Manne 2018, pp. 24–25), and little is known about their experiences in the UK music industry.

Another critical question from the WEC Inquiry was to ask what support exists for women in the music industry and how can they report problems. Reporting of problems, such as abuse, remains fraught with challenges. In the ISM Dignity at Work 2 responses (p. 19), less than a quarter had officially reported the harassing behaviour. Of those who did not, 81 per cent of them cited fear of losing work, not being taken seriously or fear of the perpetrator as reasons they did not do so. Fifty-five per cent stated they did not report because “it’s ‘just the culture here’.” As 95 per cent of creative companies are micro-businesses, this leads to issues reporting harassment in such small teams. This is compounded by the high levels of self-employment across the sector where their precarious working conditions mean many remain unsure of who to complain to, or indeed whether it is practical to do so, when they were only contracted for a one-night or other short-term engagement.

Just as troubling is the growing phenomenon of employers inhibiting complaints procedures in order to protect their reputation, or indeed to protect “valuable” male perpetrators within these organisations, a process known as “institutional betrayal” (Smith et al. 2016). Currently, victims bear the burden of holding harassers and employers to account, with all the subsequent

potential risks. This can include the possibility of experiencing retaliative actions including being pushed out of their jobs and sometimes their chosen industry, derailing their careers, often silencing them through the widespread use of Non-Disclosure Agreements (NDAs). Researchers in the United States have explored this phenomenon, noting that in the US legal system at that time 25 per cent of all employment claims included complaints about employer retaliation (Ahmed 2021).

The WEC committee found that NDAs are being used in the music industry as a weapon to silence women from discussing their experiences of discrimination, harassment, and abuse and prevent them from pursuing cases in the Employment Tribunal (WEC 2024, p. 53). They received numerous reports of women being forced and threatened with financial and reputational ruin into signing agreements, some without independent legal advice. One woman's testimony described how she had to "agree to a settlement where I would leave with a glowing reference, or I would be sacked for gross misconduct with immediate effect and no money." (WEC 2024, p. 54).

Therefore, with so many cases hidden it is likely the true extent of misogynistic behaviour is not acknowledged, even within the music organisations where it is most prevalent. This leaves perpetrators free to continue abusing and more women vulnerable to being attacked. In music this has long been accepted as being "just the way it is." The hegemonic patriarchal power structures of the industry ensure that these behaviours are prevalent with no sign of them being appropriately dealt with. The question is not whether women are discriminated against—depressingly, the question always is: *How bad is it?*

### INTELLECTUAL PROPERTY LAWS IN MUSIC: FEMINIST AND SOCIAL JUSTICE CORRECTIVES

In 2023, it remained the case that most people in the world hold gender-based biases, which carry negative consequences and harms for women (GSNI 2023). These social norms have been written and enforced by men throughout history, as they represent "the undervaluation of women's capabilities and rights in society" and "constrain women's choices and opportunities by regulating behaviour and setting the boundaries of what women are expected to do and be. [] Biased gender social norms are a major impediment to achieving gender equality and empowering all women and girls (SDG [UN Sustainable Development Goals] 5)" (GSNI 2023, p. 3). These social norms in music, or the *culture of the music industry*, was at the centre of the WEC Inquiry and is recorded in more detailed in the previous sections of this chapter. What is often overlooked, even in the 2024 WEC Report, is the role of intellectual property ("IP") laws, especially copyright or related rights in the sector. Scholars in the United States have long demonstrated that IP standards are not gender- or race-neutral and that effects of IP rules on different communities will vary significantly, leaving certain marginalised creators without protection or reward



for their works (Potočnik 2024a). IP Social Justice (IP-SJ) scholars have moved away from looking at IP laws through a pure economic or market lens and have approached questions of IP policy through questions of social or distributive justice, and social utility. They argue that IP laws should pursue both economic and social utilities in the system, where currently marginalised creators are given access, are included, and feel empowered by the IP systems. IP-SJ theories work in parallel with feminist IP theories, in their investigations of power and dispelling the myth of *objective standards* in IP laws, such as authors, owners, and performers (Potočnik 2024a).

The evidence that women are not doing as well as men in the music industries is staggering, and yet not all facets of the system are researched, or are under scrutiny. IP laws continue to be viewed as a mere “technical subject” which does not contribute to the gender discrimination found in the sector. IP’s role to generate power and, with it, create, enable, or perpetuate the gender discrimination in the music industries is not investigated by most researchers or policymakers in the field. It is argued however that this is not a coincidence, or a happenstance, rather a systemic design and barrier to be kept in mind. As we have stated earlier in this chapter, misogyny is the enforcement hand of the patriarchal systems, whenever women, and arguably gender-diverse people, *step outside the norm* (Manne 2018). We argue that IP laws, and in particular copyright and related rights, are part of the system that enables the patriarchal structures and institutions, by giving them the power and control to enforce the gender-based norms (further Potočnik 2024b). These institutions in music (both the recorded industries and CMOs; see Section “Mapping the Music Industry”) draw most of their value from copyright and related rights, and are therefore often referred to as “the copyright industries” (Osborne 2022, p. 1) (see Section “The Myth of Gender-Neutrality in IP Laws”). The UK should follow the international directives found in the World Intellectual Property Organization (“WIPO”) Intellectual Property Gender Action Plan (“WIPO IP GAP”) (2023) and build its future IP norms on intersectional gender evidence, where authors, creators, or performers are not devoid of their personal characteristics (see Section “The Imperative to Collect Intersectional Gender Evidence in IP Government Inquiries”). Evidence found in the WEC Inquiry, together with the findings in the 2024 WEC Report, must be shared with DCMS and the Intellectual Property Office, in their future governmental IP inquiries.

### *The Myth of Gender-Neutrality in IP Laws*

IP laws, specifically copyright and related rights, tell us which music and creators will be protected under the law. IP systems will reward not only original music creation but also investments made in the production of such original works. International and domestic rules are written in gender-neutral terms (i.e., referring to authors, owners, or performers in single categories). The



rules do not expressly exclude women or gender-diverse creators, from their scope. To date, IP policymakers and most of the literature operate under the assumption that IP laws are gender-neutral, and their application or effects are not investigated further. IP laws and copyright are seen as a mere technical subject, and political topics, such as gender equality, are *best kept out*. All music, which is created by an author, and is original, will be protected under the Copyright Act (CDPA, s.1(1)(a)), and the scope of protection, including its duration, will not depend on any personal characteristics of the author. In addition, all sound recordings of music so made will be protected by a separate copyright, vested to the entity who has made the investment by making such recording (CDPA, s.1(1)(b)). The assumption is that all creators who are “talented” will have the same access to the IP systems and that all creative endeavours are deemed equal under the law (DCMS Definition of Creative Industries 2023).

Some scholars have challenged this assumption and are moving away from the uniform concept of an author, creator, or owner. According to IP-SJ or feminist theories, when marginalised creators lack access to IP system or are excluded and rendered invisible by such IP systems, these IP systems are not fully functional (Mtima 2019; Potočník 2024a). IP systems’ economic profitability for only select groups of stakeholders, for example only white men, should not suffice, when assessing whether an IP system is fully functional.

As evidenced in Sections “Mapping the Music Industry” and “Hegemonic Patriarchal Power Structures of Music” of this chapter, women and gender-diverse creatives are not doing as well in the music ecosystem, when compared to men. Feminist inquiry therefore suggests that the role of IP laws should be investigated, to understand whether IP rules have played a role in creating, enabling, or maintaining the unequal treatment of men and women in the system (Bartow 2021). Rules are not gender-neutral, just because they are written in terms, such as the author, owner, or performer (CDPA, s.1). Instead, “[fa]cially neutral IP law is not neutral, but imbued with the assumptions of those who wrote it and interpret it, including assumptions about sexual orientation and gender identity. Identifying this problem is a first step toward addressing the problem” (Swanson 2015, p. 185).

As argued elsewhere (Potočník 2024a, 2024b, 2024c, 2024d), the current copyright system favours men’s creative endeavours, where it focuses on the commercial protection and exploitation of works, and any protection of the author is by an extension only. The overwhelming focus is therefore on the outputs, and their commercial exploitation by way of economic rights (CDPA, s.16). This can be linked to the origins of the “musical works” in musical history, and the notion of a single genius or music creator, to the cost and detriment on communal creative processes in music (Stone 2017; Gaunt 2006). One of the main problems of the current copyright system is its focus and organisation on protecting the works, or the outputs in the form of “musical works” (CDPA, s.1) or “qualifying performances” (CDPA, s.181), and not the

individual creators behind these works or performances (Potočnik 2024a, 2024b).

Relying on an interdisciplinary combination of feminist theories in law and music, it is argued that copyright laws should no longer divorce the creator from their creations, where the focus of protection is the output (i.e., “music work”), even when no longer in the hands of the musician (composer or performer). As we know, UK copyright laws allow for a transfer of economic rights to third parties, leaving the music creator without any power to control the ongoing exploitation of economic rights (CDPA, ss.11, 16, and 90). The same situation also occurs in employment relationship, and musicians who create music whilst employed, under the terms of that employment, are not the owners of copyright in so-created music. Employed musicians are the authors, and their employers are the owners of copyright in so-created music (CDPA, s.11). Copyright laws should be rewritten to better protect the economic and moral interests of the authors, and performers, resulting in optimal economic and social utilities of copyright laws (Potočnik 2024a, 2024d). By redirecting the focus of IP laws from outputs to their human creators, that is, authors or performers, the powers given by IP laws would vest into music creators, not owners or investors in musical outputs.

Furthermore, the current copyright systems focus on the protection of individual creators and authors and fail to adequately protect the creativity and imagination of performers, often to the cost of women in the music ecosystem (Potočnik 2024b, 2024d). In addition, the creative efforts of women are not always recognised under the system, and rules of joint authorship do not always protect against the authority gap that women author’s experience in music co-creation with male co-writers (Potočnik 2024c).

The copyright systems must be reviewed through the relational feminist, and other feminist lenses, most notably, radical feminism and intersectionality, to correct the commercial blinders put on the protection of music, which are currently put in place (Potočnik 2024a (relying on West 2019 for relational feminism)). Only music that fits the mould, that is, *commercial sound* (Potočnik 2024c), will be protected under the current copyright system. When women do get their opportunity or access to the industry, only those that fit the male gaze, that is, *because they look right*, will get access to the commercial platforms to share their performances (Potočnik 2024d). As reported in the WEC Inquiry, women’s appearance still defines their creative and professional opportunities:

We are still seeing situations in which women are sacked because they are pregnant if they are freelance. That is a reality. **If they do not look right**—if they have a bump that is showing—and they are in some kind of musical, they will lose that job, let alone thinking about menopause policies. ... **There is something about the image that women are asked to aspire to in music. You have to look right.** If you look a bit older, you might not look quite right. There is a lot of

stereotyping that goes on in the music sector. (Annetts (n 31) Q134 (emphasis added))

The lessons and research from feminist musicologists should be embraced by IP scholars, to further investigate the role of IP to control and exercise patriarchal power, in more detail. The concept of protectable works in copyright emerged in musicology and the social context should be appreciated:

[g]iven the developments more or less around 1800 in musical practice – in theoretical, practical and institutional terms (i.e., with as thick a view as one could possibly have of a practice)—the work-concept emerged as the dominant concept by which all activities would be arranged. Henceforth, there would be composers of works, commissions of works, scores of works, performances of works, experiences of works, reviews of works, copyright laws introduced to protect the works, and halls built to house the concerts of works. (Goehr 2007, pp. xvii–lii).

Music creation, as art, is a social activity (Gaunt 2006; Nochlin 2021), and patriarchal practices found and reported on by feminist musicologists (Goehr 2007; Gaunt 2006; Stone 2017) are replicated in copyright systems (Potočník 2024a, 2024d). To achieve gender equality in the music ecosystem, scholars, researchers, and policymakers must make a choice for gender equality and join forces in an interdisciplinary and intersectional project, or the project will be left to fail.

### *The Imperative to Collect Intersectional Gender Evidence in IP Government Inquiries*

IP law and policy discussions must be a part of the corrective in the music ecosystem, if change is to be systemic and meaningful. As argued by IP-SJ scholars, “[t]o achieve its social utility purpose of human nourishing and flourishing, the intellectual property law must therefore adhere to inherent precepts of socially equitable access, inclusion, and empowerment” (Mtima 2019, p. 419; Potočník 2024a). Therefore, governmental inquiries should follow the example set by the WEC Inquiry and collect the empirical data from women and gender-diverse artists, recording their lived experience in the sector, when writing new rules and regulations, governing the music industries. An approach, as found in the 2021 DCMS Inquiry on the “Economics of Music Streaming” or the “Future of Music Festivals” (Potočník 2021), which operates under the myth of *talented creators devoid of any personal circumstances*, ignores the evidence of systemic intersectional gender discrimination. Without a course correction, the DCMS is unlikely to bring about a meaningful social justice corrective to the systems, which are ignoring several groups of marginalised creatives.

The meaningful evidence collected by the WEC Inquiry is already proving this point. Specifically in IP laws, however, the World Intellectual Property Organization (WIPO) has made significant recommendations that could assist

national governments in their future IP policymaking. The 2022 WIPO IP GAP is built on important research findings across multiple jurisdictions, which evidence that women innovators and creators do not benefit from IP systems as well as men in comparable situations. For the society to benefit from the ingenuity and imagination of everyone in their midst, WIPO recommends national governments to write inclusive IP laws, which are built on evidence from all inventors and creators, including groups, which are currently under-represented in the system. WIPO's vision is one of a "world where innovation and creativity by women anywhere is supported by IP, for the good of everyone" with a mission to lead the development of "an IP ecosystem that promotes and encourages women's engagement in IP and innovation" (WIPO IP GAP 2023, p. 2). Evidence collection is therefore key in the efforts of moving towards a more inclusive IP system, and WIPO aims to work with national governments and other stakeholders "in integrating a gender perspective into IP legislation, policies, programs and projects" and to drive further "research to identify the scope and nature of the gender gap in IP and ways to close the gap" (WIPO IP GAP 2023, p. 4).

It will be impossible to remedy and correct the current misogyny and gender-based discrimination in the music ecosystem without addressing IP laws, the contracts for IP use, and the relationships of power and control they regulate. IP is the centre of power in the music ecosystem. The evidence collected by the WEC Inquiry should not be ignored by the IP policymakers, or the DCMS, as has been the case thus far (Potočnik 2021). WIPO IP GAP should be followed in the UK, as this is the only choice, leading to a more socially just IP system. UNDP advises:

Challenging biased gender social norms is a choice we can make today. To drive change towards greater gender equality, we need to focus on expanding human development through investment, insurance, and innovation. Education, recognition, and representation can directly address biased gender social norms. (GSNI 2023, p. 3)

## AN AGENDA FOR THE FUTURE

Through our exploration of the structures, employment processes, and the exclusivity of copyright systems of the music industry, we have revealed various aspects of lived intersectional gender discrimination. Thus, we argue that this situation should no longer be left to self-regulation within the music industries and that there is a need for better support, legislation, and regulation to control misogynistic behaviours. The WEC Inquiry report into Misogyny in Music, published 30 January 2024, outlined thirty-four recommendations (pp. 59–65) for the government, the music industry including representative bodies, and music education establishments, to adopt. The recommendations acknowledge the additional barriers that women, particularly those with intersectional dimensions such as ethnicity face, and recommend that this additional impact is

taken into consideration with an amendment to the Equality Act 2010. The report acknowledges that sexual harassment and abuse and its covering up by way of NDAs legitimise the behaviours and has infused the culture of the music industry. WEC recommends that NDAs are prohibited in cases of sexual abuse, sexual harassment, sexual misconduct, bullying, or harassment along with a moratorium for those currently bound to an existing NDA (in effect overturning existing agreements). Such a change to legislation was recommended by the authors of this chapter in their submission (Bain and Potočník 2022) and would be an extraordinarily bold step towards the transparency that is needed to positively change the culture of the music industry. WEC also highlights that greater protection from discrimination and harassment for self-employed workers in the music industry is needed with an acknowledgement of the vulnerability of these particular groups. This would be a step change in equalities legislation and additionally potentially protect many more hundreds of thousands of workers, not just those working in music.

Other recommendations are aimed at the industry and include mandatory diversity and inclusion training along with prevention of sexual harassment training for all staff particularly those in music venues and recording studios (both identified as hot spots of vulnerability), and the licensing of such premises contingent on such training. WEC also calls for all organisations to “commit to regular publication of statistics on the diversity of their creative rosters. All organisations with more than 100 employees should be required to publish data on the diversity of their workforce and gender and ethnicity pay gaps” (p. 60). Such information would make it very clear where there has been, or has not been, gender diversity inclusion and investment and was a key request of the authors in their submission (2022).

We therefore call on the music industry to acknowledge and commit to these recommendations for greater awareness and cultural change through data collection and training. As the WEC report acknowledges, we have a situation where women and gender-diverse musicians and those in the workforce are routinely discriminated against with the consequences borne by those individuals often to the detriment of their careers and mental health. Since the publication of the report, there has been a muted response from the industry with little substantive commitment of action. And yet this is exactly what is needed. A cultural change requires the music actors and organisations to understand their own businesses, their workforces including self-employed contractors as well as their music rosters; the United Nations states that “challenging biased social gender social norms is a choice we can make today” (GSNI 2023, p. 3). Not acting on the research highlighted in this chapter, as well as the WEC Inquiry report, is also a choice.

Finally, there are conversations that are yet to emerge. In WIPO, we have seen discussions on gender and other intersectional barriers to full human development and creativity. IP laws, especially copyright and patents, are seen as tools of human development. The WEC committee only mentions IP laws once, in connection with the NDAs, but their role in giving, preserving, or

distributing power in the music industry, is not considered. Feminist work investigates and evaluates the existing systems, structures, and power—and IP laws are vehicles of power, because they give their owners monopoly rights, in the form of exclusive rights. The F-List for Music and the authors of this chapter will continue their work in reviewing IP laws, in particular copyright, as tools of power distribution, going forward.

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# Popular Music in France and Action Culturelle When Musicians Become Cultural Policy Agents

*Jacopo Costa*

## INTRODUCTION

As an independent musician working in the field of popular music, I emigrated to France in 2008. During my early years there, I was struck by the number of projects many of my colleagues were involved in, which were designed for specific audiences—including children, teenagers, people from disadvantaged neighborhoods, prisoners, and elderly residents of nursing homes. Such initiatives were often described as *actions culturelles*. It amazed me not only that these projects were a specialized branch of the profession—benefiting from specific cultural policies and public grants—but above all that many musicians who turned to *action culturelle* were, in my view, “sacrificing” their creative freedom and integrity to produce projects specifically designed for this or that audience or situation.

As I learned more about popular music in France, I came to understand that these first impressions were the result of my conception of the musician’s profession, a conception “filtered” by my own experiences and values. For example, as an Italian, and having taken my first steps in the professional music industry in Italy, it seemed to me much more common for musicians to supplement their salaries with music lessons or by playing repertoires they were not interested in for weddings and parties, rather than by organizing an entire musical production for children, which would seemingly “divert” the musicians’ creative resources toward an “impoverished” artistic product.

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The study of the *action culturelle* system allowed me, therefore, to understand the superficiality of my initial opinion, but it also brought out several problematic issues in the conception of music and its purposes or functions in a context in which musicians' careers, cultural policies, creative industries, and the public intersect. In particular, the distinction between the values attributed to "music as an artistic act" and "music as a job" deserves, in my opinion, to be discussed in greater depth. For instance, early in the Covid crisis, numerous French artists criticized President Macron's administration for deeming certain professions, including those in the creative industries, as "non-essential to the life of the Nation". A prominent argument was that, while lockdown restrictions hit theaters and concert venues hard, other venues, such as churches and shopping centers, were considerably less impacted. The implication was that the government was unable to acknowledge the importance of culture, its "essentiality".<sup>1</sup> The claim for the essentiality of the creative professions, however, was not a claim for the intrinsic value of artistic creativity. Now, one could throw out the provocation that the intrinsic value of art had already been delegitimized—without almost any artist complaining—since well before Macron's government, if one considers that a great deal of art could hardly be funded, without being "justified" through the criteria of *action culturelle*, which are essentially pedagogical and social, not aesthetic criteria.

Bringing clarity to these conceptions is particularly relevant in the context of popular music, an extremely complex system at the crossroads of cultural industry mechanisms, a narrative of creativity often flawed by romantic-bohemian stereotypes, and (especially in the case of a country like France) cultural policies that have been entrenched for decades. A system on which the careers of so many musicians depend through the grants system.

In this chapter, I will describe the interaction of professional and artistic values within the activity of French independent popular music artists who develop projects that can be ascribed to the category of *action culturelle* in addition to their "purely creative" activity (i.e., the projects conceived without prior consideration of the audience and the situation in which they will be realized, driven by the aesthetic aspirations of the artists themselves). As non-French readers may not be familiar with some of the notions I am discussing, I first present several key concepts, namely what *action culturelle* politics consists of, the principal guidelines of French popular music policies, and some relevant aspects of the *intermittence du spectacle* regime. I then proceed to highlight how the values of this cultural ecosystem have developed and outline its main professional stakes. These aspects are illustrated with specific examples of *action culturelle* projects. Finally, I propose a critical interpretation of the cultural and professional values that emerge from the context presented.

The chapter draws on literature from sociology, cultural studies, and cultural policy research. Many of the sources are French, due to the specific

<sup>1</sup> See De Singly F. (2020). Regarding the non-recognition of the value of art jobs in France, beyond the Covid emergency, see Pilmis and Cardon (2014).

characteristics of this country's cultural policy. The major issues related to the values of art and of creative professions have mostly interested scholars of the visual arts and theater and less so music specialists, with some significant exceptions such as Philippe Teillet and Pierre-Michel Menger. For this reason, too, I felt it appropriate to interview musicians active in the Grand Est region, especially in the Strasbourg area. Specifically, I interviewed artists who have developed *action culturelle* performances or projects primarily for children and/or adolescents. Their accounts were particularly valuable in understanding the motivations that drive artists to develop *action culturelle* productions, and I would like to thank them for these precious insights.

## ACTION CULTURELLE

*Action culturelle* embodies an ensemble of policies, initiatives, grants, and art projects that facilitate the population's access to culture. From an institutional point of view, *action culturelle* typically takes the form of the activity of local branches of the Ministry of Culture (*Directions Régionales des Affaires Culturelles*, or DRAC). These are "departments responsible for implementing government policies on public development, knowledge transmission, and the democratization of knowledge at the local level".<sup>2</sup> *Action culturelle* is a tool for cultural mediation with a significant educational focus. However, it differs from arts education and programs supporting cultural heritage and artistic creation. *Action culturelle* policies address virtually all artistic practices; in the popular music field, they interact with the policies of *musiques actuelles*.

In France, the public sector extensively intervenes in matters of popular music—most notably through regulations, services, and funding.<sup>3</sup> On the national, regional, and local levels, the State provides or participates in a vast array of grants, material assets, training programs, events, and partnerships focused on popular music, not to mention welfare measures such as *intermittence du spectacle* (discussed below). Many scholars have pointed out that the policies of *musiques actuelles* (this is the expression chosen by the French government in the 1990s to designate popular music<sup>4</sup>) are fundamentally social policies, in that they address issues of youth integration, and economic development policies, in that they recognize the popular music sector as a source of employment.<sup>5</sup>

Most French popular music artists are affiliated with the regime of *intermittence du spectacle*. *Intermittance* is a benefit—conceived as unemployment insurance—designed for "entertainment workers whose activity is

<sup>2</sup><https://www.irma.asso.fr/Le-regime-d-assurance-chomage-des> (last access on March 22, 2021). For a more detailed account of Intermittence du spectacle, see Menger (2005), Coulangeon 2004, Pilmis and Cardon (2014).

<sup>3</sup><https://www.culture.gouv.fr/Regions/DRAC-Normandie/Les-poles/Pole-action-culturelle-et-territoires/Action-culturelle>, last access August 4, 2023; translated by the author.

<sup>4</sup>See Blandin-Estournet (2017), Liot (2007, 2009), Tardiglio (2011), and Van Colen (2002).

<sup>5</sup>Ville de Strasbourg (2021); translated by the author.

characterized by [...] several temporary employment contracts, alternating periods of work and non-work”.<sup>6</sup> Musicians (along with other entertainment professionals such as engineers, stage technicians, theater workers, and so on) are entitled to the status of *intermittent du spectacle* for a year if they can prove to have worked for at least 507 hours over the last 12 months. *Intermittence* is more prevalent in the popular music sphere than in classical music, where there are clearer opportunities to gain “permanent” employment, as a member of an orchestra, for example (a profession akin to that of a state official).<sup>7</sup>

## CULTURAL VALUES AND PROFESSIONAL IMPLICATIONS

French cultural policies (specifically, popular music policies) reflect specific evolutions of political orientation. The most repeated catchphrases in the French public debate on culture include expressions such as “cultural democratization”, “cultural democracy”, and “cultural development”. Although they are all based on the same general principle—that the State must provide all its citizens with access to culture—these expressions often relate to very different premises, strategies, and policies.

The first significant cultural orientation in France after World War II was called *Démocratisation culturelle*, and it was the political legacy of André Malraux, President De Gaulle’s minister of culture. Its approach could be described as “top-down”, as it aimed to democratize “high” culture by making it accessible to virtually all citizens. Such an approach resulted in Malraux’s policy not paying attention to popular music (considered “low culture”). However, by the 1970s, it was clear that *Démocratisation culturelle* had failed to meet its goal, as it was not able to exert a significant shift in the country’s cultural habits. During the following decade, a new political orientation emerged, enforced by Jack Lang, President Mitterand’s minister of culture.

Lang’s policy shifted the discourse from “cultural democratization” to “cultural democracy” first of all by abandoning the “top-down” approach. Instead of focusing on “high culture *for* the people”, it championed a more holistic idea of culture as an ensemble of practices not only *for* but also *of* and *by* the people. By doing so, the State renounced imposing aesthetic hierarchies and recognized popular practices and commercial art forms as “cultural” and therefore worthy of public consideration.<sup>8</sup> Lang’s ministry was the first to develop policies designed specifically for rock music, which were later extended to hip-hop and other popular music genres.<sup>9</sup>

<sup>6</sup>See Kaiser (2012) p. 576. For a historic account of French cultural policies, see Looseley (1995). For a survey of the mechanisms of cultural policies, see Moulinier (1999) and Bennet et al. (2023).

<sup>7</sup>Denis Leonhardt, e-mail to the author, July 31, 2023.

<sup>8</sup>See European Commission, Directorate-General for Education, Youth, Sport and Culture (2020), pp. 70–3.

<sup>9</sup>See Teillet (2007). Until the mid-1990s, popular music was referred to as *musiques d’aujourd’hui* or *musiques amplifiées*.

Among the central aspects of Lang's *Démocratie culturelle* are not only pluralism (the idea that there is not a unique legitimate art) and relativism (by which public institutions avoid imposing any aesthetic criteria) but also the idea that cultural education for broader and socially diverse audiences should go through bringing the population closer to creativity, eliminating the traditional distance between the viewer and the work of art and promoting direct public participation in the artistic creation. Sources abound with references to the need to overcome the passive consumption of art (or other similar expressions).<sup>10</sup>

It must be noted that the institutions enforcing popular music policies, as well as their values and goals, often overlap with the institutions, values, and goals of *action culturelle*. For example, consider the grant for the popular music live production implemented by the city of Strasbourg. To be eligible for such a grant, bands and musicians must "involv[e] different audiences [...] and the residents",<sup>11</sup> a criterion that could easily belong to an *action culturelle* program.

Ambiguities between popular music policies and *action culturelle* policies are indeed quite common. As I mentioned earlier, subsidies to artistic projects (especially in the performing arts) must be justified according to the guidelines of cultural policies, but these guidelines can be either economic (culture as a tool for the development of territories) or social (culture as a tool for cohesion and social development), the latter corresponding to the *action culturelle* model.<sup>12</sup> Thus, artistic projects with a predominant economic appeal are occasionally funded through *action culturelle* programs. For instance, one of the artists I interviewed, Denis Leonhardt, explained how often collaborative projects between his band, Weepers Circus, and various orchestras or wind bands were eligible for *action culturelle* funding, even though they lacked the pedagogical and cultural features usually required for *action culturelle* projects.<sup>13</sup>

Moreover, the large number of *action culturelle*-related projects developed by popular musicians in France is closely linked to the peculiarities of their status as *intermittents*. Since the frequency and duration of performance contracts are variable and often unpredictable, musicians can utilize several solutions to stabilize their work activity. The most common among these solutions are polyvalence—"different ways of exercising the same profession in the same field"<sup>14</sup>—and multi-activity—"different professions exercised in the same field".<sup>15</sup> Specifically, many artists multiply and diversify their artistic projects, and complement the purely creative activity with one or more activities in the same field but geared toward generating a stable income. Formal music teaching in a school or conservatory is undoubtedly the most practical solution for

<sup>10</sup>For a discussion on popular music policies as youth policies, see Teillet (1992, pp. 357–8). For an in-depth study of French popular music policies, see also Teillet (1996, 2007), Van Colen (2002), and Liot (2007).

<sup>11</sup>For an in-depth look at the employment status of classical musicians in France, see Ravet (2009).

<sup>12</sup>The arguments in this paragraph are based on Teillet (1996).

<sup>13</sup>See Teixido (2019) p. 43.

<sup>14</sup>Perrenoud (2009) p. 83; translated by the author.

<sup>15</sup>Idem; translated by the author. See also Bureau and Shapiro (2009).

most *intermittent* musicians, especially since a certain number of teaching hours can be counted in the sum of the 507 annual hours that give access to the subsidy, providing a substantial relief in years when other contracts are scarce.

If we add today's difficulties in making a living from record sales, and the fact that live activity is now the main source of income for many popular music artists,<sup>16</sup> it is easy to understand why these artists are increasingly supplementing their activities with *action culturelle* projects. These musicians are usually accustomed to multi-activity and comfortable in contexts where art and pedagogy overlap (thanks to their teaching experience); in other words, their professional profile corresponds to *action culturelle*'s key aspects.

Adding to the complexity of the *action culturelle* ecosystem is another French professional peculiarity, namely the role of *musicien intervenant*, a type of musician in receipt of a specific certificate, DUMI (*Diplôme Universitaire de Musicien Intervenant*), and whose work is "based on the interaction of the artistic and the pedagogical, personal or collective musical practice, and experience in the field".<sup>17</sup> The skills and contexts of practice proper to *musiciens intervenants* (or *dumistes*) include (but are not limited to) those related to *action culturelle* projects that can be developed by "regular" musicians, with the added benefit of specifically structured training for cultural mediation. In other words, while a professional musician primarily trains for (and presumably aspires to) a profession focused on artistic creativity, a *dumiste* trains primarily for different forms of artistic mediation. Thus, while *Action culturelle* will mainly be a complement of activity for professional musicians, it will be at the heart of the *dumistes*' work. However, the distinction between musician and *dumiste* is not always clear-cut either: the qualification for *interventions musicales* is often in addition to an already-established career as a musician.

### ACTION CULTURELLE PROJECTS IN THE AREA OF POPULAR MUSIC

Before delving into the critical discussion of the subject matter, I will illustrate some types of *action culturelle* in popular music through the projects developed by the artists I interviewed. The target audience for almost all of the artists interviewed was *jeune public* (an age group ranging from three-year-olds to teenagers),<sup>18</sup> and the musicians in question are all *intermittents* and independent; otherwise, the profiles of the artists are quite different, as are their goals and the nature of the projects enacted. The interviewees include artists who have developed *action culturelle* projects individually and others who have

<sup>16</sup> See Kaiser (2012) p. 615. See also Laing (2012, last accessed on August 8, 2023).

<sup>17</sup> <https://cfmi.unistra.fr>, last access August 5, 2023; translated by the author.

<sup>18</sup> As mentioned, some of the *action culturelle* projects of Weepers Circus are not intended for childhood, as are some of the projects of Runny Noise (a *musique concrète*/world music band whose leader Romain Muller I interviewed).

done so as a group; some have a *musicien intervenant* background, while others combine their artistic activity with jobs as teachers or sound technicians; for some, *action culturelle* represents an occasional complement to artistic activity, while for others it is a consistent and regular aspect of the profession.

The nature of the projects and the contexts in which they are carried out range from school workshops (with groups of no more than 30 pupils) to full-fledged productions carried out for several dozen participants (often several school groups) in fully equipped concert venues, which are promoted as proper concerts through professional management. As for the financing of such projects, in most cases, the contractors (schools, concert venues, production managers) are the ones who postulate for public grants (usually specific aids for *action culturelle*).

A good portion of the projects discussed embody the pedagogical mission of *action culturelle*, as well as the already-discussed tendency to involve the audience in the artistic process. For example, both the jazz/world music trio Far East Unlimited and the swing'n'roll trio The Cracked Cookies had the opportunity, through a production agency, to conduct workshops with some students from a Strasbourg high school where students learned to compose and perform songs in the style of the bands (stimulating reflection on skills related to composition, songwriting, arranging, etc.). In the case of the *action culturelle* projects of Weepers Circus, a band that has been active in the school environment for several years, pedagogy even prevails over the aesthetics of the band, whose members follow groups of pupils to help them compose pieces in a style chosen by the students while maintaining hints of the surrealist taste specific to the band. Curiously, the least pedagogical project among those considered is one developed by two *musiciens intervenants*, Mélanie Decq and Maxime le Dret, who, as Trombine and Houquette, aim to give young people the experience and culture of a ska concert: their show involves a proper concert venue and adequate amplification, and keeps the musicians and audience mostly separate.

It is also interesting to note that for the artists interviewed, except those with a *musicien intervenant* profile, the initiative to develop *action culturelle* projects comes from the contractors: it is at the request of the contractors (for the most part schools) that these artists—who often have a solid teaching background—undertake these kinds of projects, which are added to their principal job according to a dynamic typical of multi-activity. *Action culturelle* projects or shows appeal to independent musicians and *intermittents du spectacle* not only because they allow them to diversify their job options but also because the demand for these shows and projects is more abundant and less selective than in the live performance sector. The accounts of most of the musicians interviewed depict a scenario in which *action culturelle* music projects “sell better” than purely artistic projects: this corresponds to my own experience with various artistic projects.

For example, Oiapok, a Strasbourg-based jazz-rock band of which I am a member, has in recent years developed a children's show, setting to music a



story by Strasbourgeois author and illustrator Tomi Ungerer. In general, it turns out to be much easier to get dates for this show than for the band's set "of purely musical interest", and in any case the possibility of offering the children's show in addition to the actual concert is seen as an attractive element by venue programmers.

As in most cases, the funding for *action culturelle* productions and projects is provided by external contractors; the artists are spared the bureaucratic burden of filling out lengthy and complex application files for hard-to-obtain grants. On the other hand, concert venues, by investing in *action culturelle* programs, can support local musicians regardless of their notoriety (which is a major criterion in "regular" concert programming).<sup>19</sup> Moreover, the *action culturelle* "circuit" extends beyond that of live music, since schools and other entities (associations, orchestras, etc.) can allocate part of their budgets to these activities.

Despite this relative abundance, a large proportion of the musicians interviewed (again with the significant exception of the *musiciens intervenants*) state that they would prefer to have more opportunities to perform with their "purely artistic" projects than with *action culturelle* projects. However, it should be emphasized that these artists do not conceive of the relationship between the different projects in which they are involved in terms of opposition and that they are not frustrated with the fact that they sometimes have to "sacrifice art on the altar of pedagogy". On the contrary, pedagogical approaches (in *action culturelle* projects as well as in actual teaching activity), the adaptation of one's artistic offerings to a specific audience to encourage its "active participation" (often through simplification of content), seem to be experienced—fatalistically—as inevitable elements in the activity of independent musicians. In other words, in the conception of the profession proper to these musicians, multi-activity is accepted as a matter of fact: it does not arouse any particular discontent, but neither does it constitute a significant starting point for critical reflection on the conditions of the profession. Perhaps also contributing to this situation is the fact that *action culturelle* projects are mostly paid through artistic contracts, thus contributing to the *intermittence du spectacle* subsidy, and consequently certifying—at least symbolically—the status of the artist, even in cases where the pedagogical dimension prevails over the artistic one.<sup>20</sup>

<sup>19</sup> For an example of an action culturelle program of a Strasbourg concert hall, see <https://www.espacedjango.eu/mix-energetique/action-culturelle/> (last accessed on August 6, 2023). See also Costa (2021).

<sup>20</sup> On the meaning of "professional success" for intermittents du spectacle, and the strategies to achieve it, see Menger (2014) p. 14.

## AESTHETIC AND PROFESSIONAL VALUES WITHIN *ACTION CULTURELLE*

The musicians I interviewed are generally not critical of their profession regarding the coexistence of “purely artistic” projects and *action culturelle* projects. However, the idea of music that emerges in the context of *action culturelle* deserves to be discussed in greater depth.

In the literature on *action culturelle*, the instrumentalization of artistic practices is sometimes evoked, although less for popular music than for other artistic domains.<sup>21</sup> The idea of instrumentalization implies that art is used for purposes that are not its own, replacing its intrinsic values with instrumental values. The instrumentalization of art can be raised as a criticism, but it can also be referred to in purely descriptive terms, as demonstrated by Françoise Liot, who presents it as an ordinary political strategy: “[...] culture, in local policies, is often a hybrid space crossed by various issues (local economic development, strengthening social ties, etc.) in which culture can sometimes be instrumentalized”.<sup>22</sup>

As I have illustrated, in the case of *action culturelle* deployed in popular music practices, music often constitutes a pedagogical and social bonding tool, less (or less directly) a vector of economic development.<sup>23</sup> The social and pedagogical benefits of *action culturelle* are sometimes defended precisely because they are “in opposition” to consumerism and its economic interests (see Tardiglio 2011, p. 97). In a context of cultural policies inspired by the noble goals of social bonding and democratization of culture, the notion of instrumentalization perhaps evokes a disproportionately accusatory approach: how can one disagree with the use of music to educate and make often disadvantaged segments of the population participate in public life, especially since in several cases such initiatives involve education *in* the music itself, and provide employment opportunities for independent musicians?

Though not speaking in terms of instrumentalization of music, it is important to question the idea of music (and of art) conveyed by the French cultural institutions, and what it entails professionally for popular music artists. In particular, it is legitimate to ask whether the use of music as a pedagogical tool is detrimental to the intrinsic value of music, to education itself, and to the work conditions of independent musicians. Indeed, it could be argued that the policies valorizing music as a vehicle of such “teaching” or “value” embody a deterministic conception of music itself and that they neglect music’s much more oblique, unpredictable, and subjective potential. The importance attached by institutions to the “social profit” of music contributes to a culture where its intrinsic value is scarcely taken into account. As composer Pierre Sauvageot states:

<sup>21</sup> See, for instance, Benhamou (2006) p. 197, Lussier (2017) p. 25, and Miquelot (2011).

<sup>22</sup> Liot (2007) p. 77; translated by the author.

<sup>23</sup> For an in-depth look at policies to support music as a tool for economic development, see Jakob (2012 and 2013).

When it comes to art in the public space, it's easy to fall into the incantatory, to insist on a social function—social cohesion, living together—to justify public funding, to the point of losing the force of a gratuitous act, in every sense of the word, a poetic gesture by an artist speaking to his contemporaries. Before emphasizing art's ability to change how we experience public space, we must never lose sight of the symbolic, even political, force of a necessary and possibly “useless” act.<sup>24</sup>

Admittedly, it is difficult (some would say impossible<sup>25</sup>) to justify public policies on such an elusive and subjective criterion as the intrinsic value of music rather than on its democratizing effects, even more so if educational and social cohesion goals are presented as a bulwark against the commercialization of culture. However, it is perhaps appropriate for institutions to reconsider precisely the binary representation that music can either serve the cause of democratization or be at the mercy of capitalist interests, and to question the possibility of devising programs to enhance the value of music (and art) in nonutilitarian terms.

Beyond the different cultural values that such a shift in perspective would convey, recognizing the inherent distinctiveness of music would also allow for a more apparent distinction between the professional fields and competencies of the actors involved. Delegating too lightly to musicians several educational responsibilities (albeit relative to music education) or animation responsibilities encourages what Martin Lussier (2017) calls the “injunction to polyvalence”.<sup>26</sup> This notion refers to the widespread assumption that a musician's artistic skills are insufficient (when not scarcely relevant) if they are not backed up by a large number of other skills (educational, but also administrative, marketing skills, etc.). Injunction to polyvalence seems particularly unfair if we consider that while musicians are pressured to provide a wide array of skills (their polyvalence is often presented as a necessary condition for professional survival), other actors in the popular music industry, such as venue programmers or managers, do not need to be as multi-tasking.<sup>27</sup>

On the contrary, reclaiming the primacy of artistic skills over—among others—pedagogical skills would mean recognizing, for example, that teaching music (in the sense also of listening education) is not necessarily the task of musicians, but of educational professionals. This would also make it possible to reconsider the assumption that the inclusion of the audience in the process of artistic creation allows for more participatory enjoyment by the audience itself, as opposed to the alleged “passivity” of more traditional situations such as concerts: it is not necessarily up to musicians to teach listening skills and to

<sup>24</sup> Sauvageot (2011) pp. 78–9; translated by the author. See also SYNDEAC (2014) p. 27.

<sup>25</sup> See, for instance, Teillet (2019) p. 63: “Culture ‘for its own sake’, an intrinsic approach to cultural issues, can hardly exist when it comes to public interventions and political choices”; translated by the author.

<sup>26</sup> Lussier (2017) p. 30; translated by the author. See also McRobbie (2002) and Valentin (2014).

<sup>27</sup> For an in-depth look at power relations within the French music industry, see Umney (2021).

provide the tools and cultural references by which a spectator can feel completely participatory by attending a concert. Moreover, should the objection be raised that traditional school education in music and listening represents today an obsolete pedagogical model, it must be remembered that, at least in France, *musiciens intervenants* are trained precisely in a type of cultural mediation of music that can adapt to different audiences, as they develop a large number of different artistic-pedagogical approaches. As I have illustrated, however, institutions tend to confuse the competencies of musicians and *musiciens intervenants*, particularly valorizing those of the latter.

## CONCLUSION

In France, most independent artists in the popular music sphere, being bound to the regime of *intermittence du spectacle*, are constitutively in a situation of multi-activity: this conditions the social perception of this profession, taking for granted the polyvalence and accumulation of extra-artistic skills. In addition, the historically consistent presence of the public sector in the cultural field means that institutions (DRAC, regions, municipalities, etc.) are “unavoidable” interlocutors for most of these musicians, who have to negotiate with the idea of music proper to the institutions themselves. The development of *action culturelle* projects is often a purely practical solution: they allow musicians to receive additional contracts (and thus have a better chance of obtaining or maintaining the professional status of *intermittent* and the symbolic status of musician), and they allow various institutions to implement policies designed along the guidelines of *démocratie culturelle*. Nevertheless, policies related to *action culturelle* help reinforce a conception in which the intrinsic value of music is neglected in favor of its mediating virtues. In the workplace, such a conception provides additional justification for what I have called, following Lussier, the injunction to polyvalence for independent musicians. Such arguments could strengthen not only the general debate about the role of music in French society but also the artists’ claims about the essentiality of their profession.

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# ‘A Rising Tide Lifts All Boats’: On a Musician’s Minimum Rate, Cultural Labour, and the Live Music Sector

*Sam Whiting*

## INTRODUCTION

The immediate aftermath of the COVID-19 pandemic saw an uptick in labour strikes in the Global North (Economic Policy Institute 2023; Meadway 2023) as various economic pressures and tensions accelerated. At the time of writing this chapter, both the Writers Guild of America (WGA) and the Screen Actors Guild-American Federation of Television and Radio Artists (SAG-AFTRA)—representing over 170,000 trade union members and entertainment professionals—were engaged in a joint strike against the major Hollywood studios (Walsh 2023), bringing Los Angeles and much of the global film and television industry to a standstill (Barnes et al. 2023). However, as specific as the disagreements between these creatives and the Hollywood studios might be, the issues facing screen actors and writers reflect the struggles of most workers in the current era. These include the rise of insecure working conditions typified by the ‘gig economy’ (Kalleberg 2009; Morgan and Nelligan 2018), the role of automation and artificial intelligence (AI) in disrupting the value of labour (Acemoglu and Restrepo 2018; Frank et al. 2019), and an inflation crisis in much of the Global North that has meant a cut in real wages across many developed economies (Jericho 2022; OECD 2023).

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Represented in the Hollywood disputes but symbolic of issues across the global economy, such issues often plague cultural labour markets to a greater extent than traditional blue- or white-collar work (Gill and Pratt 2008) that might otherwise benefit from density of worker power, unions or other forms of industrial leverage. Evidently, high inflation, a wages crisis, increasing precarity, and now the threat of AI have pushed cultural workers to the brink. Organised cultural labour (i.e., Hollywood trade unions) are pushing back, but where does that leave the rest of the creative workforce? Specifically, what is the value of cultural labour post-AI and in the streaming era, and where does the work of musicians fit into this discussion?

This chapter takes the current Australian campaign for a musician's minimum rate as its case study and, from a political economy perspective, explores the role of live musical performance as a specific type of cultural labour and value-form. The chapter begins with an overview of the political context of the campaign for a musician's minimum rate, definitions of key terms and themes, and a summary of the relevant literature. It concludes with several comparative international case studies and a series of recommendations, benefits, and limitations as they apply to the proposed musician's minimum rate.

## BACKGROUND

In May of 2022, the Australian Labor Party (ALP) won the federal election and were able to form government for the first time since 2013 (Cave et al. 2022). Following nine years of conservative rule, the new Labor government led by Prime Minister Anthony Albanese came to power with a national cultural policy on its agenda, a policy that Australia had previously lacked (Meyrick and Barnett 2017). Entitled *Revive* to reflect both the post-pandemic recovery and a decade of cultural sector neglect under the Liberal-National Coalition, the new government began seeking submissions from stakeholders in the second half of 2022 with a view to launch the new policy early the following year (Freeland and Story 2023).

As part of their submission, the Media, Entertainment, and Arts Alliance (MEAA)—the Union representing creative professionals, artists, actors, and journalists in Australia—called for “the imposition of a minimum \$250 payment per call for musicians where performances are part or fully supported by government funding” (MEAA 2022b, p. 2), following a broader campaign led by Musicians Australia (MEAA 2022a); a division of MEAA. This \$250AUD minimum was calculated “on the 3-hour call rate from the *Live Performance Award*, including amounts to cover load in and out, sound checks, meals and travel” (2022b, p. 2). Such a demand seems reasonable, but strong resistance from small venues and employers (Hall 2022; Perring 2022; Whiting 2022) reveals the complex tensions involved when questions regarding the value of cultural labour are raised, especially in sectors where hobbyism is the norm



(Rogers 2008).<sup>1</sup> However, questions remain as to how a musician's minimum rate might work in practice, and its implications should be taken seriously.

### *Musicians as Workers*

The definition of 'musician' I draw on here relates to original, contemporary musicians performing their own work live. As this chapter is concerned with a minimum rate of pay for performing musicians, I will focus on live musical labour and performance as the central kind of 'work' relevant to this discussion. While there has been considerable research on the labour of classical, jazz, and other contracted musicians that have regular patterns of employment (Till 2016; Umney and Kretsos 2014), there is less published work on the labour and working conditions of contemporary musicians performing original music (Arditi 2021). A key question that arises in such discussions is 'are musicians workers?' The answer to this has implications for how we approach an investigation of musicians' labour and working conditions, and therefore a minimum rate of pay.

The question 'are musicians workers?' has troubled sociologists, popular music scholars, and labour relations academics since the advent of popular music, with an expanding body of work on the question emerging in the last decade or so (Baade et al. 2014; Frith 2017; Stahl 2021).<sup>2</sup> Throughout much of the research on the labour relations of original musicians, there has been a tendency to categorise them as 'reluctant' entrepreneurs (Haynes and Marshall 2018), sole contractors, or other kinds of freelance workers who are self-employed (Albinsson 2018; Coulson 2012). However, for most musicians performing original music, the types of employers, promoters, and venues they encounter are largely uniform, as is much of the work that they do. This demonstrates the presence of standardised labour practices, the extraction of value—whether direct or indirect—and therefore conditions for a framing of musicians as a specific 'class' of workers.

Simon Frith theorises his response to the question 'are musicians workers?' via a history of the UK's Musicians' Union (MU) and its origins as a craft

<sup>1</sup> Whether received from local, state, or federal government agencies (such as the Australian arts sector's peak funding body, Creative Australia), few venues or promoters regularly rely on government funding to finance performances. Festivals or special events, whether hosted by or partially funded by government agencies, would be the most likely to fall under the current MEAA proposal. Therefore, most performances would remain unaffected by the minimum rate as it stands. However, criticisms from the venue sector position the proposal as a 'trojan horse' aimed at greater reforms, and as a publicly funded arts grant delivered by private enterprises that already struggle in a market context. As threatened spaces of cultural production that straddle the line between culture and commerce, small venues operate on thin profit margins while providing an important role within the live music ecosystem (Whiting 2023). Therefore, though the venue sector's backlash against the campaign for a minimum rate can be viewed largely as fearmongering based on a straw-man argument, such fear also comes from a place of genuine concern.

<sup>2</sup> The broader body of published work on the position of 'artists as workers' is also relevant here (Menger 2001; Throsby 1992).

union (i.e., one made up of craftsmen and skilled laborers) (Frith 2017, p. 112). The definition of music as a specific ‘craft’ created a distinction between ‘working musicians’ and other sorts of music-makers that drove much of the Union’s policy (ibid.), excluding music-makers who were not professionalised. As a result, much of the MU’s energy was devoted to protectionism and gatekeeping of the profession (p. 113), which led to a kind of institutionalisation of musicianship in the UK more broadly (p. 114).<sup>3</sup>

Closed shop agreements were a feature of the MU’s industrial organising, and due to the large number of institutional employers that adopted such agreements (i.e., broadcasters, state subsidised orchestras etc.), the institutionalisation of musical labour influenced definitions of musicianship at the time:

This was obviously good for the MU: union membership became necessary for all musicians likely to be involved with these institutional employers. However, on the other hand, this also meant that the MU came to be—was seen to be—part of the musical establishment, and thus an irritant for if not an enemy of the DIY and ‘alternative’ music-making that drove the post-rock ‘n’ roll history of British pop music. (Frith 2017, p. 114)

Opposition to this ‘musical establishment’ was exacerbated by broader tensions between ‘working musicians’ and songwriters.

Prior to the advent of pop and rock, there was little shared industrial interest between musicians and the composers/songwriters whose work they performed (Frith 2017, pp. 114–115). However, “20th century developments of popular music saw composers and performers increasingly becoming the same people” (ibid., p. 115). A blurring of distinctions between songwriters and musicians became dominant across the music industries in the second half of the century. This posed difficulties for more industrialised forms of musical production that were still largely guarded by musicians’ unions. Without a home amongst ‘working musicians’ or the institutional employers that hired them, pop and rock musicians embraced the identity of the creative, the artist, the auteur, embodying a style of labour more akin to freelance contractors than a class of labourers.

This new identity meant a collapse of the supposed opposition between musicians as workers and musicians as freelance creative professionals, with contemporary popular musicians increasingly identifying with the latter. Frith points out that such an identity and the “aspirational labour” (Duffy 2016) or “hope labour” (Kuehn and Corrigan 2013) associated with it ultimately serves

<sup>3</sup>The British context outlined by Frith reflects similar issues persistent in the US throughout the twentieth century, wherein the American Federation of Musicians (AFM) were consistently suspicious of new forms of musical labour. Unionised AFM theatre musicians repeatedly fought against recording musicians, as they saw the proliferation of recorded or ‘canned’ music as watering-down performance opportunities, and the AFM banned recording by its members twice in the 1940s (Peterson 2013). Such disputes between different types of musicians rendered organising musicians as a specific class of workers increasingly difficult throughout the twentieth century.

the interests of capital (Frith 2017, p. 115). This point is echoed by Mark Banks (2007, p. 43) and Ellis Jones (2017, p. 10) in their work on the pervasion of self-exploitation throughout the cultural sector. Indeed, musicians' complicity in their own exploitation aligns with the broader inversion capitalism has wrought on the creative professions, in that "the mechanisms governing the sale of commodities mean a few individuals become very rich indeed and most do not; the whole system kept going by the illusion they might" (Collini 2016, p. 9). Such an inversion has resulted in a systemic and entrenched devaluing of musical labour and the legitimization of the oligarchic 'superstar system' throughout the global music industries (Krueger 2019, p. 99).

### *Musical Labour and its Relations*

If performing original music and other labour associated with such performances (soundchecks, rehearsals etc.) defines musical labour,<sup>4</sup> then this labour varies in terms of the performers involved, staging, light and sound, risks associated (stage diving, other physical feats etc.), and specificities relevant to the performance (i.e., pyrotechnics, computer programming etc.). However, as a global and rather heavily industrialised sector (Arezki et al. 2020), performing original music has uniform standards, expectations, and norms, as the venues that live music takes place in are often heavily regulated spaces (Ballico and Carter 2018). This uniformity in workplace standards occurs despite the irregularity of working patterns for musicians themselves (Dobson 2011, p. 242). Therefore, original musicians can be defined as craft workers<sup>5</sup> whose labour is reliant on various means of production that are often beyond their control or ownership, much like theatre and stage actors or circus performers, with the added benefit that some original musicians retain the rights of reproduction to their works, although many do not.

There are also internal dynamics within groups, where musicians may be contracted as touring musicians or when an artist's manager, touring agent, or another third-party chooses performance opportunities beyond the band's authority or agency (Hoedemaekers 2018, p. 1361).<sup>6</sup> Such relationships reflect an employee–employer dynamic, wherein profits are made from the labour of these musicians. These musicians are often both workers and contractors depending on the situation. However, musicians themselves have been reticent to adopt enterprise narratives, demonstrating strong resistance to notions of entrepreneurialism (Sefton-Green et al. 2019, p. 16; Haynes and Marshall

<sup>4</sup>For an excellent summary of the labour of musicians, see Hoedemaekers (2018, pp. 1351–1353).

<sup>5</sup>"Common to almost all musicians is the maintenance and development of their craft, which is done through regular and dedicated practice, both individual and collective" (Hoedemaekers 2018, p. 1352).

<sup>6</sup>Tour promoters act as literal agents for bands and artists. They may often act beyond the artists' oversight or control, demonstrated by the example of The 1975's frontman Matty Healy's onstage protest of the band's own performance in Malaysia, citing the country's anti-LGBTQ laws (Clinton and Thomas 2023).

2018, p. 460),<sup>7</sup> and although musicians and entrepreneurs reflect “the same cultural root within capitalist modernity ... to conceptualize musicians as entrepreneurs is to misrepresent their activities” (Haynes and Marshall 2018, p. 462). Further, the Australian government’s new *Revive* cultural policy defines ‘artists as workers’ (Office for the Arts 2023a, pp. 51–53). Despite many independent musicians retaining a great degree of control and autonomy, they often rely on external resources, collaboration, and “the shared capacity of means of production that characterizes much creative production” (Hoedemackers 2018, p. 1350).

Like all workers, live musicians sell their labour for wages, although they sometimes receive other benefits and royalties associated with copyright. In most instances, profit is derived from their labour by the venue, the promoter, and/or an entity that acts as a ‘host’. However, this host’s profit could be more accurately defined as ‘rent’, aligning with Greig De Peuter’s argument that rent-seeking, rather than profit-seeking, is a defining feature of the creative economy (2011, cited in Hoedemackers 2018, p. 1349). Therefore, some form of either exploitation or a transaction of labour for capital (i.e., wages and profit—or ‘rent’) takes place between the musician and ‘host’. This relationship reflects Marx’s definition of a worker—or ‘productive labourer’ (1963, pp. 156–157), although not completely and definitely not neatly.<sup>8</sup>

I define touring and live musicians as workers rather than entrepreneurs, as many are hired or contracted into performance settings rather than retaining full control over the types of contracts they will accept. Even those musicians who are superstars and retain considerable creative autonomy rely on a means of production dominated by multinational firms with considerable monopolistic powers (Holmstrom 2019, p. 19). This limits their capacity for self-determination, creating the conditions for both alienation and exploitation (Jones 2017). A distinction of musicians as workers is significant, as it frames the labour relations between musicians and ‘hosts’ in a different cultural and political context to if they were regarded as entrepreneurs or firms.

<sup>7</sup> See also Bethany Klein’s work on ‘selling out’ and their chapter in this handbook.

<sup>8</sup> Paolo Virno’s illustration of productive versus unproductive labour is perhaps more useful here, as Marx’s definition of ‘productive labour’ is prescriptive and defined via its relationship with the process of capitalist accumulation (Marx 1988, p. 113). Alternatively, Virno implodes the distinction between productive and unproductive labour, asserting that in the post-Fordist context all workers that produce surplus value do so in the same manner as cultural producers (Lorey 2011, p. 83). That is, despite whether a product of labour is produced in the service of capital or in the pursuit of self-actualisation (i.e., a painting, performance, musical work etc.), labour that *can* be exploited in the interests of capital is always productive (Virno 2004, pp. 52–55). In the context of cultural labour and platform capitalism, Virno’s definition is particularly pertinent, as the vast array of human expression can, and often is, recorded, captured, and commodified online.

### *Digital Disruption, Precarity, and 'Work Norms'*

Digital disruption and the streaming era created new dynamics for many creatives, hitting musicians first and hardest (Hesmondhalgh 2021, p. 3594). Although musicians have long suffered from more precarious working conditions than other creatives—the canaries in the coal mine of the gig economy (Noone 2017)—this has accelerated since the early 2000s:

[T]he majority of popular musical production has always happened 'beyond the supervision of the firm' and tended to involve greater levels of autonomy (Toynbee 2003: 39–40; see also Stahl 2013) ... Thus, on the one hand, it is possible that the working conditions of musicians have changed less than in other industries. On the other hand, however, the structural changes in the music industry in the last two decades have clearly affected the circumstances in which all musicians find themselves and, at the very least, echo the working conditions portrayed in analyses of other creative industries. (Haynes and Marshall 2018, p. 465)

Following the normalisation of original music as the default model of live performance (Noone 2017) and the advent of digital disruption (Hoedemackers 2018, p. 1352), live performances have become the primary revenue stream for most original musicians and artists (García 2020; Thomson 2013). This has affected their bargaining power and ability to make a sustained living, as without a diversity of income streams, their reliance on live performances leaves fewer pathways to success, creating an increasingly uneven playing field (Hoedemackers 2018, p. 1352).

The “reserve army” (Menger 2001, p. 251) of original musicians vying for a limited number of performance opportunities within a similar locale creates a hyper-competitive market wherein many musicians are willing to play for exposure (Noone 2017). This renders it exceedingly difficult to maintain minimum standards of pay, or what Umney refers to as ‘work norms’; “workers’ informal expectations about the material conditions under which they should be engaged” (2016, p. 712). Further, due to the informal nature of the original live music sector, many musicians prioritise networking opportunities and other forms of social and cultural capital above financial remuneration (Whiting 2021, pp. 567–568). This undermines bargaining power generally. Worse, the deprioritisation of fair pay affects privileged musicians less, creating a labour market where barriers to entry are higher for low socio-economic or otherwise materially disadvantaged musicians (Umney 2015).

Charles Umney’s research on jazz musicians in London reveals that creative autonomy is often prioritised above payment (2016, p. 712). This is despite these musicians otherwise maintaining informal work norms including the consistent expectation of a minimum rate of approximately £150 per performance (ibid., p. 719). Umney’s French participants—who benefit from the

*Intermittents du Spectacle* (IdS) social insurance scheme<sup>9</sup>—were less likely to consider minimum rates of pay, only whether gigs were ‘declared’ or not (i.e., contributing to the IdS scheme and therefore their capacity to claim IdS status) (ibid., p. 723). However, many French musicians are sceptical of the IdS scheme, despite it underwriting recipient’s livelihoods, with many viewing it as overly bureaucratic and interventionist (ibid., pp. 724–726). Even collectivist-minded recipients that were otherwise defensive of the scheme criticised its individualisation. As Umney states, quoting a recipient, “[F]ar from providing a collective platform, IdS had assigned a highly personalized set of decisions to every individual: ‘the pernicious effects of *intermittence* is that it has atomized everyone, all artists: everyone for his or her own *dossier*’” (2016, p. 723).

The most significant finding from Umney’s research is that “[e]fforts to impose material regulation on the creatives labour market are rejected if they interfere with creatives own individual decisions” (ibid., p. 726). Creative autonomy is sacrosanct to most musicians, so the capacity for the IdS scheme to either materially support *or* institute obligations that interfere with creative autonomy impact attitudes towards the scheme. Therefore, a minimum rate of pay that is largely non-prescriptive may be more popular than one that effects the capacity of musicians to pursue certain types of work.

### *Organising Musicians*

Unlike other industries, there is substantial difficulties in organising musicians as collective labour due to the disparate nature of their work and its highly unregulated nature (Lizé et al. 2022, p. 795):

For many musicians, working life comprises diverse one-off arrangements with a diffuse network of employers and co-workers (the personnel of many working bands changes rapidly). This makes it difficult to build a sustained organising culture. (Umney 2015 p. 2)

Unlike film production, which in the US has high levels of union density (Nielsen 1988), the music industry is less centralised. The live music sector is also very informal, and the work patterns of musicians are often both ephemeral and tangential. Touring routes, festivals, and other live performances recruit specialised workers based on temporary needs and these workers can be either local or part of the broader touring workforce. There is therefore less capacity for the establishment of ‘work norms’ or solidarities, as the transient

<sup>9</sup>The *Intermittents du Spectacle* or IdS is a French unemployment insurance scheme that grants performers a monthly stipend (Reuters 2021). Like compulsory superannuation in Australia (Kingston and Thorp 2019) or other employment-dependent pension schemes, whenever the labour of covered workers is engaged, they and their employers are obliged to pay social contributions into the scheme, known as ‘declarations’. Workers can then claim a basic income designed to compensate for periods between jobs; “IdS therefore protects against the uncertainty of project-based employment, but may also subsidize perpetual underemployment in certain environments” (Menger 2012 as cited in Umney 2016, p. 716).

nature of touring routes, coupled with the fluidity of music scenes (Driver and Bennett 2015, p. 101) and the 'reserve army' of willing participants makes it difficult to foster a collective identity among musicians (Arditi 2021).

In the absence of work norms, legislated minimal protections, a social insurance scheme (such as the IdS) or a broader welfare state, the lack of bargaining power systemic in the original 'gig' economy is only something that can be leveraged by musicians of independent means (Umney 2015). The implication of this is a vastly unequal industry based on exploitation that is obfuscated and 'misrecognised' as hobbyism and entrepreneurialism—constituting something not dissimilar to Bourdieu's 'symbolic power', "in which dominated actors preconsciously adopt the point of view of dominant actors even when this point of view is contrary to their interests" (Samuel 2013, p. 398)—or even 'symbolic violence' (Burawoy 2019), a mass duping of the musical workforce into accepting poor conditions due to a lack of regulation and political will, fortified by a systemic undermining of musicians' bargaining power. This lack of bargaining power is the key problem that a musician's minimum rate seeks to address, and it has implications for all stakeholders within the live music sector.

### *The Bargaining Power of Musicians, Minimum Rates, and the Welfare State*

Musicians' lack of bargaining power is a distinctive and somewhat defining feature of the music industries, especially for early career musicians (Kretschmer 2005, p. 3). Most musicians have very little to no bargaining power beyond their capacity to attract an audience. Still, such capacity does not guarantee bargaining power, as an audience's 'willingness to pay' is highly variable (Brown and Knox 2017). The 'winner-takes-all' superstar system (Krueger 2019, p. 99) has become entrenched and normalised since the advent of the popstar in the 1950s:

Issues facing self-employed creative workers are particularly visible in the field of music, because of a profound asymmetry between large and small actors in the field of production. The sector has long been characterized by a presence of large multinational corporations (major record companies), alongside a largely atomized field of small-time players such as independent labels, freelance musicians, promoters and venue owners. The lack of mid-sized firms is particularly striking. (Hoedemaekers 2018, p. 1352)

As a service sector wherein the line between 'productive' and 'unproductive' labour is difficult to discern,<sup>10</sup> it is easier to maintain this lopsided model in the

<sup>10</sup> Marx's definition of productive labour applies to musical labour in most performance settings as it adds surplus value to the social product which can then be extracted for profit (Marx 1963, pp. 156–157). However, as this exchange is closer to rent-seeking than profit-seeking, it becomes difficult to categorise as 'productive labour' in strictly Marxist terms, as the lines between worker, employer, host, and contract are often blurred. This is why Paolo Virno's definition of labour as it relates to cultural producers (2004) serves as a useful alternative.



live music sector than in other industries where the labour power of workers is more tangible and therefore easier to organise. However, this situation has made earning a living wage from music increasingly difficult for individuals that aren't financially independent (Umney 2015).

Minimum rates of pay and other minimum standards for musicians, whether regulated or informally maintained via 'work norms', differ across jurisdictions.<sup>11</sup> In the Australian context, the absence of a 'floor' on minimum remunerations for musicians alongside the lack of unemployment benefits that might constitute a living wage,<sup>12</sup> or an industry-specific unemployment insurance scheme (such as the IdS), means that there is little expectation of fair or minimum pay for performances. Even though minimum rates of pay may exist, such as the *Live Performance Award* (Fair Work Ombudsman 2023), many are either unenforceable or difficult to police. This creates an unequal relationship between musicians and their workplaces—or 'hosts'—and disincentivises ethical business practices.

Further, following the decline of the welfare state (Coburn 2000), most musicians'—and workers' generally—have little financial safety net to depend on. For irregular gig work such as that typified by musicians, and in the absence of a minimum rate, a broader financial safety net would provide musicians with the power to say no to bad work arrangements and the freedom to say yes to well-paying performances. Indeed, there is a strong argument that the last time original musicians had bargaining power in Australia was in the early 1990s when unemployment benefit payments were decent.<sup>13</sup> Published work on the welfare state generally and unemployment benefits specifically is important here, as such schemes and benefits have previously underwritten musician's livelihoods and therefore their bargaining power.

Unemployment benefit schemes in Australia, Ireland, and the UK, otherwise known as the 'Dole', offered a financial lifeline for many arts and cultural workers prior to the introduction of mutual obligations or other 'work for the dole' schemes (Freyne 2012; Cathcart 2000; Carmody 2021). In Australia, an entire generation of artists, comedians, musicians, and actors emergent during the 1980s and early 1990s were able to draw a living wage from the Dole while concentrating on their craft (Castle 2006). Arguably, the majority of Generation X still employed or engaged in the Australian cultural industries today have the Dole to thank for at least the earliest parts of their careers, as it provided them with additional bargaining power at the peak of their youth. Of course, other material conditions such as cheaper housing, free university tuition, a

<sup>11</sup> Despite most Australian states and territories having endorsed the proposal, only New South Wales has committed to legislating the musician's minimum rate (Gallagher 2021). Elsewhere, Austin City Council legislated a \$200USD performance rate for city-commissioned events in July 2023 (Comme 2023).

<sup>12</sup> Jobseeker is the primary unemployment payment scheme in Australia, which has become increasingly punitive and conditional since the 1990s.

<sup>13</sup> Evidence of this can be seen in the stagnation of the perennial 'door charge' at \$10 entry for a night of emerging local bands, which has remained unchanged since the 1990s despite considerable inflation.



well-funded arts infrastructure, and a much-better-resourced public broadcaster in the ABC, as well as a more vibrant community radio and media landscape, assisted this, but it is unsurprising that Generation X has continued to dominate much of the media and entertainment space in Australia until relatively recently (Australian Bureau of Statistics 2023). There is therefore a strong argument that in providing a financial safety net for musicians, artists, and other performers, the Dole strengthened the bargaining position of these cultural workers, a power that has since diminished. The dwindling of musicians' bargaining power following the increasing inaccessibility of unemployment payments coupled with the decline of musician's unions (Lizé et al. 2022, p. 795) has precipitated a 'race to the bottom' in terms of remuneration for musical labour in Australia. Such a situation requires intervention if Australia's music industry is not to become the domain of the privileged and independently wealthy.

### INTERNATIONAL CASE STUDIES

To clarify, the problem is not whether venues can afford to pay musicians a minimum rate, but whether commercial venues can continue to profit beyond this. Interestingly, a group of venues in the UK—the Music Venue Trust (MVT)—have removed this profit motive altogether, operating as not-for-profit or co-operatively owned venue spaces (Wray 2022).<sup>14</sup>

An innovation of MVT is Music Venue Properties, a collective fund financed by community shares (Shutler 2023), which has raised £2.3 million towards purchasing the freeholds for nine grassroots music venues (ibid.). Socialising the risk of venue operation through the collective purchase of freeholds alleviates a substantial barrier to long-term financial sustainability for venues. By sharing the cost associated with running a venue, these not-for-profit venues can funnel more profits towards the workers and musicians' that fill these spaces with life. Perhaps such an approach may make it easier for venues to ensure a minimum rate of pay for musicians, and research is needed into whether alternative venue models provide greater returns to gigging musicians.

Musicians also qualify for the recent Basic Income for Artists (BIA) being trialled in Ireland (Government of Ireland 2022). Although the results of this trial are unreleased at the time of writing, musicians have much to gain from such a scheme, particularly in terms of improvements to their bargaining power:

a variety of artistic endeavors could be made feasible with a basic income. Writers, artists, actors, and musicians often find they are unable to put their life plans into effect because these activities rarely generate enough income to maintain a decent standard of living. Basic income in this sense is an art subsidy without the arts council: instead of an arts council determining which artists will be funded, the artists decide. (Calnitsky et al. 2019, p. 661)

<sup>14</sup> According to MVT, such spaces have grown from 3 to 26% of venues in the UK since 2014 (Wray 2022).

A BIA and a Universal Basic Income (UBI) broadly have been framed by advocates and artists as somewhat of a panacea to the crisis faced by the arts and cultural sector post-pandemic (Wilson-Sanchez 2022, p. 86). Along with this praise there is also strong critique of a BIA (Hayes 2022) and of UBI broadly (Jäger and Vargas 2023). Still, a BIA (or UBI) would fundamentally improve the bargaining power of all cultural workers. Such a scheme could complement pre-existing cultural policies rather than replace them, allowing greater access to funding opportunities as well as improving industrial relations overall.

Returning to a discussion of the welfare state, the Australia Council for the Arts (recently rebranded as Creative Australia) has a long history of supporting contemporary popular music (Homan 2013). However, funding cuts by conservative governments has rendered popular music funding less feasible (Homan 2016). The Albanese Labor government has committed to reversing this with the establishment of Music Australia, a federal funding body that will sit under Creative Australia. Further, the Centre for Creative Workplaces will be a body dedicated to raising and setting workplace standards across all art forms “with organisations seeking Federal Government funding being expected to adhere to these standards” (Office for the Arts 2023b). Such reform and a renewed commitment to both increased music funding and higher workplace standards bode well for the advancement of the musician’s minimum rate in Australia.

### RECOMMENDATIONS, BENEFITS, AND LIMITATIONS

A minimum rate of pay for musicians would not only improve their bargaining power, but it would also create greater transparency in negotiations between musicians and employers, or ‘hosts’. Within an Australian context, a band of four musicians has no defined point of reference from which to value their labour and negotiate a mutually beneficial agreement with a host. The current Musicians Australia minimum rate sets their worth at \$1000 per performance. If this fee is to be covered solely by a \$20 door charge, then there is an expectation that they can attract an audience of at least fifty people to cover the cost of their labour. Not only is there an onus on the host to underwrite this cost, but if the band does not attract this audience, then they have failed to meet their agreed obligation, which may affect their professional reputation. The minimum rate therefore facilitates transparency and agreed terms of reference, ensuring that all parties are obliged to guarantee that the performance is a financial success.

Prior to Musicians Australia’s campaign, Charles Umney came to similar conclusions regarding the necessity of a minimum rate:<sup>15</sup>

<sup>15</sup> Australian researchers have also strongly recommended the minimum rate (Pennington and Eltham 2021, p. 53).

To see progress, various things need to happen. The normalisation of unpaid work must be reversed ... A possible first step here would be some form of 'fair trade' equivalent for live music; a guarantee of union-approved pay and conditions for musicians, as a means of raising a venue's profile and credibility within the live music scene. (Umney 2015 p. 2)

Of course, there is no reason musicians should not be able to volunteer their labour, and amateur musicians should be provided with opportunities to hone their skills in front of a live audience. However, for those musicians trying to eke out a living, an effective way to prevent downward pressure on wages is to put a floor on those wages in the form of a minimum rate, otherwise venues and other musicians will continue to undercut each other.

I envision three ways such a policy might be implemented beyond its current remit of public funding:<sup>16</sup>

1. The minimum rate is implemented uniformly through legislation within a specific jurisdiction (state, province, local government area, etc.) Then, to prevent a massive price shock to local audiences passed on by hosts to ticketholders, governments might subsidise the initial gap between the ticket price and the cost of musician's labour. They could then slowly wean venues off this subsidy, acclimatising audiences to the actual cost of a performance. This weening process would be the real challenge, and I see this option as the least practical method of implementation due to its heavy reliance on government intervention and the obvious cost to consumers.
2. Alternatively, quotas could be imposed on the number of performances paying the minimum rate that a venue must host, perhaps by date (i.e., weekends, Saturdays etc.).<sup>17</sup> Under this model, the minimum rate of pay would not apply to musician's performing on dates that fall outside of those mandated. All other performers contracted on quota dates must be paid at least the minimum rate. This distinction between professional/semi-professional and amateur musicians would have interesting cultural implications and may create hierarchies in live music communities not unlike the tensions that exist in France between artists receiving the IdS and those not (Umney 2016). However, it might also incentivise musicians to organise more effectively as a group of workers.
3. The third solution I see in terms of implementing the minimum rate is—like the not-for-profit venue movement in the UK—supporting publicly or cooperatively owned venues. France has a strong ecosystem of publicly owned venue spaces, run and administered by local and regional city governments (Picaud 2022, pp. 307–309). Removing the profit

<sup>16</sup> Despite the endorsement of most Australian states and territories, payment of the minimum rate to all performers underwritten by public funding requires greater enforcement and policing to be effective, as there is currently no legal obligation to meet these requirements.

<sup>17</sup> Quotas have a strong precedent in Australia in terms of local cultural content broadcast on radio and television (Homan 2013, p. 389).

motive from live music and socialising grassroots performance spaces would make it easier to pass on the financial benefits of live music to the workers themselves. I believe this is the most pragmatic method of implementation, as it could make use of existing public venues before proceeding to a broader campaign of community ownership.<sup>18</sup>

As demonstrated by these examples, although a minimum rate of pay for musicians would obviously have initial problems, placing greater pressure on employers and host entities, governments have a role to play in easing this transition and regulating what is currently a highly unregulated sector. Although there may be unforeseen limitations to the scheme, multiple benefits also exist beyond that of the direct benefit to musicians.

Musicians will likely spend their extra capital in the music scenes that support them: over the bar, in local record stores, on musical equipment, recording sessions, and rehearsal spaces. Musicians are also consumers and rely on an ecosystem of other workers to resource their craft. A minimum rate of pay for musician's would benefit the entire live music ecosystem, and the greater music industry beyond it. Further, we have not properly tested how much audiences would be willing to pay if musical labour were more accurately valued and professionalised. There is evidence that audiences are willing to pay a lot more for live music, as demonstrated by the increasing demand for festivals and international touring acts. More research is needed to understand what policy models are possible.

Ultimately, like a basic income for artists, a minimum rate of pay for musician's could be 'the rising tide that would lift all boats', and we should be looking to such bold policies to improve the cultural sector. Such an expansion in the capacity of musicians to work and earn a living would not only teach us the value of their labour, but would also greatly expand the wellbeing of musicians, their sense of civic engagement, and our capacity to treat music and culture as a public good. Tying a musician's minimum rate to public funding is a common-sense first step in the right direction and a legislated minimum rate may be necessary if we are to ensure that the music industry does not become more oligarchic and exclusive than it already is today.

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<sup>18</sup> Interestingly, a proposal to place the freehold to iconic Melbourne venue The Tote under the administration of a charitable trust formed part of a pitch to donors when fundraising began to purchase the venue (Kelly 2023).

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# Music Declares an Emergency: Music Industry Studies in the Context of a Changing Climate

*Ryan Nolan*

Coldplay loves the planet. At least their action on touring makes it seem that way.<sup>1</sup> That's because, in 2019, the British rock band decided to take a break from touring. This wasn't a decision premised on creative differences or signs of a decline in the band's popularity, but a conscious effort to combat the negative environmental impacts associated with a primary function of their trade. That is, playing live shows, at the scale of a band that sells out arenas and stadiums across the globe.

In an interview, their frontman Chris Martin said they would be 'taking time over the next year or two, to work out how our tour can not only be sustainable [but] how can it be actively beneficial ... [to] have a positive impact' (BBC 2019). In itself, this was an ambitious statement that drew attention to a seldom discussed topic in the mainstream music industry—that live music, like most other activities, leaves a footprint on the environment. It also posed the practical challenge of reimagining a touring production to be actively better for the environment than had it not occurred at all; a production, that is, that

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<sup>1</sup>The opening sentences of this chapter make reference to the introduction of communication scholar Mark Pedelty's 2012 book, *Ecomusicology*, which opens with the lines: 'U2 hates the planet. At least their 360° Tour made it seem that way' (Pedelty 2012, p. 1).

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might reasonably encompass hundreds of shows in cities all over the world, mobilizing hundreds of thousands of fans, road crew, tour buses, and lorries with each consuming vast amounts of energy.

Just three years later, in 2022, their *Music of the Spheres* tour reportedly made progress towards realizing that vision, utilizing cutting edge ‘green’ technologies to capture and harness kinetic energy produced by their fans’ movements, reforestation pledges, and other such climate positive initiatives to offset impacts to the planet (Holub 2022).<sup>2</sup>

The effects of a single band’s actions to remedy an inherently systemic problem are nevertheless questionable and if overstated or adopted symbolically, can lead to claims of greenwashing. But it has been starkly put: there is no music on a dead planet (Music Declares Emergency 2021–2022). So what is to be done? As the world confronts increasingly volatile changes in the climate system (IPCC 2023), it is increasingly important that we take it seriously through the prism of our everyday lives—it can no longer be somebody else’s problem. This also applies to areas where the climate may not be a typical topic of conversation, such as the music industry and for those of us who research, teach, and study it. There’s no music on a dead planet, and there most certainly is no music industry studies. And while this latter point may seem trivial, I want to argue that we simply cannot afford for that to be the case. More affirmatively, I want to join the call for music industry scholars, students, and others invested in music’s ability to contribute to human flourishing (Hesmondhalgh 2013) to think critically about its relation to the changing climate (Brennan 2020) and contribute to how the industry might be organized in a way that promotes human *and* planetary flourishing.

This chapter looks at the relationship between the music industry and climate change from several perspectives. Firstly, I survey the landscape of recent community activism, spotlighting musicians and industry figures who advocate for environmental causes from within the music industry. These are practitioners who are taking the climate conversation forward, both working behind the scenes and on stages across the globe. Following this, the narrative shifts towards an exploration of some contemporary academic perspectives, delving into the impact of climate change on live music ecosystems and the impacts of globalized recording practices and music’s staple commodities (the products we consume to listen to and distribute music). While this is a developing area of scholarly research, important contributions have been made that will shape the field’s trajectory moving forward. Lastly, the chapter proposes some practical ideas for keeping the conversation on climate present, intended for implementation by academics, students, and aspiring and existing music industry professionals.

<sup>2</sup>In June 2023, the band posted an ‘emissions update’, validated by MIT’s Environmental Solutions Initiative and accessible via their website: <https://www.coldplay.com/emissions-update/>.

By weaving together these perspectives, the chapter aims to provide a whistle-stop introduction to those taking on the challenges posed by climate change to the music industry today and proposes pathways for how these challenges might be taken up, not by individual bands or artists, but by the field of critical music industry studies at large and music lovers everywhere.

### POPULAR MOVEMENTS: INDUSTRY INSIDERS AND ENVIRONMENTAL CONSCIOUSNESS

Environmental awareness within the music industry has ramped up over the past decade, with distinct and evocative movements gaining prominence flying the flag of ecological responsibility and positive change from within. However, this recent surge in activism builds upon a historical trajectory of increasing concern for environmental issues within the industry (this history is not discussed in detail here, see instead Pedelty 2012). From the early efforts of individual artists to promote environmental causes to larger collective movements in the industry, such as Live Aid in the 1980s and the emergence of organizations like Greenpeace who used music in their campaigns (Abelvik-Lawson 2023), has shown a gradual shift towards sustainability and climate consciousness.

One such recent initiative, Music Declares Emergency, has served as a global rallying point for musicians, industry professionals, and fans who recognize the urgent need for climate action as well as the sector's responsibility to act (Hill 2019; Jones et al. 2021, p. 4). Unifying diverse voices that span chart topping artists, legendary institutions (such as London's Abbey Road studios), and major and independent record labels, the movement is organized around a formal declaration of ecological emergency. Their declaration reads (Music Declares Emergency 2023):

1. We call on governments and media institutions to tell the truth about the climate and ecological emergency.
2. We call on governments to act now to reverse biodiversity loss and reach net zero greenhouse gas emissions by no later than 2030.
3. We recognize that the emergency has arisen from global injustices and will work towards systemic change to protect life on Earth.
4. We acknowledge the environmental impact of music industry practices and commit to taking urgent action.

It is clear to see how the actions of a band like Coldplay align with these sentiments, and the collective action that underpins Music Declares is likely to be a key driver behind systemic change in the industry as the twenty-first century edges ever closer to critical moments in the climate crisis. What success actually looks like is difficult to conceive at this stage, but walking a path that is being laid simultaneously is a challenging and vital task that requires leadership from all dimensions of the sector.

Partnering with non-governmental organizations such as Julie's Bicycle, a not for profit that has advocated for climate and environmental justice in the creative industries since 2007, Music Declares has targeted its interventions at a variety of areas and stakeholders in the industry. Readers may be familiar with their No Music on a Dead Planet merchandise campaign, which saw artists such as Billie Eilish, Brian Eno, and Skunk Anansie's Skin (among many others) photographed in the eponymous band-style t-shirts. As many decades of cultural studies has taught us, visual campaigns such as these can be powerful ideological tools in mainstreaming what were once considered niche trends (Hebdige 1979). But in addition to marketing and PR campaigns, Music Declares also provide practical resources that can be taken up by actors across the music industry value chain, from manufacturers of products to fans attending shows, artist managers, and venue operators. The *Music Industry Climate Pack* (2023) combines operational insights alongside monitoring data from recent climate science, providing a clear explanation of the current state of affairs with accessible discussions of decarbonization and the implications for life on an increasingly warming planet. Later in this chapter, I will return to Music Declares' *Climate Pack* to address what I consider gaps in the coverage: namely, the critical role that we, as music industry students and educators, can and should play in the industry's ongoing conversation around the climate emergency.

Another industry side initiative is the Music Climate Pact—a voluntary call to global collective action pioneered in 2021 by the Association of Independent Music, a UK-based trade body for independent musicians. Similar to Music Declares, it arose in response to the mounting evidence of the coming climate disaster, sparked by the 26th annual Conference of Parties (COP26) held in the UK in the same year the Pact launched. Among its principal signatories are major labels Warner, Sony, and Universal, as well as influential independents like Beggars Banquet and other interest groups working in music and the creative industries more broadly. However, the noted lack of engagement from major label figureheads in press coverage surrounding the Pact's launch has prompted some academics to question the extent of their involvement (Harkins 2022). Indeed, as popular musicologist Paul Harkins (2022) has pointed out, the major labels and their global value chains (discussed further below) are also quite plausibly the industry's major polluters.

There are other examples of industry insiders pursuing climate related activities, such as the study into reducing the sector's carbon emissions in line with the Paris Agreement<sup>3</sup> commissioned not by a government department or NGO, but the band Massive Attack, whose members have been climate activists for decades (Heskett 2023). Working in collaboration with scientists from

<sup>3</sup>The Paris Agreement constitutes a legally binding international treaty focused on addressing climate change. It was embraced by 196 Parties during the 2015 UN Climate Change Conference (COP21) held in Paris, and came into effect in November 2016. For more, see: <https://unfccc.int/process-and-meetings/the-paris-agreement>

the University of Manchester's Tyndall Centre for Climate Change Research, the roadmap outlines a set of clearly defined and measurable targets for the live music sector. These targets cover various aspects, including energy use in buildings and outdoor events, surface and air travel, and audience mobility. High-level goals involve achieving zero emissions from buildings by 2035 and aligning outdoor show electricity emissions with the UK grid by 2025. Recognizing the sector's commitment to sustainability post COVID-19, the roadmap highlights the need for accelerated progress and significant shifts in industry practices. It suggests immediate reductions with interim targets, avoids proposing a 'net zero' date, and focuses on sustained emissions elimination. The roadmap emphasizes integrating super-low carbon practices from tour inception, overcoming barriers through collective influence, and regular monitoring and review (Jones et al. 2021).

Beyond individual initiatives, there has also been a growing recognition of the need for global collaboration to address climate change within the music industry. International efforts, such as the United Nations' Sustainable Development Goals, provide a framework for collective action and accountability. Collaborations between governments, NGOs, and industry stakeholders will likely be crucial for scaling up sustainable practices and driving systemic change (Centre for Music Ecosystems 2021). However, the need for deeper, critical engagement has never been more pressing given that many of the SDG targets are either not on track to meet stated climate objectives or getting worse (United Nations 2023).

The number of examples of artists, industry professionals, and organizations taking action is growing—including the one I discussed in the chapter's introduction. However, rather than signposting each of them, it suffices to say that many initiatives point to similar problems and ultimately reach similar conclusions: guidance to reduce emissions and pledges to commit to certain actions by predefined target dates (or on an ongoing basis), all contributing to a general sense that the industry is doing *something* at least. And it is interesting to note that some of the most rigorous outcomes so far have come from artists themselves. What matters now is that these movements develop and progress in meaningful ways, and students (and teachers) reading this *Handbook* will play a vital role in both monitoring and working towards that progression.

## ACADEMIC PERSPECTIVES: TRACING COMMODITIES AND CONSTRUCTING ECOLOGIES

The evolving discourse on the intersection of music and environmental sustainability has garnered attention from both practitioners and scholars, giving rise to movements for ecological responsibility within the music industry. Recent academic attention has taken several turns, each delving beyond the surface to uncover the intricate relationships, for example, between music's staple commodities, the distributed materiality of live music ecosystems, and environmental impacts more broadly.

Popular musicologist Matt Brennan's poignant statement, 'A world where music does not have an environmental impact is a world without music. I do not want a world without music' (2020), encapsulates the essence of the ongoing dialogue. Indeed, I'm sure none of the authors named below would wish for any of us to live in a world without music. However, they are lifting the veil on the music industry and revealing its dirty underbelly. This is necessary because, as Brennan (2020) argues, despite the music industry's increasing professionalization and organizational efficiency, the reduction in the sector's environmental impact has not been proportional. This challenge of foregrounding the environment in music discourse is further compounded by what are perceived to be more immediate threats to the sector's existence, like cuts to arts funding and venue closures, owing to things like gentrification (Brennan 2020). Nevertheless, while each of those issues deserve attention, there is no music industry on a dead planet and so its footprint must be considered too.

In his 2019 book, *Decomposed: The Political Ecology of Music*, musicologist Kyle Devine provides an ethnographic and media-theoretical account of music's global impact, tracing the material histories—and their associated practices—of recorded music. Devine challenges the prevailing notion of music as an ethereal entity and unveils its profound connections with commerce, science, labour, and global supply chains, spanning open pit mining in North America to petrochemical plants in South Asia. Inspired by materialist media theorists such as Harold Innis, Devine's exploration across key periods—1900–1950, 1950–2000, and 2000–the present—anchors music's evolution to staple commodities: shellac, plastic, and data. His basic argument is that, despite the supposed dematerialization of music formats over the past century, the sector's production of carbon emissions continues to rise (Devine 2019). A critical lens is required to hold new narratives to account, and call them out when they are simply incorrect.

Brennan and Devine (2020) extend the conversation by posing crucial questions about the distribution of musicians' recordings and the ways consumers listen to them in the twenty-first century. Their research delves into the economic and environmental perspectives, challenging the dichotomy between manufacturing physical copies and utilizing digital platforms like streaming. In emphasizing the need to define *sustainable*, they draw on the interdependent pillars of sustainability: economy, equity, and environment. Further, they underscore the necessity of balancing these three pillars while introducing aesthetics into the sustainability discourse. For instance, the environmental aspect raises questions about the plastic waste generated from physical formats versus the energy consumption involved in streaming music from the cloud.

A broader ecosystem approach, advocated by scholars like Simon Frith and Brennan, expands the discussion to live music events. A critical factor of this line of research is the recognition of events not as mere performances, but delicate ecologies that involve myriad logistical, technological, social, and legal aspects (Brennan et al. 2016). At different scales and in different locations, they mobilize fans, bar staff, road crew, and impact local communities,

transportation networks, and surrounding businesses. An interesting finding of their research into Scottish live music venues reveals that different venues, varying in size, location, schedules, etc., produce wholly distinct ecosystems that are maintained through delicate socio-political and economic processes.

Cooley et al. (2020) and Wolcott (2016) highlight the democratic and transformative potential of participatory music in building sustainable communities. They emphasize the coexistence and interplay of participatory and performance music, contributing to a rich cultural tapestry. Mark Pedelty's (2012) book, *Ecomusicology: Rock, Folk, and the Environment*, explores the connections between music and environmental awareness by examining rock and folk genres. Pedelty navigates the material aspects of music production and consumption, shedding light on the environmental footprint of the music industry.

Ribac and Harkins (2020) contribute to the academic discourse by exploring the implications of the Anthropocene Era on popular music. Shifting focus to recent initiatives within the music industry, they underscore the increased prominence of climate and environmental issues on a much larger scale. The authors recognize a departure in these movements, demanding immediate action on climate issues and involving various segments of the music industry.

### MOVING FORWARD, COLLECTIVELY

As demonstrated in the preceding section, though not exhaustively, academic perspectives on the intersection of music and environmental sustainability not only analyse existing movements within the industry but actively contribute to forging paths forward by taking on big and complex ideas and holding up the mirror to the industry itself—even though doing so might be met with internal resistance. In the evolving field of critical music industry studies, scholars are increasingly emphasizing the study of music and the music industry through the lenses of political ecology and ecosystems. This shift towards incorporating political ecology and ecosystem perspectives is particularly valuable in understanding the intricate relationships between the music industry and the changing climate.

Political ecology, which is the perspective Devine (2019) employs in his *Decomposed* project, offers a framework that allows scholars to examine power dynamics, political structures, and economic systems influencing environmental practices within the music industry. The emphasis on political ecology facilitates a more nuanced analysis of how societal structures and power relations intersect with environmental sustainability in the production and consumption of music. This approach is crucial for uncovering the underlying causes of environmental challenges and identifying potential avenues for systemic change (and new areas for study).

Furthermore, adopting an ecosystem perspective allows for a holistic understanding of the interconnected web of relationships within the music industry. Music events, production processes, distribution networks, and consumer behaviours are viewed as integral components of a larger ecosystem. This



approach goes beyond the traditional focus on individual actors and events (i.e., bands on stages), recognizing the interdependence and mutual influence of various elements within the music industry ecosystem. As Brennan and his colleagues demonstrate, things like live concert performances are complicated ecologies of distributed practices (some artistic and others not) that sustain not only music and musicians, but geographies and local economies (Brennan et al. 2016).

Integrating political ecology and ecosystem perspectives into the study of music and the music industry provides us with a framework for addressing pressing issues such as the challenges posed by climate change. By considering the broader socio-political and ecological contexts, students and scholars can uncover the complex dynamics shaping the industry's environmental impact. This holistic approach also provides a foundation for developing more effective and sustainable practices within the music industry.

As the field of critical music industry studies continues to develop, the incorporation of political ecology and ecosystem perspectives becomes instrumental in not only understanding the industry's current impact but also envisioning transformative pathways towards a more sustainable and climate-conscious future. Perspectives such as those outlined start to tell the story of the industry's impact and highlight opportunities for sustainability and climate-focused action, signalling a paradigm shift in how we perceive and engage with music in the face of a rapidly changing climate. This shift towards a more comprehensive and ecologically informed approach positions critical music industry studies as a key player in addressing the urgent challenges posed by climate change within the realm of music and, significantly, beyond.

## A CALL TO ACTION IN CRITICAL MUSIC INDUSTRY STUDIES

This chapter isn't about proposing radical revisions to the music industry per se, such as limiting the number of live events (Harkins 2023) or rolling back the clock to some time before record labels, globalized manufacturing and distribution pipelines, or even publishers (for an extensive historical account of some of this development, see Denning 2015). However, I do want to end with some reflections on the transformative potential of education, particularly within the realm of critical music industry studies, in fostering long-term change. My hope is that the radical revisions required of the music industry—on many issues, in addition to those related to the climate and sustainability—will emerge from the readers (and authors) of this book. As referenced earlier in relation to the missing link in *Music Declares* climate action pack, below I set out some simple practices and initiatives for students and teachers to put climate issues on the agenda where they may not be already.

For Students:

*Ask Questions, Demand Answers*

Encourage students to actively question the environmental practices within the music industry. Foster a culture of inquiry that challenges existing norms and demands transparent answers from industry stakeholders.

*Curate Conversations*

Actively initiate discussions within student circles, social media platforms, or through student organizations to bring attention to the intersection of music industry studies and climate change. Curate conversations that emphasize the industry's impact on the environment and the potential for positive change.

*Explore Collaborative Opportunities*

Collaborate with faculty or researchers to explore climate-related topics within the music industry. Undertake research projects, case studies, or surveys that shed light on environmental issues in music production, distribution, or consumption.

*Engage with Industry Professionals*

Attend conferences, workshops, or networking events related to music industry studies. Use these platforms to engage with industry professionals and raise questions about the ecological footprint of various practices within the sector.

*Promote Environmental Initiatives*

Advocate for sustainable practices within campus music events or student-led initiatives. Encourage the incorporation of eco-friendly measures, such as reduced waste, sustainable energy use, or carbon offset programs.

*Leverage Social Media*

Utilize social media platforms to share information, articles, and discussions about the environmental aspects of the music industry. Create awareness among peers and encourage them to join the conversation.

For Teachers:

*Put the Topic on the Agenda*

Integrate discussions on climate change and its impact on the music industry into existing courses. Design modules or assignments that challenge students to explore the environmental implications of various industry practices.

*Invite Guest Speakers*

Arrange for guest speakers with expertise in both music industry studies and environmental sustainability. These experts can provide valuable insights, share case studies, and inspire students to think critically about the intersection of music and climate change.

*Organize Workshops and Seminars*

Host workshops or seminars dedicated to exploring the environmental dimensions of the music industry. Equip students with the knowledge and tools to critically analyse and address ecological challenges within the field.

*Support Student-Led Initiatives*

Encourage and support student-led initiatives that focus on the ecological impact of the music industry. Provide resources and mentorship to help students turn ideas into actionable projects or campaigns.

*Collaborate Across Disciplines*

Foster interdisciplinary collaborations with other departments or faculties, such as environmental studies or sustainability programs. Develop joint projects that bring diverse perspectives to the table and create a holistic understanding of the subject.

In embracing simple actions such as these, both students and teachers become catalysts for change within the music industry—both now, as many of us exist in multiple domains at the same time evidenced in some of the contributions to this *Handbook*, and in the future. The transformative potential lies not only in scrutinizing the current state of affairs or business as usual, but in actively shaping the future of an industry that embraces the principles of sustainability and ecological stewardship. As we embark on this ever-important journey, we pave the way for a music industry that not only resonates with our ears but also with the delicate balance of our planet.

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# ‘It’s Not the Females’ Job, It’s Everybody’s Job’: Gender-Related Experiences and Challenges in Popular Music Higher Education and the Music Industry

*Helen Elizabeth Davies*

## INTRODUCTION

Being a male had a positive impact on my education experience as I never experienced feeling discriminated against or my work being judged unfairly as a result of my gender. (male music graduate)

I’ve had a positive experience overall. I was given equal opportunities to learn. (female music graduate)

I feel like I was very aware of my gender while studying. Sometimes I could harness that to my advantage, but I often found myself trying desperately to be taken seriously by tutors, bandmates, promoters. (female music graduate)

There were times when I was aware of female students receiving seemingly preferential treatment from certain younger male members of staff. (male music graduate)

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I don't feel like gender has much of an impact on my work in the music industry. During my recent employment it is made clear that opportunities are based purely on skills and experience, and not on anything like gender or socio-economic background. (male music graduate)

Since graduating I've noticed that my contacts are more male based, from working with more instrumentalists [at university] who are men. (male music graduate)

The majority of guys I work with are really good people but there's always those little obstacles that you face in work day to day. Slowly but surely, they get easier to overcome, until a big one gets thrown at you again. (female music management graduate)

Gender's still a big issue in a lot of ways. You can have very different experiences depending on who is leading the team, but it's still a significant issue I see around pay, around promotion. It's still predominantly very male heavy in leadership. (female music graduate)

This chapter explores gender-related experiences and challenges in popular music higher education (PMHE) and the music industry in the UK. The quotations above are from graduates with a music or a music management degree from the Liverpool Institute for Performing Arts (LIPA),<sup>1</sup> interviewed about their gender-related experiences and challenges during their time as undergraduates and while working in the music industry. The quotations represent a range of experiences and indicate that gender-related challenges are mostly but not only experienced by females and are not experienced by everyone in the same way.

PMHE presents an opportunity to enable students not only to navigate the music industry as it is, but also to challenge the status quo and instigate positive change. This chapter argues therefore that, in both PMHE and the music industry, gendered experiences need to be recognised and gendered challenges addressed to bring about change; and strategies for change relate to personal resilience, gender diversity and inclusivity, networking and gender education.

The participants are anonymised but, to give a general overview of their identities, there were four males and fourteen females between the ages of 22 to 36, all of them identified as belonging to a white ethnic group, with national identities including British, North American and Norwegian. An intersectional approach and one that takes account of all gender identities is clearly valuable, but the data discussed in this chapter focuses on gender, with some consideration also of age, and, due to the gender identities of the participants, does not include experiences of non-binary or transgender people. At the time of the research (April to July 2023), the participants worked in a wide range of

<sup>1</sup>A UK Higher Education Institution specialising in performing arts training, widely known in the UK and its international markets as LIPA.

musician roles and music industry sectors, often involving more than one job in a 'portfolio career'.<sup>2</sup>

The first section of the chapter discusses gender in popular music higher education, based on the participants' experiences and challenges while undergraduates, in relation to their classroom experiences, opportunities and working relationships. The second section discusses gender in the music industry, exploring the experiences of the participants since graduating from higher education and moving into their professional lives, focusing on opportunities, networking, pay and conditions, and working relationships. The third and final section outlines potential solutions to the challenges the participants faced in both PMHE and the music industry, relating to personal resilience, gender diversity and inclusivity, networking and gender education.

## GENDER IN PMHE

Structural gender inequalities in UK music higher education are outlined by Bogdanovic (2015), who found 'the gendering of roles, disciplines, practices and behaviours plays a big part in Music, resulting in the underrepresentation of women in many areas' (ibid., p. 19). The lack of diverse role models impacts student choices and perpetuates 'established gendered musical pathways' (ibid., p. 10). Bull et al. (2022) found in 2016–2020 there were more males than females among UK-domiciled music students, in contrast to the greater proportion of females to males in the wider UK student population (ibid., p. 60), although this differed depending on the type of institution, with post-1992 universities, 1960s universities and specialist non-conservatoire institutions tending towards greater male domination (ibid., p. 61). In relation to academic staff, there were 'significant gender inequalities in terms of contract level and terms of employment' (ibid., p. 12). In that study, a female member of academic staff's lived experience testimony includes feeling misunderstood, isolated and undervalued (ibid., p.65), while a student reported receiving different treatment from staff based on her gender (ibid., p. 63). The UK Parliamentary Women and Equalities Committee (2024), reporting on misogyny in the music industry, identified a strong link between education and the music industry, recommending that 'Music colleges, conservatoires and other educational settings need to do more to address the gendering of instruments, roles and genres and improve the visibility of and support for female role models' (Women and Equalities Committee 2024, p. 59).

The music department at LIPA is part of a specialist non-conservatoire institution and therefore could be expected to be male dominated in line with the findings of Bull et al. (2022). In fact, the 2023–2024 undergraduate cohort had an almost equal male to female ratio, due to ongoing efforts to diversify

<sup>2</sup>As explained on the UK graduate careers website Prospects, 'Portfolio careers are common in the music business. This means having several streams of income at the same time, often combining jobs with freelance work' (Higginbotham 2023).

the cohort which are, however, dependent on applications as well as admission policies. The departmental staff team had around twice as many men as women and so aligned with Bull et al.'s (2022, p. 64) findings that there were 'significant gender inequalities in terms of contract level and terms of employment' among academic staff in music higher education, with men outnumbering women overall and most significantly at higher senior levels, and men's employment contracts being less precarious. For some of the participants in my research, their undergraduate experience took place in a more male-dominated higher education environment than this, as both student and staff gender diversity in the department has increased over the years. The three music management graduates experienced a different gender balance as the cohort on this course is typically female dominated, although the staff team at the time was predominantly male.

Drawing on the interview data, the following discussion focuses on gender in relation to their classroom experiences, opportunities and working relationships as undergraduates.

### *Classroom Experiences in PMHE*

The male participants recognised gender differences but felt they were not disadvantaged in the classroom; and some female music graduates, while aware that their cohort was male dominated, also felt gender had no negative impact. For the female graduates of the music management course, having primarily female peers resulted in positive classroom experiences. Although one felt 'too much female energy' could sometimes cause confrontation, a gender diverse or predominantly female cohort was felt to be more supportive and beneficial for female students.

As well as the cohort gender balance, diversity within specific areas of musical study is also important. However, females are stereotyped as vocalists in the music industry (Bain 2019) and in music education (Green 1997). Clawson (1999, p. 194) notes, 'ensemble instrument playing is the musical activity from which women have been most fully excluded, in contrast to singing, where women have achieved significant recognition.' While Green and Clawson published their findings in the late 1990s, the stereotyping of musical roles persists more than two decades on, as a male participant observed: 'production, improvisation, composition [classes] were more male dominated because of being more instrumental, whereas there was a much higher proportion of females doing vocals.'

Gendering of roles and subject specialisations among teaching staff, which has been reported by Bogdanovic (2015) and Bull et al. (2022), was also noted by some of the participants. Their observations included a relative lack of female lecturers overall, but especially in the areas of music business, instrumental tuition, songwriting and production, and in senior management and leadership roles. However, while technical areas such as music production are notoriously male dominated in both music education (Born and Devine 2015;



Hopkins and Berkers 2021) and the industry (Wolfe 2020), the all-male music production teaching team at LIPA took a proactive approach to gender inclusivity. Two females commented that, despite relatively few female students opting to specialise in the area, there was a strong drive to encourage their participation and an inclusive approach in the classroom.

Relationships between students and lecturers are central to the classroom experience. As suggested by a male participant, gender can work 'on a subconscious level' to shape these experiences and relationships. For women particularly, the impact of gender on classroom experiences can sometimes be difficult to identify because, as one female participant found, 'you become so acclimatised to small scale gender inequality that you forget about a lot of it.' However, the effects of gender are sometimes felt explicitly (Davies 2019a, p. 220, p. 223; Bull et al. 2022, p. 63). Two of the females noticed some male tutors exercising favouritism: in some cases, this took the form of 'a "lads" relationship with male identifying students, giving them a closer relationship.' In other cases, as noted by both a female and a male participant, the favourites were female students. For the male, this had a negative effect on his confidence, confirming that misuse of male power is not only detrimental to women.

In the experience of one of the females, men can 'pigeonhole women and use stereotypes to inform how they interact with women.' In her case, she often felt stereotyped by male lecturers as either 'ditsy' or problematically assertive. Another female felt she was often incorrectly perceived as 'more immature, naïve and slightly less intelligent' than she was, due to her physical appearance being small and blonde, although she could sometimes deliberately use this to her advantage to achieve her aims. Unequal emphasis on women's sexuality and appearance is prevalent in society (Wolf 1991; Walter 2011) and in the music industry (Lieb 2018). Several female music graduates felt pressured to 'look the part' and were expected to exploit their appearance as part of their self-promotion. As one of them reported: 'I was repeatedly told to put my picture on everything to sell.' As well as negative stereotyping and overemphasis on appearance and image, some females experienced low expectations and lack of acknowledgement of their abilities and achievements from male lecturers. There were experiences, for example, of observing male lecturers questioning the capability and likely success of female students, of feeling the need to justify their musical taste and creative choices, as well as over-demonstrate their musical ability, and having to 'work harder and expect less acknowledgement' than male peers.

Overall, the predominance of male lecturers and leaders and the gendering of teaching roles clearly affected the experiences of some participants. Although not exclusively, females in particular felt their experience of the classroom and their relationships with lecturers were shaped by gender. While both males and females perceived preferential treatment of female students by some male lecturers, some females felt male lecturers had stronger relationships with male students. While some females felt they could use their gender identity to their

advantage, several felt disadvantaged by being stereotyped as less intelligent, capable or organised, receiving less respect for and acknowledgement of their achievements, assertiveness and authority, and having their appearance prioritised. However, as the females' experience of music production classes shows, proactive inclusivity by male lecturers can be highly effective.

### *Opportunities in PMHE*

In relation to opportunities to work or collaborate, there was a range of perceptions of the role of gender. For some females, the mixed gender friendships that grew from socialising often translated into working relationships on which gender did not have an obvious impact. For one of the male participants, the male-dominated classrooms of his final year had an impact on his social group which, compounded further by gender stereotypical musical roles and instruments, led to work opportunities that were also male dominated.

Another male who specialised in composition felt sometimes disadvantaged, as some opportunities in this area were targeted specifically for women. While female composers can benefit from schemes to create more parity, such as the funding scheme 'Women Make Music' run by UK collection society PRS for Music (PRS for Music Foundation 2023), they are still underrepresented and earn less than their male counterparts. As reported by PRS for Music in 2021, professional songwriters and composers registered with the society are 82% male, and 'the top 10 highest earning female songwriters and composers generated 70 percent less income than their male counterparts in 2020' (Radcliffe 2021).

For female musicians who play instruments more commonly associated with males, opportunities sometimes arise due to the perception of novelty. As one of the female participants, a bass player, recounted, she sometimes felt she was asked to join a band because 'it was cool to have a female bassist ... it didn't necessarily feel like it was from my own merit.' This 'novelty status,' as Clawson (1999, p. 202) argues, further confirms the 'male exclusivity' of most bands. A female participant who played a brass instrument also felt the effects of performing on an instrument stereotyped as masculine; however, this led to fewer rather than more opportunities due to the assumption that 'a male is better suited to do the job.' In her experience, she often felt the need to prove she was as good as or better than the male players, to be given an opportunity to play, or even to be 'acknowledged as a musician.'

The need to work harder and prove themselves worthy of the task was a recurring theme for some of the females in relation to their higher education experience, with one reporting: 'I've always felt quite a strong sense of impostor syndrome which seems to be something that affects women to a greater degree than men.' Impostor syndrome is often perceived as a particular way of thinking that those who experience it need to remedy. However, being perceived and treated as an impostor is a reality for many females working in male-dominated contexts, and the concept of impostor syndrome arguably 'represents

an attempt to individualise a structural issue, and to place the burden of responsibility at the door of the undervalued or excluded' (Olah 2019).

### *Working Relationships in PMHE*

In relation to working with each other, the predominance of male instrumentalists was significant for several participants. For one of the males, opportunities to work with female musicians were limited by a lack of female instrumentalist peers, as well as socialising in mostly male groups. Similarly, because most instrumentalists were male, some female vocalists worked almost exclusively with male bands throughout their time as an undergraduate. While they did not find the experience problematic, they recognised the gender imbalance and stereotyping this represents; as one of them noted, her choice to work with an all-male band and male producers did not 'help the gender gap.'

This participant found being a female singer was relatively straightforward as she fit the stereotypical role, unlike female instrumentalists whom, she observed, were often not accepted readily. As she explained: 'If you see an all-male band with a female singer, you don't question it. As soon as there is a female drummer or bassist one suddenly feels the need to comment on her abilities.' The experiences of two female instrumentalists confirm this view, with a female bassist being asked several times by a sound engineer if she knew how to use an amp, as if she was 'incapable,' and a female brass player experiencing comments such as: 'Why did you choose to play that? Are you any good?' As well as the impact of gender stereotyping of musical roles on working relationships, gender norms and gendered expectations also affect females working in leadership roles. As a team leader managing a performance project comprising students from a range of departments, one female was frustrated by the lack of recognition and authority she had compared with her male counterparts, not only from peers but also from staff.

Whether or not the female graduates experienced issues in their working relationships with males, several of them recognised the value of working with other women. One of the female vocalists working in an all-male band was keen to work with and support other women but felt thwarted by a lack of other women to work with. A female bass player found it easier in female or mixed bands to develop strong working relationships through mutual understanding and to feel 'more valued'; as she put it: 'I definitely get the sense that in a lot of performing arts situations women value women.' The desire of some of the females to support other women in their cohort indicates a gender-based solidarity that needs to be fostered. As one participant found, her role of project leader gave her an opportunity to support other women in the same way that men do for each other: 'I guess that how it works with male to male. So when you're in a higher role than the younger females you can almost do your part and give them opportunities.'

Gender diversity within the student cohort overall is important for positive working relationships; however, gendering of musical instruments and roles in

earlier education and wider musical culture undermines efforts at the higher education admissions stage to construct a cohort that is diverse in relation to both gender identities and musical roles: females still tend to be vocalists, and most instrumentalists are male (Green 1997; Bogdanovic 2015; Davies 2019b, p. 33; Davies 2021, p. 28). This lack of diversity creates and confirms gendered stereotypes and expectations, affecting the classroom experiences, opportunities and working relationships of musicians in PMHE.

## GENDER IN THE MUSIC INDUSTRY

Gender inequalities in the music industry have been researched for several decades (Bayton 2003; Kearney 2017; Leonard 2007, 2016; Lieb 2018; Whiteley 1997, 2015; Wolfe 2020). Recent reports confirm the issues are ongoing. For example, in relation to the UK music industry, Bain found females represented only 14% of those signed to 106 music publishers and only 20% of those signed to 219 record labels (Bain 2019, p. 38). She identifies a range of interwoven and cumulative obstacles undermining women's potential to pursue a music career in the UK music industry: historical context, the motherhood penalty, unsociable hours, the gender pay gap, the stereotyping of females as singers rather than instrumentalists, technophobia, sexism, harassment, gendered careers, unconscious bias, lack of role models, lack of confidence and the gendering of music genres. Williams and Bain (2022) focus on experiences of discrimination among workers in the UK music industry and found in relation to gender, '78% of discrimination was committed against women and 16% against men' (ibid., p. 4). A survey of almost 3000 people working as part of the UK music industry workforce, carried out by the organisation UK Music<sup>3</sup> (2022), found women were in a slight majority at younger, entry and lower income levels, but in a minority at older, senior and higher income levels. The report concludes: 'females start to leave the industry in their mid-forties. This could be due to caring responsibilities, lack of progression opportunities, or female health issues such as the menopause' (ibid., p. 16).

Many of the ongoing issues in the music industry are covered in the report *Misogyny in Music* (Women and Equalities Committee 2024, p. 3), which found: 'Women working in the music industry face limitations in opportunity, a lack of support, gender discrimination and sexual harassment and assault as well as the persistent issue of unequal pay in a sector dominated by self-employment and gendered power imbalances.'

Alongside this existing research, and again drawing on the interview data with LIPA graduates, the following subsections discuss gender-related experiences and challenges in the music industry in relation to opportunities, networking, pay and conditions, and working relationships.

<sup>3</sup> UK Music represents all sectors of the UK music industry 'bringing them together to collaborate, campaign, and champion music' (UK Music 2024).

### *Opportunities in the Music Industry*

There were a range of experiences and views relating to the impact of gender on opportunities in the music industry. For some of the females, Equality, Diversity and Inclusivity (EDI) initiatives, cultural shifts and novelty value were advantageous. As well as benefiting from initiatives to encourage more women into particular sectors of the industry, the 'me too' movement<sup>4</sup> was also felt to have had a positive effect. As one participant explained, starting her career just as the movement was breaking online helped her to get noticed 'because the culture was so hyper-vigilant about gender parity.' Some female instrumentalists found their gender helped in gaining work opportunities. Although she struggled for opportunities while an undergraduate in the UK due to stereotyping and gendered expectations, a female brass player found her gender to be beneficial in Norway, as 'many people are pleased to see female brass players.' Another female instrumentalist gained her first contract to work on a cruise ship because 'they were looking for a "girl band" in order for it to be a selling point and something unique and different.' However, the advantage gained from novelty value can have a flipside, as she also sometimes found when auditioning 'they change their mind on imaging last minute and decide they don't want any "female musicians."' Similarly, another female found her feminine appearance was both an advantage and disadvantage, gaining work in some 'exclusive, high-end venues' due to 'looking the part,' but also sometimes having to prove she could handle her workload.

In both his undergraduate experience and industry role as a composer, a male participant recognised the value of 'affirmative action opportunities for female or non-binary composers' while acknowledging their negative effect on his own opportunities. Another male wanted to 'see as much inclusion and diversity as possible' but believed people should be judged on merit without 'background or identity coming into question.' One of the females also believed 'the best person with the best qualifications for the job is the right person, whatever their gender, age and disability.' While 'affirmative action' was mentioned by some participants, 'positive action' is the UK term, with such action legally permitted in line with the Equality Act 2010, to allow 'additional help to be provided for groups of people who share a "protected characteristic" (for example, race, sex, or sexual orientation) in order to ... reduce disadvantage, meet different needs and increase participation' (UK Government 2023). Clearly, some of the participants felt there are pros and cons of such action, however, the persistence of inequality of opportunity was described by several females. One female musician found the male dominated Liverpool music scene (Cohen 1991) challenging when seeking performance opportunities, as there was 'very little representation from female singer-guitarists.' Furthermore, she experienced attempts at sexual coercion in return for opportunities to

<sup>4</sup>A movement founded by Tarana Burke in 2006, to 'interrupt sexual violence' and 'bring resources, support, and pathways to healing where none existed before.' In 2017, the social media hashtag #metoo went viral (Me too 2024).

perform: ‘I even had a male guitarist offer to try and get me gigs if I went on a date with him.’

In the music industry workforce, senior positions are male dominated (UK Music 2022). With several years’ experience working for a music industry company, a female participant argued: ‘you really do need men’s support to continue to succeed and move higher up into leadership.’ She described the music industry as ‘a bubble’ that typically recruits from those who already work in it: ‘they tend to just hire within themselves, and they don’t often bring in people from the outside.’ While not all male support is malign, male domination of senior positions gives men unequal power that women need to navigate to progress. Recruitment in the music industry relies heavily on social contacts, and opportunities can either be given in a preferential way as a case of hiring in one’s own image due to unconscious or conscious bias, or dependent on a sexual caveat. Music industry executive Vanessa Threadgold argues that women struggle to progress in the music industry because men ‘are the people that make the decisions, therefore, just from their natural bias and prejudice, they often go to men because they feel that it is easier for them to work with people who look like them’ (Women and Equalities Committee 2023, Q58). Furthermore, criminologist Cassandra Jones states: ‘when there are gender imbalances in the workforce there is little regulation or incentive for men who are in power ... to have their views ... and what their practices are challenged or changed ... [which] then translates into certain manifestations such as sexual assault and rape, but also bullying and sexual harassment’ (Women and Equalities Committee 2022, Q18). Although the aforementioned participant did not mention serious issues such as these, she explained that the lack of gender diversity is acknowledged and recognised as a problem by women in the industry: ‘gender’s still a big issue in a lot of ways—in the industry females still talk about there being a significant issue.’

### *Networking in the Music Industry*

With many opportunities in the music industry dependent on informal recruitment practices, networking is central to building professional relationships and finding work. Most of the participants found networking situations were typically male dominated. Consequently, some of the females found networking situations intimidating and difficult, and one of them described the lack of female speakers at conferences as ‘really upsetting.’ In addition, as one male participant pointed out, as well as the advantage of being in the majority, men can also benefit from having, or at least appearing to have, more confidence: ‘being a man gives you an upper hand in situations of networking, as due to pre-existing judgements, it is easier to come across as confident.’ Whether confident or not, men can benefit from gendered stereotypes and expectations of being more capable and authoritative, and so, unlike women, do not have to work so hard to prove themselves in social/networking situations.

As well as confidence, the importance of connection was mentioned by some of the females. At conferences, one of them actively sought out other women to 'hold on tight to that connection.' Another found, in male-dominated situations, 'there is less common ground as a female to bond over, which affects networking. I don't watch or talk football all the time for instance.' The 'mateyness' that underpins some male bonding, present also in some undergraduate classroom experiences, relates to Leonard's (Leonard 2016, p. 42) point that males reinforce 'social bonds with one another through leisure activities that are closely associated with particular forms of masculinity.' However, this participant added that the situation improved slightly when she became a parent as 'there are plenty of other parents in the industry making it easier to "bond."' UK Music's 2022 diversity research found parents and carers were underrepresented in the UK music industry workforce and most primary carers were female (UK Music 2022, p. 15). While parental/care responsibilities can provide a more female-friendly topic of conversation for bonding at networking events, these responsibilities are arguably more likely to prevent females from attending in the first place, due to their greater likelihood of being primary carers.

Another female's experience of attending music industry conferences was also shaped by being in a minority as a female and she found she attracted attention because of her appearance rather than for professional reasons: 'people tend to come up to you or start talking to you not necessarily because of what you do but because of what you look like.' Although she felt the landscape was changing in relation to gender diversity, attending conferences was the most challenging part of her music industry job, 'because of combining impostor syndrome with a male dominated scene and the whole bit where they are looking at you for what you look like rather than what you do ... it really takes it out of you mentally.' The experience of having appearance and image prioritised over ability echoes some of the females' undergraduate experiences described earlier. However, one of them argued that, as long as they remain able to make their own decisions, females can use their femininity as 'a powerful tool' in music industry networking situations.

As previously discussed, in a male-dominated PMHE context, male students can forge strong networks and working relationships with other male students. One of the male graduates recognised the important relationship between the predominantly male network he developed as a student and his professional network: 'the bias is set up early in the musician's career because in LIPA I was surrounded by all those male musicians then obviously the network and the contacts I have would be all male musicians.' This indicates the way in which gendered professional networks can be established long before a musician enters the industry, as gendered musical preferences and practices are shaped throughout early socialisation and education, resulting in gendered undergraduate musical roles and experiences, leading the student to form gendered networks that become the foundation for their professional life. Building a strong network of fellow practitioners to take forward into one's career is a crucial



aspect of the student experience, especially on vocational music courses, as this same participant pointed out: ‘that’s exactly what you need to be doing, networking, because that’s where you’ll be meeting the bulk of the musicians and creatives all in one place.’ Clearly, it is not only male students forming male networks at university, but with musical roles typically gendered as female/vocalist and male/instrumentalist, female students found it easier to form bands with male instrumentalists because female instrumentalists are fewer, often less visible and acknowledged, and female networks are less prevalent (Davies 2019b, pp. 37–39). However, music-related female networks, such as the F-List (The F-List for Music CIC 2024) are increasing in number, as one of the female participants pointed out: ‘I do feel there is a growing network of female identifying creatives trying to create a healthier, safer, more equal and inclusive space for female identifying artists that is very encouraging and supportive.’

### *Pay/Conditions in the Music Industry*

Unequal pay is an issue in the music industry. For example, in the UK music industry, the April 2022 gender pay gap reports from the three major record companies, royalty collection agency PRS for Music and live music company AEG Presents, indicated that the gap, while showing some improvement, ‘remained stubbornly wide’ (Paine 2023). Two female participants who had been working in the industry for several years had experienced pay disparity as an issue. For one of them, this had been a problem in the past but since the pay gap report she was ‘adequately remunerated.’ Another, however, found pay and promotion were still problematic for women, noting the predominance of males in leadership roles, which created gender disparity in relation to income levels. Two other female participants were aware that they were being paid less than male colleagues but, due to their relative youth and career level, felt this was fair. One of them stated: ‘I don’t think [pay] has any relation to my gender ... I think the pay is attached to the role.’ However, she was aware of a gender-based confidence disparity that had affected her ability to ask for payment: ‘I feel there’s a lack of confidence asking about something like that ... I didn’t ask for payment when I was an intern.’ In fact, a 2022 YouGov UK poll found women were not only less likely than men to ask for a pay rise but were also less likely to receive one if they asked (Kirk 2022).

Another issue for females in the music industry arises from pregnancy and maternity (Bain 2019, p. 25). When she became pregnant, a participant working as a performer was ‘abruptly and without notice, taken off 25 shows.’ As well as challenges presented by pregnancy and maternity, some females experienced menstruation as a workplace issue. One of them found menstruation products and facilities were not available in her workplace as her company had been primarily male at senior level and, despite growing and diversifying its workforce, had failed to keep up with the needs of its employees. As she explained: ‘it took them forever to actually get a sanitary bin and provide



regular sanitary products for all the women in the office.' Highlighting another issue arising from being female in a male-dominated team, one of the females had requested changes to working practices when travelling to conferences, such as walking in groups in cities at night, and booking into hotels rather than Airbnb to avoid having to share a bathroom. As stated by one of the females: 'When you've not got guys that deal with those problems it's just not something that comes up in conversation. And sometimes for a lot of the women they feel a little bit awkward.' Creating suitable workplaces and working conditions for women is an ongoing task that involves not only confidence and assertiveness from women themselves but also understanding and support from those at senior level.

### *Working Relationships in the Music Industry*

None of the male participants felt gender had a negative effect on working relationships, although one of them observed a gender imbalance and stereotyping of roles among instrumentalists similar to those in his undergraduate context. In his experience as a professional musician, guitar teachers were predominantly male, pit bands were dominated by male musicians, with any female musicians playing instruments stereotyped as feminine such as wind or stringed instruments rather than drums, and musical directors and conductors were exclusively male.

Female participants had mixed experiences of working relationships. One of them working as an independent musician had decided to work only with other women and non-binary people. As she explained, this was both 'a reaction to previous experiences' and because 'they understood my point of view and work style more seamlessly.' Another female, working as a vocal coach on a one-to-one basis, needed to take safety into consideration, having had numerous situations when she 'felt uncomfortable with male students, due to either sexual advances or when the pupil has been aggressive,' neither of which she felt would happen to a male vocal tutor. For these two women working independently, professional relationships with males clearly presented some challenges.

The females working in companies in various sectors of the industry also experienced or observed challenges arising from gender. Although one of them had not experienced sexism or prejudice herself, she was aware of instances of 'sexual assault, abuse, prejudice, restricting job opportunities, unequal pay, and more' in her industry sector. Several females commented on their treatment by older men in their company, with one of them finding 'an older culture where they don't take on women's contributions in the same way as males' to be frustrating and negatively impactful on her mental health. Reflecting on the challenge of dealing with both the reality of the situation and her own perceptions and expectations of it, she noted, 'as a female you always have to prove yourself twice as hard. Some of that is the reality because that's the culture of the industry but some of it could be that you've been in this experience for such a long time sometimes you become slightly paranoid.'

Another female working in a senior role had good working relationships with many of her male colleagues but felt some older men reacted to her negatively due to her being a young female: ‘they’ve never really had that many women working with them, and if they have it’s probably been in quite a mediocre smaller role.’ In a similar way to the ‘mateyness’ of male-to-male interactions mentioned earlier, gendered communication style often featured in her working relationships with older men, who, she explained, ‘speak to you shortly or sharply and don’t give you as much respect.’ As well as verbal communication, she found emails sent to male colleagues were worded differently to those she received: ‘they’d be like “Hiya mate” and being really relaxed and jokey in the emails whereas the ones I get are short, sharp, bland and boring.’ While she found these aspects of her job challenging, not least the issue of ‘getting them to trust you,’ she was positive overall about her working relationships and, as she somewhat revealingly put it, felt she was treated ‘as normally as possible.’

Likewise, as the only woman in their respective teams, two other females had positive working relationships overall, although they had both experienced challenges. One of them felt her team was inclusive and the fact that she was the only female mostly unproblematic, never feeling ‘talked down to, condescended to or not allowed to speak.’ However, sometimes she was ‘aware’ of being the only female and missed having other females to relate to: ‘like being in work with really bad period cramps, it’s awkward with all the guys, they don’t understand what it’s like.’ As discussed earlier, the physical realities of femaleness can be difficult for women in male-dominated workplaces. For another, although she felt the fact that she was the only woman in her team ‘quite daunting,’ her colleagues were respectful and caring: ‘none of them have said anything that could be construed as misogynistic, they’ve not been patronising to me in any way.’ However, again, language played a role: ‘They stop themselves from saying “alright guys”—they say “alright everyone” instead. It’s things like that that show they’re consciously thinking.’

A gender diverse team seems to be beneficial for women, and for some a completely female team is preferable. Working in all male teams, some women felt their own otherness, despite receiving respectful treatment. Older male colleagues were felt to be more problematic than younger ones, with a perception of a cultural shift towards greater inclusivity, although language use could still sometimes highlight gender differences in working relationships.

## SOLUTIONS

While the experiences and challenges the participants faced as undergraduates are not exactly the same as those they had while working in the industry, they are very similar, and the solutions they suggested for each context are also similar. These solutions relate to four broad categories: personal strategies, gender diversity and inclusivity, networks and gender education.

### *Personal Strategies*

Several participants, both female and male, suggested personal strategies to deal with the challenges they faced. One of the females believed inclusivity should be undertaken on an individual level, alongside standing up against prejudice and toxicity. For some, integrity in relation to creative work was essential, as well as self-belief and confidence with regard to one's own skills, as one female put it: 'staying true to yourself, knowing yourself, knowing your worth, knowing you're more than capable and allowed to be in that room as much as everyone else around you.' As well as having confidence, some females also advocated personal resilience and preparedness, as one stated, to prove oneself to be 'more than qualified to do the jobs that are normally given to the male musicians.' The importance of resilience was suggested by another female, who also acknowledged the need to build strong support: 'I see it as adding armour to yourself, padding yourself with more and more defence or more and more support around you so that you can face those problems when they come.' While personal strength, self-belief and determination are necessary, over-reliance on individual strategies has limitations, as they are, as one female recognised, 'very demanding and can lead female musicians to become burnt out.' As with impostor syndrome, expecting people to overcome structural challenges through individual responses can only go so far. In the words of one female participant, 'It's the way of thinking that needs to be changed, not the women who need to work harder.'

### *Gender Diversity and Inclusivity*

Greater gender diversity and inclusivity are crucial. In relation to PMHE, more diverse teaching teams, with more women in senior positions, would provide positive role models and help to alleviate some of the issues experienced by females resulting from gender-related power imbalance. In addition, a more gender diverse student cohort would improve the experience of female students, allowing them to work in a less male-dominated environment and increase opportunities for work and collaboration. Alongside greater diversity, proactive inclusivity, to support and empower female students, as well as attract them into male-dominated subject areas such as music production, is necessary to ensure female students do not feel alienated, undervalued, or disdained. In the music industry, there is a need for more women in senior and leadership positions, which is linked to the importance of female role models and the creation of more opportunities for females, both as musicians and in the workforce, as well as disrupting the male powerbase that enables harassment, exploitation and abuse. One female participant argued that addressing the male dominance and 'lads' culture' of her local music scene would be helped by 'more female artists around town and less dismissal.' Another recognised the importance of female role models and equal opportunities in all aspects of music: 'Girls need to see females playing instruments, doing production,

working as sound technicians etc.’ Clearly, PMHE has an important and necessary role to play in helping to bring about these changes in the music industry.

### *Networks*

Strong networks are integral to the work of musicians and those in the music industry workforce, and for women in particular strong networks need to be fostered. In PMHE, several females welcomed opportunities to work with and support other women and, as one suggested, a stronger community in which to share experiences and gain support is important, especially when change is in process: ‘While culture is shifting, community and support are crucial to navigating that change.’ While the work to further diversify musical roles and practices is continuing, ensuring female students are aware of each other’s existence, skillsets and interests, and strengthening their networks to facilitate collaboration, is a worthwhile strategy. As one female suggested, ‘creating spaces and networking events that are specifically for women in each department to get together and connect’ would help female musicians to recruit each other into projects, through encouraging them to join existing networks and establishing networks within the higher education institution (Davies 2019b, p. 39), as well as facilitating their working relationships as part of the curriculum. Similarly, in the music industry, all-female spaces and events were valued by some of the female participants, including all-female creative events for musicians, such as songwriting camps, and networks of female music producers for collaboration, to create a more comfortable working environment for female performers. However, at the same time as seeking to provide more opportunities for female musicians in all-female spaces, one of the female graduates was also wary of relying too exclusively on other females for support, as she felt all-female groups could become insular or impenetrable. Nonetheless, in music industry companies and organisations, the existence of women’s groups can be beneficial. A female working for a company that had a women’s group found it was ‘nice to see everyone and know that the company is aware that it’s in some ways held up by women.’ The opportunity to feel part of a female community is valuable, as one participant advocated a ‘strong community of other females in the same shoes to relate to, to discuss issues/struggles with,’ and another argued: ‘the most important thing is ensuring that we collectively create and maintain inclusive and supportive spaces for women to exist in ... so that women have a place they can go where they feel understood and listened to.’ Female-only spaces, events and networks can clearly be advantageous to women in male-dominated environments.

### *Gender Education*

Education on gender is crucial in both PMHE and the music industry. Several participants, both male and female, argued that the issues should be addressed at both school and higher education level. As one female put it: ‘I think it’s just

a case of educating males in HE and in school on how to behave and treat women ... It's less to do with the industry and more to do with just in general.' Education on gender in the music industry workplace, as a female participant recognised, would help to address issues relating to 'sexism and prejudice in the workplace, inclusivity, diversity, equal pay' with the aim to 'establish an inclusive norm that will hopefully inform future generations on how we can be better.' The importance of inclusivity, not only in the workplace, but also in relation to education about gender issues, is also clear. However, as another female argued, events intended to 'shine a spotlight on women in the industry' can seem tokenistic, as they are often organised and attended by women and are therefore unlikely to bring about change: 'they end up speaking to an audience of women—the women are not the issue here!' Awareness raising and education on gender-related issues need to include everyone, as a male participant acknowledged, 'male musicians and creatives should be educated further on ensuring other genders feel valued and comfortable in this industry.' This echoes the *Misogyny in Music* report which argues that gender-based discrimination, harassment and misogyny are not seen as only 'women's issues,' and the education of men and boys is essential (Women and Equalities Committee 2024, p. 4). Indeed, education is the most powerful recommendation of the report, which states: 'Educating boys and men on misogyny and consent, how to respect and better support women and to recognise the additional challenges they face will be more transformative than any of the measures set out in this report' (Women and Equalities Committee 2024, p. 57).

## CONCLUSION

In the research undertaken for this chapter, gender-related experiences and challenges were discussed in relation to classroom experiences, opportunities and working relationships in PMHE, and in relation to opportunities, networking, pay and conditions, and working relationships in the music industry. Identifying and implementing solutions to gender inequality in the music industry is an ongoing task that is being undertaken in many quarters through research and action. For example, UK Music produces a biennial action plan for greater diversity in the industry (UK Music 2022), and the organisation Keychange is proactively 'working towards a total restructure of the music industry in reaching full gender equality' (Inferno Events GmbH and Co KG 2023).

Like the music industry, music higher education exists within the gendered structures, norms and expectations of wider society and culture, and the students who participate in it have 'already been exposed to messages about their gender from their parents, schooling and wider society' (Minors et al. 2017, p. 465). Several participants recognised this, pointing out the broader structural context in which the gender-related issues of PMHE and the music industry exist. However, in the same way that music higher education is 'in a strong position to resist the music industry's power to dictate commercially driven

notions of musical success and failure' (Green 2001, p. 213), it can also challenge gendered structures that disadvantage women.

To break the cycle of preparing students for an unequal and discriminatory industry, alongside action within the music industry to bring about positive change, popular music higher education should challenge the status quo rather than mirror it. The potential solutions generated by the research for this chapter can be summarised as follows. Within a context of broader structural change and with the recognition that it is inadequate as a standalone strategy, personal resilience could be fostered among PMHE students and those working in the music industry, especially females and others who are disadvantaged or minoritised. In addition, efforts to achieve greater gender diversity and inclusivity should continue: in PMHE among student cohorts and staff teams, in relation to gender balance, roles and positions, to ensure all students are treated equally and have equal access to opportunities and positive role models: and in the music industry to ensure women are not discriminated against in terms of treatment, progression, pay and conditions, and the overall experience of working in the industry. Furthermore, networks and opportunities for collaboration among females should be developed and strengthened in both PMHE and the industry. Finally, and most importantly, education on gender equality, diversity and inclusion in music should be mandatory in PMHE as part of the curriculum and in the industry as part of workplace training, to raise awareness of the issues and foster commitment to change among everyone. Although, as one female participant pointed out, the issues will be 'quite tricky to overcome,' as another stated, 'It's not the females' job, it's everybody's job.'

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# The Music Industry Does Exist

*Toby Bennett*

## INTRODUCTION

What, exactly, is the music industry? Anyone looking to study, research, or make their career in the music industry should probably be clear about what exactly “it” is. This much seems simple. But posing such a question to a student, an academic researcher, a business analyst, a musician, or a record company employee is likely to generate wildly divergent responses and even outright disagreement. In everyday conversation, this need not trouble us: it is usually enough to refer to “the music industry”, confident of being perfectly well understood. In more analytic contexts, however, a relative consensus has been achieved that doing so is profoundly (and often deliberately) misleading. Scholars have often called for greater precision, either by pluralising the term “industry” as “industries” or, in a more radical turn, doing away with it to refocus on a different unit of analysis entirely. Their arguments all share a conviction that to discuss “the” music industry, singular, is a convenient fiction. It concedes too much ground to the most powerful players—the trade bodies and political lobbyist, over-represented by multinational corporations—who dominate not just markets but minds. By setting the terms of trade and placing imaginative limits on our understanding of how music is, or rather *should be*, put together as an economic object, talk of “the music industry” works to determine what is of value as an object of research, policy, or career aspiration.

This chapter builds on such arguments. But it does so in order to call for a new critical engagement with *industry*—singular. Definitional disputes are not

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simply a matter of semantics. They help give shape to new analyses of internal variation, differing global mediations, and perhaps emergent alternatives. Precise thinking is indeed required and the chapter explores a number of useful distinctions to this end, in two parts. First, I set out the case that “the music industry” is not enough, focusing on British popular music scholars John Williamson and Martin Cloonan who have been particularly influential in this regard. I place their argument in the context of wide-scale economic shifts of deindustrialisation and globalisation, echoing a broader movement from “culture industry” to “creative industries”. The case for plurality, I then suggest, aligns with both a “critical” and an “administrative” strand of work—and these sit uncomfortably alongside one another. In the second half of the chapter, I argue that retaining a unitary conception of “the” music industry is still valuable, if we take care. It can help us grasp some of the shared frameworks and logics that hold this complex terrain together: both *how it works* and *why it matters*; but also how it works *because* it matters. I suggest it does so both as part of the symbolic and discursive world of a distinct professional community but also as a material supply chain organised around the production of a particular set of linked outputs. There is more to this world than the pronouncements of trade bodies and senior corporate executives. Drawing on the institutional economist Thorstein Veblen, I then make the claim that thinking about “industry” retains critical value when considered in relation to music “business”. It alerts us to the shared logic underpinning an unfolding global complexity, across multiple spatial scales. Finally, industry remains a useful tool to think with, for anyone seeking to actualise popular music’s utopian function, conceived as a public good on the widest possible terrain.

## THE MUSIC INDUSTRY DOES NOT EXIST

### *...And if It Does It Doesn't Matter*

In their influential 2007 article, British popular music studies scholars John Williamson and Martin Cloonan noted that it is a commonplace in both popular and academic discourse to make reference to “the” music industry (singular). This seemingly innocuous rhetoric, they argued, damages any analysis insofar as it obscures ‘the reality [...] of disparate industries with some common interests’ (Williamson and Cloonan 2007: 305). There are significant differences, they argue, between organising the production, promotion and sale of physical goods, bundles of rights, or live performances. These differences manifest in different geographies and they are experienced differently by different actors. Individual musicians, cultural collectives, and transnational enterprises have different visions of the world, they work in different ways, and are judged by different standards—with all the conflict and complexity that results when they encounter one another. While the primary goal of Williamson and Cloonan’s argument was simply to encourage descriptive precision, it also had

a political intent, targeted at the rhetoric of senior leaders, and its performative capacity to influence the organisation of material realities.

In Williamson and Cloonan's view, the scholarly tendency to discuss a singular industry naively echoes the self-image of trade bodies (such as the British Phonographic Industry, Recording Industry Association of America, and International Federation of Phonographic Industries), which are themselves over-represented by the dominant global firms in commercial popular music: the major record companies. At the time these authors were writing, the majors were embattled in the struggle against illegitimate downloading technologies and making loud claims to the effect that what might now be referred to as the entire "ecosystem" of music production was intrinsically coupled to their own fate. Such claims were aimed at a mass audience (who might still be persuaded to become more "responsible" consumers); crucially, they also addressed policymaking communities, increasingly concerned with growing a "knowledge economy" predicated on intellectual property (Arditi 2020). As such, the shared label of "music industry" blurred the interests of major transnational firms with those of musicians, performers, and a whole range of small, independent, and alternative music organisations. The latter had hardly signed up to the view of the world that was propagated by the likes of Universal or Warner Music Groups. Instead, these micro-actors typically made their living through smaller scene-based arrangements, often embedded in local live music venues and clubs, informal rehearsal and production facilities, and like-minded communities further afield, increasingly connecting and experimenting through online exchanges. By not taking care with their language, in short, Williamson and Cloonan argued that academics were unwittingly participating in the publicity tactics of corporate capitalism and overlooking new and longstanding alternative models.

Williamson and Cloonan's argument was initially more iconoclastic: first presented as a paper at the International Association for the Study of Popular Music's 2004 conference with the uncompromising title, 'the music industry doesn't exist and if it does it doesn't matter' (see Williamson and Cloonan 2013: 11). By the time of publication, in the journal *Popular Music*, their tone had become more constructive, insisting instead that a terminological shift was required—music industries—to visibilise a more vibrant plurality. Jonathan Sterne (2014) retained their iconoclasm, however, by arguing that no real "music industry" exists at all. Academics should therefore resist the lobbyists' highly politicised framing. Instead, Sterne contends, they should concentrate on a whole range of logistical and infrastructural mediations through which music is manufactured, transported, circulated, used, and reused. As such, musical-economic relations are enacted in different ways across multiple spaces and scales, from instrument manufacture through to architectural design and extraction of raw materials, all of which deserve equal attention. Scholars should not be distracted by whatever "industry" representatives wish to talk about at any given moment. Instead, argues Georgina Born (2022) from a similar position, they should train their attention on these processes of

mediation wherever they occur, in specific places and times, with specific sounds and practices.

The arguments of Born and Sterne resonate with a recent turn towards “infrastructure” within media studies. This attempts to bring to light the logistical dimensions of particular materials and resources, and processes of assembly and circulation, which form the very conditions for any music to emerge at all (Devine and Boudreault-Fournier 2021). Rather than *the music industry*, she suggests, it is the construction of a ‘*musical capitalism*’, in an increasingly global frame, that should occupy our time. For such critics, unthinking references to “the music industry” obscure a plural, messy, and constantly shifting reality. In this context, any notion of a coherent and well-defined professional community, set of structures or practices, can only be a convenient fiction. Even so, we have hardly seen the last of either the major players or the singular label. Industry, it seems, is not so easily displaced.

### *Industry and Industries*

In his analysis of commercial music production processes, “from conception to consumption”, Michael Jones (2012: 10–11) argues for the use of both *Music Industries* and *The Music Industry*. Doing so, he says, registers that multiple subsectors exist but that they share a distinct set of practices and complementary interests. In the first case, a separation has long been made between three musical outputs: (1) the studio production of master “recordings”, (2) the “publishing” of underlying musical works, and (3) the staging of “live” performances. Underlying each of these, he continues, is *Industry*—understood as a verb, not a noun: the process through which musicians and firms enter into joint working agreements. Here Jones draws on the longstanding conceptual tension within cultural industries, between “art” and “commerce”. These terms describe two separate domains—with skills, norms, and values commonly understood not just to be distinct but often even opposed to one another—both of which must come together to realise creative projects. The expectations, responsibilities, and rewards associated with this collaborative industrial process, which can be fraught, are codified in legal *contracts* (Caves 2000). In post-war popular music, this tension has been institutionalised in recording, publishing, or performance contracts, alongside a distinctive set of *professions* (such as A&R, artist management, tour booking, and various marketing intermediaries), that support the development and actualisation of such contracts (cf. Stratton 1982).

Jones’ discussion of *the music industry* (singular noun), *music industries* (plural noun), and *music industry* (compound verb) endorses, as many others have, the nuances of a “cultural industries” approach to scholarship. The origins of the latter lie in a backlash to forms of cultural criticism which, for ‘so long crippled by the influence of Adorno’, presumed to know in advance how cultural production works (Jones 2012: 26). As he acknowledges, the

definitional debate over music industries thereby echoes that of the “cultural” and later “creative industries”. It is worth briefly revisiting this longer history.

In the post-war West, the term “culture industry” was initially posed as a problem: a way to recognise—and decry—the novel combination of artisanal skills with the organisational technologies of rational mass production under advanced capitalism (Adorno and Horkheimer 1997). Importantly though, this was not intended as a methodical analysis of how this industry actually works in empirical detail. Instead, the term was a way to distinguish an emergent mode of cultural production: one that sought to be “popular”, rather than catering to a restricted “elite”; but did not straightforwardly originate in “the people” (whether understood as a traditional “folk” or the “masses” of industrialised urban modernity). This was important to highlight, for Adorno and Horkheimer, because it seemed to form part of a broader drive to organise economy and society along apparently “scientific” lines. As such, the idea of a single “culture industry”—popular music subsumed alongside film, magazine publishing, and so on—was to emphasise a central contradiction (or deception) within a wider political formation. The contradiction that their critique raised was that while audiences, redefined as “consumers”, were promised a wide array of possible cultural experiences, this demand could only be met by generating experiences of standardised conformity. In a rationally organised and profit-driven consumer society, culture was being put to work to (re)direct people’s base desires towards mass-produced commodities, encouraging them to want more of the same. Despite its authors’ notorious theoretical sophistication, this was not intended to be a subtle argument—not least because subtlety and sophistication were hardly features of the logic it diagnosed.

Later writers, such as Bernard Miège, Nicholas Garnham, and David Hesmondhalgh sought to add empirical flesh on what they generally referred to as *cultural industries*—plural. This tradition synthesised insights from the political economy of communication, media and cultural economics, and creative labour studies. As Hesmondhalgh (2018) summarises, the production of symbolic goods is characterised by: high levels of risk, leading to a focus on producing high-reward hits to offset the many misses; conditions of artificial scarcity where initial investment is high but reproduction costs are low; efforts to control multiple stages of the value chain, limiting market entry and access to goods; the use of formatting (e.g. genres) as a management strategy; high autonomy among creatives, who experience low levels of managerial oversight but tight budgetary constraints; heavy reliance on marketing and control of distribution. With these emphases, cultural industries writers sought to move away from what they saw as an Adornian caricature in which, for example, songs from different writers and performers were all generated and produced in the same way, rolling off the factory conveyor belt to a deadline, ready for retail. Rather, they emphasised uncertainty. There are many points in the production line that do not go according to plan, they argued, while audiences have changing tastes and react in unforeseen ways. This was an enterprise not of manufacturing goods and telling people what to buy but of constantly

acknowledging and responding to their complex and ambivalent desires, judgments, opinions, and uses.

It is not a coincidence that this recognition of culture's industrialisation came at the same time as the "deindustrialisation" of what is often now termed the "developed" world in the Global North. This refers to a move away from natural resource extraction, processing, and manufacturing as primary sources of employment and productivity, with firms in richer countries relocating such activities elsewhere in the world. In their place came a turn towards so-called service industries—and here another debate took place, regarding whether or not activities such as consumer retail and social care could coherently sit alongside business services (e.g. finance, legal, and accounting professions) as a coherent sector in itself (Allen and Du Gay 1994). Addressing this debate, the term "creative industries" was deployed in the late 1990s by a UK government keen to put apparently high-value creative talent to work producing intellectual property rights (IPRs). In this way, justifications for investment in the arts were made in the same breath as efforts to harness an emerging digital economy. This produced similar conceptual confusions. Clearly, music as an IPR-generating activity was a key bridge here. Industry representatives therefore took it upon themselves to argue for integration with the emerging "knowledge economy": shifting attention to value-adding activities of a sort that required professional expertise, born of a highly educated workforce, brought together with the emerging technology-driven economy of computing and software design. The question of what work happens where, to produce and to capture what kind of value, continues to rage.

Hesmondhalgh's (2018: 3) influential description of "cultural industries" (plural) as 'complex, ambivalent and contested' was born from such debates. Endorsing this approach, Jones (2012: 26–27) is nonetheless concerned that Hesmondhalgh moves too far away from the Frankfurt School's original concerns: the 'desire to refuse a portrayal of the cultural industries as "top down" monoliths—to render them as sites of struggle and negotiation rather than mechanisms of regimentation—urges him too far towards industry as "contested" and so an equivalent distance away from accepting them for what he recognises them to be'. And what he recognises them to be, according to Jones, is a set of organisations, markets, and individuals that are either caught up in or opposed to—but in any case deeply, intrinsically bound up with—the logics of contemporary capitalism. In brief: 'the Music Industry exerts a standardising cultural force, because its key driver is the maintenance of the "standard" of the "expertise" of companies towards the formulae that continue to show a return on investment' (Jones 2012: 175). At stake here is the major tension this chapter highlights: an evolving plurality of cultural-economic forms and activities, characterised by "complexity" and "contestation" on one hand, and a singular process of "regimentation" and "standardisation" on the other.

### *Critique and Administration*

It was against the backdrop of this theoretical debate and economic context that music industry scholars began voicing arguments for greater levels of nuance and plurality. The demands have only intensified, as creative and cultural activity has been increasingly recognised as a legitimate source of employment and growth. Questions over how to group and name industrial formations are therefore not mere semantics. Labels and categories matter to economists and governments who seek to understand, measure, and support the value-adding activities of the future. But they also matter to more critical scholars and activists, who try to draw connections between phenomena of different kinds in order to understand how power, control, and freedom are distributed across changing social and political formations. Advances in knowledge and technological innovation continue to be fully entwined with global flows of capital and state power, just as Theodor Adorno and Max Horkheimer noted in the middle of the last century. As the music industry scholar Keith Negus—who has himself contested the linear “production line” view of popular music—has recently remarked, the ‘dialectic of Enlightenment continues’:

Now that it is no longer necessary to defensively value vast quantities of popular culture on the grounds that Frankfurt School theorists were ‘elitists,’ we can, I hope, recognise the legacies that continue to echo in our contemporary efforts to understand the relationships between culture and economy, production and consumption, industries and consumers, political systems and daily life. (Negus 2021: 5)

As such, like other media industries, popular music continues to be caught up in the longstanding divide between “administrative” and “critical” social research (Lazarsfeld 1941; Hesmondhalgh 2014): theories and models that feed into the running of states, institutions, and corporations; or those that primarily aim to support emancipatory struggles. In the call for greater pluralism, we can find evidence of both sides. Williamson and Cloonan’s (2007) article in particular has been influential, I want to suggest, because it has resonated both with those who allied their analyses to a critique of (digital) capitalism and also with a more policy-facing body of practice—including the work of representative trade bodies as they developed their lobbying capacities and government relationships over the subsequent decade.

### *Plurality as Critique*

On the critical side, Williamson and Cloonan primarily draw out a distinction between “independent” or “alternative” music and a “mainstream”, associated with the corporate major label system. If normative definitions of “the music industry” were being dominated by multinational recording companies, this was at a moment when such companies appeared to be in crisis. As such, the authors called for greater attention to small-scale independents, particularly

those cultivated through local scenes and live performances. These areas seemed to offer greater potential for developing sustainable careers, not to mention generating interesting art, than the hit-driven profit model of selling records. This aligns with much of popular music studies, where critical attention has been paid to the notion of the “scene”. A scene is a loose-knit affiliation of DIY musicians and fans coalescing around particular venues and small record labels, which often value experimentation with new sounds and styles of music (Straw 1991). Once again, this chimes with a wider attention to cultural production, this time in highly localised “clusters” of similar and complementary creative activities (artists, performers, designers, and so on) and their associated support (managers and small business, for instance). This was interesting to many critical scholars who diagnosed indicators of a wider ‘post-Fordist’ shift, away from large firms and towards flexible teams and project-based models of small-batch production. Although online forms of trans-local connection proliferated in the new millennium (Bennett and Peterson 2004), usually scenes have been rooted in specific urban settings. Independent scenes, it was commonly claimed, might therefore prefigure a new world of looser, freer, and more exciting forms of organisation—although this too was open to question (Hesmondhalgh 1996). In any case, valorising the small, the alternative, the independent, the local, and the live in this way came to signal a hopeful rejection of a big, mainstream, globalised (recording) industry.

Yet all was not so simple. “Independence” signalled an institutional alternative to mainstream “industry”, and often an explicit anti-capitalist ethics, which inevitably also produced its own aesthetic of unpolished amateurishness: “indie” as genre (Hesmondhalgh and Meier 2015). Again, by the turn of the new century, this genre had entered into the mainstream, while many “independent” musicians, entrepreneurs, and organisations had built up strategic relationships and dependencies on large corporations and distribution systems. Rather, the relationship was more symbiotic. As Jason Toynbee (2000) argued, music scenes were experiments in “social creativity” and aesthetic innovation that often act as “proto-markets” for the broader industry. As such, transnational corporations might view independent scenes as a kind of research and development arm: a way of testing out new sounds or styles with audiences, ready to be acquired and “scaled up” by the major label system. In this light, it is easy to see how the idea of popular music as a singular all-encompassing “industry” might take hold—and why critical scholars might bristle at the prospect. The latter might once have declared the triumph of commerce over art—a “selling out” of “alternative” ideals—but, by the 2000s, this had become harder to apply, perhaps even irrelevant (Klein 2020). Seemingly, it merely reflected the neoliberal economic dogma of the globalised era: “there is no alternative”. There are only more markets.

But if *indie music* and *independent distribution* had both been compromised by the *industry* of parasitic corporate capital, the anti-establishment political ethic remained; moreover, it remained focused on the local scene. One important thing about scenes, for instance, is that their markets are generally small



enough not to be overburdened by the art-commerce tension. In this vein, Jeremy Gilbert sought to carve out a clear distinction between independent creativity and the major label system—one based not on a vague critique of “the market” but on a sharpened anti-capitalism. Here, he notes how the market incentives and individual motivations of scenes differ from those of industry. Musicians and independent record companies, he recognises, may share with capitalist organisations the ambition to generate relative profit from their art. However, while the former aim ‘to generate enough income for a decent standard of living which will enable them to keep making their music’, for the latter the aim is ‘not simply the generation of acceptable income for their employees, but the long-term, uninhibited, and unlimited accumulation of capital’ (Gilbert 2012). Gilbert embeds this within the argument that what distinguishes the capitalist mode of development (as popularly understood) is not the constant generation of new markets but, on the contrary, of “antimarkets”.<sup>1</sup> What matters most to music industry, he concludes, is not the constant generation of interesting sounds and ideas for a discerning audience but the relentless pursuit of financial accumulation through monopoly power. If this diagnosis seems provocative, it is expressed openly by the Silicon Valley investor Peter Thiel (2014), who famously argues that the most successful entrepreneurs are not those that compete well in existing markets but those that create new markets which they can then dominate: competition, Thiel says, is for losers.

Industry’s antimarket logic, argues Gilbert, lies behind the platformisation of music distribution and consumption that reduces music to a mood or atmosphere: an exercise in sonic branding. Williamson and Cloonan do not expressly make this argument. Their insistence that the small, the live, and the local deserve protection, insofar as it constitutes a countervailing force to a rapacious and monolithic “industry”, nonetheless operates in a similar space. It surely also appeals to many a fan’s common sense as we move into a new era of global information capitalism. Gilbert suggests that this era is not best characterised by market-oriented commerce but by a return to an older model of patronage, chiming with others’ diagnoses that what comes ‘after capitalism’ is a system of data-driven power and control best described as ‘neo-feudal’ (cf. Dean 2020). This time the feudal landlords are major corporate organisations (we might think of musicians and events sponsored by Samsung, Tencent, or IBM for example). The critical response is to assert the need for greater plurality, holding on an alternative spirit of independence, cooperative mutualism, and the revival of the commons—a spirit that arguably thrives in local scene-based ecosystems.

<sup>1</sup>The term ‘antimarket’ derives from Fernand Braudel, a historian of the long-term emergence of capitalism. Gilbert is especially drawing from the social theorist Manuel DeLanda, who adapts Braudel’s terminology for the emergence of the information economy, combined with Toynbee’s analysis of musical creativity as the generation of proto-markets.

### *Plurality as Administration*

Despite its critical origins, Williamson and Cloonan's argument ultimately took a more administrative turn and sought to work with the state, rather than against it. This follows their move away from the full-scale rejection of "industry" and towards the recognition of different industrial formations. It is not possible to analyse the industry of live performances, they argued, in the same way as that of copyright industries of recording and publishing. Accordingly, their subsequent work was trained on the mechanisms underpinning live music, focusing on improving measurement and regulatory supports. In pursuit of this, with a number of colleagues, they worked to engage a range of policy actors, including local governments and development agencies, the Musicians Union, and the national trade body UK Music. The last of these organisations, founded in 2008, is indicatively interesting to these authors insofar as their members included not only representatives of recording and publishing rights management organisations but also those of live music; and not only major corporations but multiple organisations representing independent companies and individual musicians of different kinds. That is, they assembled the entirety of the "music industries" in one place. Before exploring this administrative turn in Williamson and Cloonan's argument, it is worth first elaborating on the work of this particular trade body.

One of UK Music's first initiatives on formation was to develop a set of statistics based on the "core" and "support" activities that go into producing four interlinked "commercial assets": the underlying musical work; the recording; the live performance; and the artist's brand (UK Music 2013). The main purpose for doing so was because existing government statistics did not support their case that music was a significant economic sector deserving of policy attention. The "Standard Industrial Classifications" and "Standard Occupational Classifications" (so-called SIC and SOC codes) collected by national statisticians were forged in the mid-twentieth century. These could see only two industrial groupings: "music, performing and visual arts" on one side; "sound recording and reproduction activities" on the other. UK Music's alternative classification allowed them to collect information from their members to produce a much larger (and, they argued, more accurate) estimate of the contribution of these activities to national productivity and employment statistics. Moreover, this move also sought to change the government's view of what counts as music-industrial activity (what data can be collected) and instead to align it with the self-conception of its member organisations: not just "recordings" versus "performances" but multiple, complex chains of production—multiple industries.

In 2013, Williamson and Cloonan updated and tempered their argument accordingly: 'for the first time, the UK's entire commercial music industry will be represented by one umbrella body' (UK Music quoted in Williamson and Cloonan 2013: 21)—note "entire commercial music industry" *singular*. As they imply, this kind of settlement—a single "trade body of trade bodies"—is

unusual; something of an outlier in international terms.<sup>2</sup> It was also fractured and temporary. Traditional income streams from physical sales have notably collapsed while venues came under enormous pressure from property development, leading to rising rents and land values, and a spiralling number of closures. In the wake of the COVID-19 pandemic, the fortunes of those that relied on live performances and those that depended on the exploitation of copyrights diverged dramatically, coupled to a surge in subscriptions to digital streaming platforms. Hence, in October 2020, live music representatives stopped paying membership subscriptions to UK Music and formed a break-away body, aptly named “LIVE” (Live Music Industry Venues & Entertainment). Perhaps, then, the notion of a single body that could equally represent every arm of the “entire commercial music industry” was always too fragile to last. Perhaps UK Music’s nine years of a shared voice were the exception that proves the rule.

A number of more “grassroots” campaigns have attempted to support venues, addressing local governance with the call to “keep it live and local”. Typically, such calls needed to be backed up by solid evidence of music’s social and economic impacts—but were hamstrung by the lack of data to this effect. In response, Williamson and Cloonan worked not just to critique but to contribute to urban music policy. Under the auspices of UK Music, they carried out a Live Music Census: a survey counting numbers of venues, performances, and auditing attendee characteristics across multiple cities, on a given night of the year (Behr et al. 2020). With such work they were able to have some influence over local planning policy in Glasgow, which introduced an “agent of change” exception: shifting the burden of responsibility for minimising disputes between existing live music establishments and new residents onto property developers. In such ways, a critical approach to industry that prioritises “art versus commerce” or “independents versus majors” tensions shades into administrative arguments.

A similar strategy, taken up by popular music scholars attending to the digital economy of recorded music, has been to inform national government interventions around the royalty payment calculations adopted by music streaming platforms, notably Spotify (cf. Hesmondhalgh et al. 2021). This draws on public critiques, mobilised by independent musicians and their organisational representatives, around such platforms’ anti-competitive (or antimarket) behaviour. Equally, many musicians’ desire simply to sustain ‘a decent standard of living’ moves close to a defence of, in Gilbert’s (2012) terms, ‘the established mechanisms of remuneration’, including ‘protecting the value of copyright’ and/or nurturing ‘a loyal core audience of just a few thousand’, in such a way that they might ‘retain the status that they began to claim in the 18th century, as

<sup>2</sup>Typically, and notably in the United States, national representation at government level is divided among multiple different bodies. These may coordinate with one another but rarely achieve a “single voice” through shared membership of a single organisation, as UK Music did.

individual entrepreneurs selling their music on an open market to a free public'. It ultimately appeals, that is, to a conservative *petite bourgeois* vision of cultural life.

In pursuit of the governance of creativity, researchers have sought to balance a critical edge with administrative impact by attending to ever-greater internal differentiation and plurality. This would seem to have reached something of an impasse. While some academics might justifiably be accused of armchair criticism, it is not clear that the administrative route has been more effective. Together with Simon Frith, John Williamson and Martin Cloonan write of frustrated attempts to get their arguments heard when pursuing such forms of "impact", and the difficulties of producing the kinds of evidence policymakers wanted to hear. A trade body speaks and acts in ways that seek to further the interests of its members and funders, itself requiring delicate diplomacy. But this ultimately leads back to critical disputes over expertise and authority between academic researchers and industry representatives: the vexed question of 'who really does know best' (Williamson et al. 2011: 471). Meanwhile, "The Music Industry" stubbornly persists: in public vernaculars and in the common-sense of those who (aspire to) work in and change it. It seems the discursive monopoly is not easily disrupted. Why? In the second half of the chapter, I want to explore a number of approaches that might enable us to hold on to or work with "industry" (singular).

## THE MUSIC INDUSTRY DOES EXIST

### *Industry as Production Culture*

One reason why it might be important to speak of "the music industry" is that this is the term used by many of those who commit their professional lives to popular music. This goes beyond senior executives and leaders and into the wider everyday workforce that sustains it. While some endorse it and others deride it, most do not think too deeply about terminology at all—and yet somehow, they know what each other means. "Industry" is simply part of their shared language, helping them to locate themselves and their working identities, and to recognise others doing the same. This suggests the existence of a powerful "economic imaginary" (Sum and Jessop 2013): a way of talking about, and making sense of, a jumble of disparate economic activities. Alongside those organisations that exist to represent a single "shared voice", the language of industry is also invoked through a range of contexts of discourse and representation, from trade press reporting and artist interviews to recruitment documents and everyday conversations. The idea of an "economic imaginary" encourages us to view such uses of "industry" as an organising concept, one that is both discursive (it is a linguistic convention) and material (it nonetheless really exists). This is not merely descriptive language. It actively works to construct an organised view of the world, through which communities of practice and interest come to cohere. This enables participants to understand

themselves as part of a distinct ‘production culture’ (Mayer et al. 2009). In this sense, it almost hardly matters what these groups of professionals think they are referring to when they use this term. They may be discussing entirely distinct practices and entities in different parts of the world—in fact, this may be where the term’s power lies. A non-specific understanding of “industry” gives a meaningful order to working life, to decision-making, and to financial accumulation, helping such individuals move and communicate across multiple contexts.

An economic imaginary is therefore not just imagined; it has real effects. As critics remind us, it matters that “the music industry” comes to be instituted through organisational taxonomies (labels, departments, systems), trade body press releases and government statistics. Doing so acts on and shapes the systems through which music of various kinds get made, as well as popular understanding. Its presence in the writings of trade journalists matters, since they do not merely supply business information to a pre-formed professional community, they actively define and convene that field (Anand 2006). John Caldwell (2008) uses the concept of ‘industrial reflexivity’ to refer to this intense production, by media organisations and individuals, of “texts” about themselves (PR statements, electronic press kits, making-of documentaries, instructional manuals, recruitment literature, and so on). These texts are “read” avidly by those who work (or want to work) in them, as well as some of the most active fans. Equally, therefore, references to a “music industry” in the everyday speech of music workers matter, since it is here that common sense comes to be formed and reproduced, in the reflexive practices and interpretations of professional “value communities”, as Georgina Born calls them. The contexts of work in which such communities assemble and circulate are populated by ‘practitioners who are intensely aware of the field, or the community of practice, within which they are working, and in relation to which they conceive of their own work’; as such, their interpretations are infused with aesthetic and ethical judgments ‘about what is valuable, what is less so, what is emerging, cutting-edge, on the way out, or passé in a particular generic space’ (Born et al. 2016: 17). This does not make them analysts; it does not demand they exercise precision in their language. Yet, such everyday disputes can come to mark out relatively well-delineated boundaries of inclusion and exclusion—which again produces real effects, often shaping the terms on which newcomers get to access these communities. Whatever “industry” is or is not, therefore, it is worth paying close attention to what the individuals who self-define as participants have to say about it, rather than simply dismissing them as terminologically incorrect.

### *Industry as Production Chain*

In this sense, given its capacity to bind together divergent activities, it is worth taking claims about “industry” far more seriously than the trade bodies themselves do. UK Music, for example, define their four “commercial assets” as hybrid cultural-economic entities: they represent distinct forms of symbolic

value (a song, a recording, a gig, a style); monetised differently (sales of physical products, exploitation of intellectual property, ticketed events, sponsorships and joint ventures). But they do so in mutually constitutive ways. Using economic jargon, they are “complementary goods”, linked together in acts of consumption. People who go to see an act live are likely to also stream their music and to buy their merchandise. Industry actors are not unaware of this. As UK Music suggest, however, and perhaps more importantly, they are also linked in their production: the writing of a piece of music is intrinsically linked to its recording and performance, and the coupling together of these activities is likely to generate a distinct artistic identity. To further define the boundaries around this industry, their methodology goes on to further distinguish between core and wider industry. Apparently achieved through a process of consultation with its members, UK Music’s definition has also been subject to change over the years—with, for example, a “music representatives” category moving from periphery to core and expanding with the inclusion of specialist lawyers and accountants. Such closed-doors decision-making and definitional tinkering is not unusual where the production of big numbers blurs with a policy lobbying function (Arditi 2021).

To follow this line of thought is productive nonetheless. This would involve tracking what is often referred to as the “value chains” associated with the production of each of these assets, usually along a succession of interlinked stages—from “conception to consumption” (Jones 2012). There are different approaches here but it is commonplace to consider processes of creation, re/production, distribution, and exchange, alongside underlying systems of governance. Cultural activities also depend heavily on processes of cataloguing and archiving, criticism and evaluation, and formal or informal education, in ways that other industries do not. Breaking down the production process in this way can offer a powerful lens on the idea of a singular “music industry”; perhaps even one that leads to more progressive ends.

At this point, a critic may justifiably protest. After all, value chain analysis has its roots in the efforts of early “management science” to accelerate or generate efficiency gains in the industrial production process. As developed by Frederick W. Taylor and implemented most famously in Henry Ford’s factories, management science is a mode of rationalisation that seeks to identify and eliminate wasteful moments but often dehumanises workers in the process. A contemporary business analyst might similarly use this framework. Crucial “value adding” activities which cannot be replaced will be identified: usually these are in the stages of concept design/creation and of market-facing activities. The most generic (typically in production and distribution) will be standardised, streamlined, and cut. Areas at risk of “disruption”, often through

technical innovation or other external shocks, will also draw attention.<sup>3</sup> It is hard to see how such techniques might be considered “progressive”. Curiously enough, however, both the rationalising industry analyst and the passionate music enthusiast will normally agree that popular music’s most important and valuable moments lie at either end of the chain: artists (creation stage) and their fans (market exchange). The prospect of “disintermediation”—the removal of actors or processes that lie in-between—is easily justified in this way. The ideal encounter for many critics and enthusiasts, the most authentic and *immediate*, might in fact be an apparently unmediated interaction: a face-to-face live performance. Equally, inflated promises might be made—as so many technological innovations do, including the distributed ledgers of blockchain and generative artificial intelligence—that all the accounting institutions and administrative mechanisms of “industry” are no longer needed. These can be automated away; in fact, they *should be*. In such ways, the structure of this administrative framework aligns with the ostensible view of many ardent critics and fans.

By contrast, I argue that thinking about “industry” forces us to think much more carefully about those moments in the middle—away from the most visible and interesting moments of musical production. This is precisely the argument elaborated in “global commodity chain” analysis (e.g. Power and Hallencreutz 2007). Such an approach, crucial for understanding internal complexity, emphasises the labour involved throughout any industrial production process. Such labour cannot be entirely automated away—only displaced, downgraded, or relocated to cheaper (less well paid) parts of the workforce or corners of the globe (Bair 2008). It also aims to shine a critical light on the key institutions and organisations of ownership that dominate the chain—particularly those transnational corporations that act as “lead firms”, acquiring, investing in, or forming crucial supplier relationships with entities at every stage—and so whose decisions resonate throughout the entire “industry”.

The goal of a major transnational enterprise (TNE), such as a major record company for instance, is often to exert pressure on as many links of the chain as it can. While ownership of an entire production chain is unlikely to be possible, or indeed desirable, it may nonetheless exert influence over those elements outside its own immediate jurisdiction by way of a supplier agreement (such as a contract with a musician to produce creative works), financial investment (equity stakes in a streaming distribution platform), or relationship of part-ownership through a parent company (marketing, branding, merchandising, or broadcasting organisations for instance). It may otherwise operate according to technical standards and protocols that it has had a hand in

<sup>3</sup>The model of the “smile curve” explains product success in this way. A graph mapping “value add” against the different moments of the value chain—(1) design/content creation, (2) distribution/delivery, (3) branding/marketing—typically peaks at either end (high value), indicating specialist skills, with a trough in the middle (2), where more generic activities suggest opportunities to cut costs. The line traced subsequently resembles a smile. For this reason, a technology like generative artificial intelligence might be deemed particularly “interesting” to a business analyst insofar as it seems to enable productivity gains in the space of creativity itself—usually viewed as the least replaceable moment in the production process.



negotiating (such as the ISRC or International Standard Recording Code), or according to regulations (such as intellectual property rights) that it has a hand in lobbying for. Equally, it will do so in close relation to local markets, national governments, and supra-national entities. The transnational geographic spread of such “global production networks” is often embedded in specific places, institutional networks, and socio-cultural milieux—such as the “scene”.

Although it can be dizzying, thinking in terms of a global value chain, or production network, forces us to think holistically. Simply aiming to “sustain a career” is not always enough to opt out of this “industry”. Anyone looking to develop an audience—by for example, registering their works with a collective management organisation (CMO), allowing a YouTube or a Douyin to assign a digital stamp that enables metadata tracking (play counts, skips, listener locations, and so on), collecting income from local radio play, or performing at a licensed venue—will participate in a relatively cohesive (singular) “industry” over which large institutions (TNEs or CMOs) are able to exert considerable organisational influence.

While this may seem a depressively pervasive definition, it nevertheless also allows us to develop clearly defined and demarcated boundaries and identify an “outside”. A free improv collective might generate a “scene”—one that centres creative processes rather than performing and recording standalone works, or that seeks to develop an evolving and interchangeable set of participants rather than a reliable audience—but in this case is unlikely to engage with “industry” in a meaningful sense. Nor would a jingle composed exclusively for a mass-produced child’s toy, even if it certainly mediates capitalist structures. Conversely, there are interesting areas—such as generative video game music production—where industry boundaries are being tested. These may well demand future transformations in the production chain. We are far from the single factory and its linear assembly line. Yet, while the bulk of music’s ecosystem may comprise individuals and freelancers, neither have we entered a world of entirely disaggregated production; horizontal and vertical integration remain central organising tendencies.

### *Less Business, More Industry*

The first part of this chapter argues that binary logics of art-commerce, independent-mainstream, and critical-administrative no longer register critical tensions as sharply as they might once have. The second part suggests it is therefore worth revisiting the logic of industry, in the sense of coordination, planning, and inter-organisation. Doing so clearly involves an emphasis on the logic of standardisation (Jones 2012). But, rather than presuming the existence of a mechanistic production process (and criticising it on those grounds), this involves following this logic “down the chain” in order to explore how it works—or indeed where it does not. It remains to make the case that doing so might be oriented towards progressive ends.

The institutional economist Thorstein Veblen (1904), noting the efficiencies of producing and delivering goods at scale, gave “industry” a different



inflection by opposing it not primarily to culture but to “business”. For Veblen, *industrial* production was a matter of wide-scale collective provisioning and so tied to a sense of public good; meanwhile, *business* signified private competitive accumulation and the pursuit of profit for its own sake, by any means possible. In this way, he argued that business-driven competition did not necessarily incentivise innovation.<sup>4</sup> It might instead involve more nefarious means of *undermining* the competition such as, famously, sabotage. Consider the hypothetical example of an A&R who offers an artist a contract not because they are particularly interesting or novel, or even malleable enough to be developed in a market-friendly direction, but simply because the company is aware of an interested rival, or because the act constitutes a threat to an existing artist already in development. In such a case, Veblen might argue, preventing the new signing from progressing any further would make perfectly good *business* sense—but the private gain of such a decision comes at the expense of public benefit and therefore runs counter to a well-running music-industrial system.

As such, the business-industry tension sheds light on the institutional logics that structure border-spanning global organisations. I have argued elsewhere, for example, that industrial transformations can be tracked within major recording companies in terms of (business) enterprise and (industrial) administration (Bennett 2024). This dualism plays out in corporate structures and professional identities alike. Most of the “enterprising” aspects of major music companies, including their A&R and promotional functions, have historically taken place in subsidiary “label” divisions, commonly within a genre focus (Negus 1999). More recently, similar relationships have also been established with small technology companies, through negotiations with “MusicTech” start-ups who need access to creative content (Watson and Leyshon 2022). Accordingly, much of music industry history has been narrated, I have suggested, by a romanticised and idealised focus on those storied creative entrepreneurs—whether fast-talking indie outsiders, corporate CEOs, tech founders, or musicians like Taylor Swift who remade themselves as business entities.

Equally, when scholars centre the “art-commerce” tension they are operating primarily within the entrepreneurial domain of music *business*. This tension is resolved, however temporarily and uneasily, when it is codified in a particular joint enterprise contract. But the next step is rarely followed: what needs to happen in order for these contractual terms to be put into effect? How are the proposed outputs not just assembled but delivered and how is income allocated accordingly? How does a “song” become stabilised as a “release”: an object that can be distributed and monetised, tracked and counted across various uses and iterations, at scale? By what specific processes are unsanctioned uses recognised as such, and either shut down or brought into the system? And, crucially, what *work* needs to take place? Asking such questions takes us deeper into the

<sup>4</sup>This would be the normative view of mainstream economics, particularly in the wake of Joseph Schumpeter’s idea of “creative destruction”—popularly mobilised as “disruptive innovation” by the business analyst Clayton Christensen.

administrative functions of the firm—but it also necessitates moving beyond the boundaries of an individual company and into the world of third-party databases, information regimes, collective management organisations, and regulatory structures. In other words, it takes us deeper into the industrial world of specific software systems, logistical processes, and technical standards. Those individuals and creatives viewed as smart and savvy enough to balance artistic against commercial interests have long been valorised for their power to beat “the system”. It remains unusual to pay attention to the system itself. Much routine administrative maintenance goes on to keep industry running, so to speak, as a “background process”.

It is true that an emphasis on productive efficiency sits uncomfortably with music’s normative associations—whether understood as singular artform or as culture of participation. Tellingly, Adorno (1941) considered Veblen’s more famous critique of “conspicuous consumption” to be akin to a dismissal of culture in its entirety. Pillorying the tendency of the “leisure class” to indulge in ostentatious displays of status and power through wealth, Veblen preferred functional utility and valorised frugality. This, Adorno argued, left little space for qualitative experience. Veblen’s appeal to “industry” over “business” was motivated by the same hostility towards waste—although, some have argued, this involved a radical rethinking of what constituted “culture” in the first place (Mackay and Avenessian 2014: 10). I will return to this prospect by way of conclusion.

### *Varieties of Musical Capitalism*

Given the nature of contemporary global production, the danger remains that to embrace “industry” might also be to embrace the most rapacious, brutal, and dehumanising aspects of modern capitalism. We should be alert to this prospect and continue to seek out alternatives—but we need not deny the existence of a music industry to do so. In their critique of trade bodies’ claims to speak with a single voice, Williamson and Cloonan (2007: 316) depict the leadership as a band of ‘hostile brothers’ who are united only ‘when their interests coincide and locked in conflict the rest of the time’. This is an allusion to Marx’s description of the capitalist class operating according to competitive dynamics of fierce antagonism and contradiction. Marx considered these divergent interests to define, rather than undermine, the notion of industrial capitalism. The existence of a diverse assembly of productive activities does not necessarily negate the existence of a unified organisational logic. As such, while Williamson and Cloonan emphasise hostility and conflict, they strangely downplay the other side of the dialectic, equally important, of fraternity and coincident interests.

In terms of that fraternity, I suggested above that a powerful ethos of friendship and shared motivation might be a crucial element that unifies and demarcates an industrial community, not only of elites but also more ordinary professionals too. But so too do they convene around a shared material

“interest”: strong property rights. Most of the major conflicts that have characterised popular music—from within-group “artistic differences”, to contracts between performers and managers, to consumer filesharing, through to streaming royalty payouts, and, most recently, datasets for training generative artificial intelligence—come down to disputes over ownership. “Own your masters!” has become the rallying cry of those seeking to resist or even repeal the status quo. Where all other differences seem insurmountable, IPR protection is seemingly the one arena which unites all actors. Whether their cry is full-throated or reluctant, it is a response to the broader political-economic framework within which all these actors seek to find their place.

We might, however, place this within the emergent model of digital rentiership that defines contemporary ‘musical capitalism’: digital protocols deployed in order to control access to listening experiences in tight accordance with intellectual property rules, in such a way that they generate ongoing rents (in the form of licensed royalty micro-payments), that are then amenable to further financialisation (Durham and Born 2022). Whether such dynamics move us into a new model of techno-feudalism founded on platformised rent extraction remains subject to fierce debate, in which platforms like Spotify and YouTube are on the frontline (Morozov 2022). Perhaps this is simply one form of the many “varieties of capitalism”, a phrase used to describe how state-market relations are embedded in different national-institutional contexts (cf. Hall and Soskice 2001). This would suggest a need to distinguish sharply between, for instance, South Korean and North American models of industrial music: more or less integrated value chains; greater or lesser levels of state intervention and inter-firm collaboration.

This kind of analysis can be hugely generative. But the temptation of ever-greater pluralism remains, since there is as much local variation *within* these models as between them (and why not go further: a Chilean model; an Icelandic model; a sub-Saharan model; a China Belt and Road Initiative model...). The quantitative emphasis on variety is not necessarily helpful, obscuring as much as it reveals: it is “variety all the way down”. Instead, a more qualitative sensitivity to the processes of ‘variegation’, through which internal differences are generated, might be a means of ‘coming to terms with the causes and forms of capitalism’s dynamic polymorphism’ (Peck and Theodore 2007: 761). Whichever path we take, paying attention to particular local markets and particular modes of state intervention encourages us to interrogate actually existing differences—but to do so within the unified logic that coordinates the industrial production of music. Equally, it implies the existence of musical *non-capitalisms*, particularly ones that take a different approach to property rights.

## CONCLUSION

This chapter has revisited debates of the last two decades or so around what counts as “the music industry”. Although these debates are animated by a felt need for greater analytic precision (accuracy in depicting how the world is), so

too are they shaped by normative commitments (how the world ought to be). They have aligned with the will to administrate (to measure, to monitor, and to regulate), as much as to critique (to reveal, to denounce, and to imagine otherwise). I have therefore sought to set the industry/industries dispute in its societal and political context: that is, as responses not just to digitisation but of complex and dynamic shifts in global chains of production and divisions of labour, with implications for commercial music's key actors—from major corporations to individual creators and all those in-between—and mechanisms of governance at local, national, and transnational scales.

Against this backdrop, it is crucial to understand and represent those industrial actors in ways that are inclusive of difference and attentive to empirical detail. Here I have argued that doing so can be enriched by a return to “industry”. This label does not necessarily attach to a monolithic structure of corporate capitalism. Instead it names (1) a meaningful discourse of affiliation within a dedicated but delimited community of practice; and (2) an organisational logic and production process that operates at scale, according to agreed technical and professional standards. I make this argument in order to encourage precision. Clarity is needed with regard to where boundaries around this industry might lie: a distinct production system organised around bringing a particular symbolic good to a mass audience, across multiple media formations; one which includes many of those who abjure the notion of a mainstream; involving coordination processes and distribution infrastructures that are often obscure. As such, I am equally driven by a critical imperative. A relentless emphasis on industry brings into view elements of popular music that too often remain hidden.

Paying attention to the dynamics of industrial rationalisation in 1940s California led Adorno and Horkheimer to register and condemn its effects on the capacities of culture, not least music, to shape conditions of freedom. It remains necessary to monitor such dynamics, which will continue in the 2020s (and beyond); in response, technical systems can be built to support notions of music as a general public good. Both of these efforts will play out on the terrain of “industry”. As an overarching logic, meanwhile, there is nothing intrinsically commercial or necessarily capitalistic about industrial production—the former belong to the competitive pecuniary logic of music business. Separating these logics might push us to consider, once more, an alternative: a music industry oriented towards the widescale production of public goods, rather than private property.

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## What Is Music Business Management?: A Critical Conversation on Music, Knowledge, and Power in the University

*Sally Anne Gross and Toby Bennett*

Why study Music Business Management in a university? One interesting feature of the contemporary commercial popular music industry is its thriving internal trade in knowledge. Analysts, influencers, and thought leaders are everywhere. Industry organisations run educational programmes and departments. Marketing and public advocacy campaigns foreground the generation of data as the key to industry transformation and self-empowerment. Creators avidly consume self-help manuals and instructional videos or attend DIY training camps and short courses—and then produce their own. Blogging, vlogging, and social media have accelerated these dynamics, and some creators and freelancers build their brand identity by making their own resources and advice available online for others to access (often for free). Within this context, universities have for some decades sought to provide aspiring music professionals with training and qualifications through an expanding array of vocational programmes, expressly designed around career development. They increasingly struggle to compete with one another, and with a growing range of alternative routes to knowledge, while keeping up with ever-changing market dynamics and student needs.

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In the UK, the relatively recent massification and marketisation of Higher Education (HE) has exerted extraordinary pressures on institutions to rapidly increase class sizes and generate “employability”, with very little support or understanding from managers, senior administrators, and politicians. Meanwhile, established industry actors make strong claims to practical relevance and “real world” experience, setting themselves apart from the “slow” abstract knowledge of the academy. These challenges are keenly felt by those committed to the university as an important site of education and individual formation. Amid a blizzard of information, analysis, and advice (including, it must be said, some which is astonishingly high quality, alongside a great deal more which is rather less so), the notion remains that the university might be a space to do things differently.

The MA in Music Business Management (MBM) at the University of Westminster in London was among the first of its kind, conceived as a hub of connection between academic and industry professionals, both seeking to bridge an apparent divide between skills training and critical thinking. It remains a hugely respected degree programme. By design, a high proportion of students are from so-called “non-traditional” backgrounds and staff teaching on this programme all have dual backgrounds as academics with creative and business careers. Under Sally Anne Gross’s direction in the early 2000s, the course consciously took up the spirit of the post-1960s “art school”, which had moved from the teaching of fine arts and crafts towards the nurture of avant-garde, bohemian, and subcultural experimentation, profoundly shaping British popular culture along the way (Frith and Horne 1987).<sup>1</sup> By the end of the 1990s, this institutional model had been dismantled through closures and consolidation (Beck and Cornford 2012) but the mass university system was nonetheless viewed by government as a way to professionalise “creative industries” (Ashton and Noonan 2013). Bringing art-school values into conversation with Gross’ experiences as the first female A&R at Mercury Records in the 1990s, and her immersion in the rave, Black music and Queer culture of that period, the MA MBM sought ways of mixing the training of music professionals with feminist and anti-racist politics, cultural economics, management, and entrepreneurship theory, and a commitment to teaching and research as pathways to social change. Yet it also encountered considerable challenges related to students’ socio-economic backgrounds, the gendering and racializing of the music production process, and its ongoing reproduction within the academy.

Within this context, we stage a critical conversation on the history, present and future of this Master’s programme, using its institutional development to explore the very idea and purpose of vocational postgraduate training in this field. The conversation is structured across three parts. First, we explore the

<sup>1</sup> Sally studied Fine Art at Middlesex Polytechnic in the late 1980s, formerly the infamously radical Hornsey College of Art. The present MA Music Business Management is housed within a School of Arts, located in the outer London region of Harrow, the spiritual heir to the Harrow School of Art—where, to take two examples of its influence on popular music, the Beatles album cover designer Peter Blake taught in the early 1960s and the punk designer Vivienne Westwood attended briefly.

challenge of running a higher education programme in Music Business Management in the UK. We detail the development of this particular course and the way in which it has been viewed by industry professionals, students, university managers, and academic critics. Within this, we try to articulate the particular value that the university brings, as a space to develop a critically reflective professional practice. Second, we look at what is involved in actually running such a programme. We detail some practical initiatives and behind-the-scenes interventions, alongside questions of classroom pedagogy. Finally, we look at future prospects and challenges of helping students navigate an insecure world of work and a rapidly changing global music economy. In all these respects, we hope to inspire debate and reflection on the practical use of the university to create critical space and enable music professionals to effect change in uncertain futures.

## PART I: WHEN, WHERE, WHY—NAVIGATING MUSIC BUSINESS EDUCATION

### *Making Critical Professionals*

TOBY There are many music industry university programmes but the MA MBM at Westminster is quite unique. It was founded in 1999, building from a BA in Commercial Music that was launched in 1993. The programme has changed since then, but there is a dual thread running through that history: two intertwined reasons it is distinctive. First, it is embedded in London's music ecosystem, particularly as what we might now call a global "music city", and respected by some of its most powerful players. Testament to this is the extent to which industry has invested in it: financially and through regular guest contributions to teaching. And it is also evident in the subsequent careers of so many alumni. Second, but equally crucial, there's a strong critical sensibility right at the programme's heart. That comes through in the student cohort, which has deliberately recruited under-represented communities and "mature" students, many with no prior experience of post-compulsory education. There's also a definite sense of purpose in the classroom, where students really are challenged to think carefully about how the industry is put together and how they locate themselves in relation to it. Bringing those two sides together is quite an achievement. Given you've been present for almost the whole life of the course, cultivating critical music professionals, it would be useful to explore how that happened and how things might have changed.

SALLY I've watched the knowledge economy around commercial popular music develop enormously during that period and the expansion in university education has matched it. This is something you've

researched and written about (Bennett 2024). The MA MBM is situated between the two and was an early entrant into the field. At its core is an aim to challenge and question what is meant by managing music. We want to create and support opportunities for students to work with music in the ways they say they want to, while enabling them, as far as we can, to understand what it actually is they want. We do this in dialogue with music industry stakeholders, but we focus on what working in music looks and feels like and social justice is embedded in our approach. This is a hyper-competitive field that continues to explode in all directions. Right from the start, the idea that a university could develop this knowledge was disputed, ignored, or laughed at by industry. The advent of MySpace and Web2.0 in the 2000s contributed to a massive explosion of “how to” advice and influencers in music entrepreneurship, from blogs to YouTube to TikTok. I saw Course Leadership as an attempt to change working conditions for (dare we call them) “music professionals”. Our central focus, in education, in industry, and in research, is always the work. The collective work it takes to organise, manage, and mobilise the musical work and the various infrastructures that support it. Students do not always think about academic staff as workers but we are also subject to these dynamics in similar ways.

TOBY On that point, I think it’s important to note that the MA MBM has a distinct identity grounded in a particular group of people and a particular ethos. The emphasis is really on a preparation for professional life, arming students with a detailed understanding of the contemporary industry and, to some extent, socialising them into it too. But it couples this to a critical commitment not just to working in but actually changing the system in some way. So it is bridging “traditional theory”, which seeks to describe and represent the world as accurately as possible, and the “critical theory” of understanding power and structural domination, to use the old Frankfurt School distinction (Horkheimer 2002). We are talking about a teaching programme delivered by many people within a Music department, in a broader School of Arts—but I think anyone who knows this MA in particular would agree that this hybrid combination is rooted in your leadership. This runs from the programme structure through to the team that you built. People have come in and out of that team over time: a real mix of those who identify not just as educators but also as researchers and as industry practitioners. It has also managed to reproduce itself: several long-running contributors were graduates of the MA itself—although few on full-time contracts. I think that is indicative of how open you and the course have been to a wide-ranging, evolving set of voices and interests—but also how it’s needed to be pieced together in an *ad hoc* way within (and often against) the institution.

SALLY Well, we are all complex people, but I've never seen the critical and the professional as being opposed. I've always been working in that part that dominates and defines what we understand the music industries to be: trying to get interesting records signed to major labels or to big deals. But I also went to art school and I had been raised in a Marxist household, so I had that critical sensibility—in the sense of wanting to uncover and push back at “the system” in some way—deep within me. Then I became part of a court case around William Orbit, Madonna, and the *Ray of Light* album in the late 1990s. So, to equip myself for that, I went to study Law at Birkbeck College (University of London) and found myself in the hotbed of Critical Legal Theory—which is about examining how legal structures shape structural inequalities. Obviously I'd never heard of this before, and had no idea it existed, but once I found it, it was suddenly very, very exciting to me. It was actually much more exciting to me on lots of levels than the work that I was doing in music. So I had this funny kind of double life, where in the day I was working in the music industry and by night I was running off to study Critical Legal Theory and trying to understand the music industry from that kind of critical, structural perspective.

Then I got to the music department in Westminster University and it seemed to be a critical theory void! What struck me was that, if people talked about being “critical” at all, they typically meant things like applying Michael Porter's “Five Forces” to improve competitive advantage (Porter 1979). Few seemed interested in changing the system at all. Some of the lecturers were also artists who had put out records, often on their own labels, so they were kind of DIY, and the amazing free improv musician Steve Beresford was there. But there were people who had worked for trade journals like *Music Week*—which is something you have to read and is an important part of how industry understands itself, but I wasn't really interested in that process of self-understanding at all, at that point. I was working in that way a manager, or an indie label does—more embedded in the production of music than a trade journalist. So that was very strange to me. I was in a different place to those people and the more I think about it now, the more I feel like it was an accident that I got that job! Responding to that has definitely been a team effort.<sup>2</sup> Thinking about people associated with the programme, they are all very

<sup>2</sup>While we centre issues of programme leadership here, we want to emphasise the profound importance of recognising the programme as a team enterprise. In that spirit, we want to acknowledge by name the contributions made by, among others, Caroline Adcock, Pete Astor, Graham Ball, Ben Bishop, Tony Crean, Sareata Ginda, Simon Goffe, Denise Humphreys, Hannah Joseph, George Musgrave, Jamie Reddington, Mykaell Riley, Christabel Stirling, Katie Thiebaud, and Julia Toppin—people who did not simply ‘pass through’ the institution but whose commitment shaped the nature and values of the tuition, mostly while on part-time or short-term contracts.

different in their backgrounds, interests, politics, and expertise. But the MA and the UK and the music industries are all in a very different place to when I started. Not least because we have much bigger classes now while few of the staff, as you say, were full-time, which isn't sustainable, especially over the last few years of compounding crises. This has contributed to staff, all of us, becoming exhausted and disenchanted—as has been the case across the UK education system. I think we need to register the industry's transformation and the organisational responses, especially from the corporate end, both to digitisation and what you have called the “critical moment” of recent times (Bennett 2018a). This has brought politics back into MA MBM—the place I entered when I arrived was very apolitical.

TOBY What was happening at the point you arrived in 2004? It had only been running a few years. How did you come to join? Who else was around and what was the cohort like?

SALLY The MA was a bit of a strange coalition. Dave Laing started it with Denise Stanley. I only knew Laing because he had written a sort of post-punk DIY “Guerilla Guide” to putting out records with Sarah Davis, who was also a part-time permanent member of the MA teaching team (Davis and Laing 2001). Stanley, who was the first Course Leader, was an ethnomusicologist and a folk musician who later went on to work with the Academy for Contemporary Music. I met her once for coffee when I was working as a trainee solicitor in a music law firm. I didn't hear from her again but then later I got invited in as a guest speaker by Rick Colbourne who was the subsequent Course Leader. He was a Canadian singer-songwriter who had come from Accenture, the global accountancy and professional services firm—he went on to do a very interesting PhD on major labels at Cambridge (Colbourne 2011). I gave a talk on breaking a non-English speaking band, drawing on my work in France advising ¡Ya Basta! Records and Gotan Project: how we used government funds and key festival bookings to cross territorial borders. The cohort was very small and mostly made up of “mature” students, some of whom worked in industry. They all had interesting backgrounds as managers and so on.

I was then approached by the Dean to do some research for them, on what the music industry thought about these courses and where they recruited from. I wrote a report that impressed them and they sort of offered me the job: first on a fixed-term basis for a year—I said that would not work so they offered me a permanent part-time position as Course Leader. Then they asked me to revalidate the course! I didn't know what that even meant. I had no Higher Education

experience, apart from a little experience of teaching photography in the 1980's—I have a longstanding relationship with photography as a discipline and also my father was a photographer and taught photographic history—but mainly I wanted to get out of the office and teaching appealed to me. I was working in Paris a lot because Gotan Project were really taking off; I had four children in secondary school—there was just a lot on and I wanted something London-based. So I guess it was something I thought I knew a lot about and I was kind of passionate about the fact that the music industry, as I knew it, needed to be thought about in a different way. This was the early-2000s and things obviously needed to change. I'd been doing a lot, I'd learned a lot about the law, and I think I saw an opportunity to get back to thinking about things that meant something to me.

### *What Does Industry Want?*

TOBY What was the report about?

SALLY The university basically wanted to know what industry professionals thought the Masters programme should be about. I just went around and talked to people—the people I had known from managing and A&R: Heads at BMG, Warners, London Records, XL, places like that across recording and publishing industries. They said they wanted the “best and the brightest” and they talked about Oxford and Cambridge, which I found surprising as I had never come across anybody from either of those universities. At the time there were several music executives that had attended University College School in Hampstead and people who had been Entertainment Officers for the Students Unions—which was seen then as a good feeding ground for young bright music men (cf. Long 2011)! They all said the same thing: they were not interested in music business education. Some of them were concerned that there weren't enough jobs already. They were very aware that lots of people want to work in music but thought a university was not the place to get the knowledge or skills needed. This had to come from just doing it. All they wanted to know was: “Are they into music? Do they like music or are they good at music? Do they know what's going on?” It is interesting now, post-2020, with so much talk of equality and diversity, how education is seen at the forefront. So, their early rejection of universities as pathways to employment looks a lot more like keeping the doors shut!

TOBY That's really interesting. About ten years later, I conducted a report for UK Music—so the impetus there was coming from the other side of the fence: from industry. I mapped, in a very loose way, the expansion of those university pathways. This responded to various government edicts to improve skills, training, and employability—the relationship between businesses and government was getting closer at that time, in creative industries and elsewhere. Government part-funded and regulated universities, they were setting up Skills Councils to support apprenticeships and vocational training, trade bodies like the Confederation of British Industry were surveying employers who said they wanted skilled graduates. So under the umbrella of the national trade body for music, I spoke with people across both industry and academia about music business education in the university which, looking at one particular data source, seemed to have exploded. Most had things to say about what such a course should provide, how you best construct one, and the challenges that it might face—but it was striking that there were still no ringing endorsements. As you found, no one was saying, “Oh yes, this is definitely something that I would look for, that I could see providing real value.” Some were just outwardly dismissive of academia as an entire enterprise—but most were just very wary, saying things to the effect of, “You know what, why would you want to narrow things down that much? That's not the point of the University. It's to open your mind up. If I'm looking for a graduate at all, then I don't want royalty accounting and Music Licensing 101. I want somebody who has interesting things to say about the world and who's able to connect complex bits of knowledge together.” They didn't want people to narrow down their options and they were worried that interesting people who didn't fit in the existing boxes, which is what they really said they valued, would get squeezed out as a result.

So things had moved on a bit from the early 2000s: there were still outright sceptics but also some that were more cautiously interested. They often painted a rosier vision of the university as a space of connection and experimentation, not just vocational training. But the other element was that neither the sceptics nor the curious seemed to grasp how the university system itself had transformed. There was a completely different student make-up—much more diverse, much more international, much more entrepreneurial—in a far more cut-throat fee regime, where “value for money” was the constant refrain. They tended to have this romanticised view from a past era, which they either endorsed or rejected. Reasonably enough, they didn't really understand what learning or working in a modern British uni-

versity looked like (or the enormous differences of prestige and resourcing commanded by different institutions: Westminster is not Oxford or Cambridge!). Nonetheless, the question they posed remains relevant: How do you write and deliver a course that produces “interesting” people? People that are knowledgeable, experienced, practical, and critical, all at the same time.

SALLY I think any course of learning that challenges people’s pre-conceptions should help to produce interesting perspectives, but I am not sure how we produce interesting people per se. However what was interesting about my conversations with industry executives about education was that they all thought it was interesting and very good that I had gone to study *law*—they were all encouraging me to become a music lawyer. So I could see this contradiction: they didn’t think much of the university as a move into the business as it was but, for a music person like them, getting qualified, professionalising, and specialising was a good move; I was going up the ladder by increasing my skills. So I thought that these two very different reactions meant there was space for me to design a course that would appeal to students wanting to create a different music industry. Remember at this point the take-up of the Internet was provoking a growing market for music business knowledge and a feeling that change was in the air. Record companies were not doing themselves any favours in terms of seizing the moment! It all made me think that maybe the course could actually do something, it could be useful, it could provide a new gateway.

### *The Challenge of Vocational Education*

SALLY Criticism came from the other direction too though. I remember Paul Gilroy, at the Bristol “Off The Page” conference, also in 2014, saying that many of these courses had become harmful to students: the “vocational” agenda was selling a false promise of employment, while “widening participation” goals put enormous pressure on criticality. I was very much in agreement with Gilroy though. I was concerned that these courses were offering unrealistic ideas about work in the music industries and it was clear there needed to be a more critical approach. My experience of the course, however, was more than the sum of these parts and, in fact, certainly it was not experienced as a place of harm. I was doing everything I could think of to create a space to challenge the whole idea of music having only economic value—and also to respect and encourage the improvement of



the conditions of the music labour force. I saw that as an essential part of my role: to improve things. Of course, the subject in itself has always been hard to define and that was really a problem with the MA: the idea of what “music business” is and the relationship between commentary and practice is a disputed thing.

TOBY Absolutely: there is a whole academic debate about what “the music industry” is, or is it “music industries”—or is there any such a thing at all (cf. Bennett, this volume)? Is it the world that the majors see? Is it simply whatever professional musicians do? Is it all the logistical, infrastructural stuff that goes down through global supply chains? Is it a convenient fiction that acts as a way of policing a professional community? It’s an “academic” debate—but in the classroom you need to have a good idea because it affects who is teaching, what’s being taught, and where graduates think they’re heading afterwards. My position was always that if you consider yourself an (aspiring) artist, in the sense of making a living from your music, and you want to build and connect with an audience in order to do so, then you’re *de facto* in “the music industry”, whether you like it or not. This kind of imagined ideal shapes and legitimates economic structures. But I have always been keen, as you know, to make students aware of what that means: all the work that has to go on in order to sustain a system around that artist–fan relationship, which allows or encourages you to imagine that future, wherever you’re placed.

SALLY The course was designed, from the outset, to produce “music professionals”, in the sense that it is preparing graduates to work. But to do that, as you say, it had to imagine a “music industry”, in which graduates might find a place, and to market it as such—so we were caught in that circular logic. Originally, it was organised into specific modules—intellectual property, publishing, record labels, marketing—which very much followed the self-understanding of major record labels, publishers, and live music agencies. But it is not straightforward and certainly we challenge this assumption all the time in the classroom itself. We have focused, for example, on working conditions in a way that I think has been different from other courses and has produced different thinking, including in our research (Gross and Musgrave 2020), which feeds back into teaching. We are challenging and questioning and critically evaluating: Who is this good for? How do we understand its impact on what we, as music subjects, are trying to do? At the same time, if you want to be part of this world, you need to know what the landscape looks and feels like.

*Reflective Practitioners*

TOBY So there's the problem of whether your subject is actually coherent at all. And then the problem of who it's speaking to and what its purpose is. And this is to be delivered by a group of people with wildly varied experiences, that may or may not agree with one another, in a rapidly changing world... And then there's the insinuation that, if it's not just a waste of time, then it might in fact be a malign influence on the world! I left a career in commercial music to retrain for one in academia so I'm somewhat invested in the latter—but I'm also aware that universities are often home to the establishment, places governed by elites and conservatives where success is largely about the capacity to conform to the rules. It depends on the institution. Still, academia does seem to be a place where different forms of thinking and doing can happen, and a different relationship with the past and future can be forged. I do value that and I never felt that was possible in the small corner of industry I occupied. Perhaps things have changed or perhaps I was in the wrong corner.

SALLY They do operate on different timescales. My memories of working in record companies in the 1990s were of always feeling under pressure, trying to have hit records. It was about trying to find the next big record, trying to make your record the *big* record, while being very aware of the competition—even if the competition is often also your friends. Then there was the “Napster moment”, the MySpace and Web 2.0 moment, which was wild: a moment of seeing an old-world shift, literally being downloaded on every screen I looked at. And it was a totally immersive experience with very little time to think about “what’s going on”, you know? In Marvin Gaye’s sense! What kind of world is this? Even though we were actually thinking about what’s going on constantly, always trying to analyse the problems in front of us: how do you get round them, how do you bring about change, how do you make people see things from your point of view? But there was very little time for the kind of reflection that we try to encourage in students. When I look back now, I can analyse it and understand it structurally. At the time, there was no time to think about it in that way.

The upshot of that period was that second chances are even harder to have. But equally, it is an exciting moment now. It is and has been a very difficult time but, in the classroom and across the music industry, it is really exciting to witness discussions I honestly never thought I would. Even so, in any given situation, what’s going on is always multiple and we have to look at who’s holding the power, or what the desire is, and what are the internal limitations. And then we have

to ask ourselves what we want from that situation, you know: what's the point of it? What does that mean for the future? It's a cycle of questioning, reflecting on what's happening, why it's happening, discussing this with the students all the time, and getting to hear what they think and understand. And then working out ways to communicate that. Learning how to do this—to become reflective practitioners (Schön 1983)—is one of the most valuable things students can take forward into work. That's what I've tried to do with the institutional tools at my disposal.

So we still need the space to reflect. I think the university should always be, as much as possible, a safe space: a place for debate and discussion, a place to make mistakes. The industry is not that. It is never safe, it never has been, and the level of competition is such that all mistakes count. That experience of hyper-competition is very difficult to communicate in a classroom. These days I have so many alumni tell me that they are surprised at the level of competition and the atmosphere at work, the constant feeling of being judged. Students are also being judged, in the classroom and in their assessments, but it is different—it feels different. So these are two opposing positions: different kinds of space and different kinds of judgment. As a teacher I am always trying to get my students to stop focusing on grades, but it is hard!

TOBY How did you respond to all those debates and criticisms when developing the programme?

SALLY It was very important to me that the course was part of the Music Department, developing business awareness within a creative environment, rather than in the Business School. But I did not know at the outset how difficult it was going to be to hold this together in that setting—and in the end the industry people were more open to the course than I think the academy was! Actually, all my colleagues and contacts in Paris thought the idea of the course was great! They were very impressed when I started running it—which really highlighted the cultural difference between France's respect for intellectual activity and the British suspicion of it. But, coming from a commercial and self-employed world, another shock, very naively, was that I couldn't just bring in anyone I liked to work with me! I could develop the course and bring in visiting lecturers, but this took time and I had to work with the existing structures, which was a challenge.

## PART II: HOW TO DO IT—MANAGING AND TEACHING

*Organisational Mechanisms*

TOBY We've started to get into the kinds of behind-the-scenes manoeuvres that are really at the heart of it all. I think we share a desire to find some kind of middle path, or rather to break down the awful caricature that one is either "inside and doing" or "outside and thinking" (or criticising). Both are sides engaged in what one of the MA MBM modules terms "Music Industry Structures". So maybe there's something else, somehow in-between, that's worth trying to create and protect. But actually, making that happen is a different matter. This is about being an "effective academic executive"—a phrase that Mel Gregg (2015) coins, riffing on the title of a book by the management guru Peter Drucker (1966). She is inspired by Graeme Turner, the Australian cultural studies scholar, who managed to produce an institutional space at the University of Queensland that allowed students and especially junior staff members to develop in interesting ways and to produce critically minded work. I am increasingly interested in this kind of administrative and managerial work. I also often think back to one of my interviewees, who talked up the often-overlooked quality of "just getting shit done".

Both that interviewee and Drucker were primarily referring to commercial organisations but we, along with Gregg and Turner, are in universities. These are institutions that have long faced pressures to become more agile and business-like but, because these changes have been forced through by funding requirements and the need to monitor outcomes and prove "value for money", as a result they remain very bureaucratic. Now, I am not anti-bureaucratic as such but this is another reason why universities are slow machines. This brings some benefits: they are supposed to be public-oriented organisations, running on a long-term, cross-generational timescale—which actually should be protected from the prevailing winds of short-term trends. But it also comes with challenges: it is difficult to respond to changes and, as you said, commercial sensibilities don't work so well. So I'm interested in the organisational mechanisms that you've drawn on. What's enabled you to sustain enough space to make a critical intervention, so that something interesting and different can emerge? How do you forget that middle path; or what strategies do you use to overcome the division? Especially in recent years when, as you also said, politics is back on the table.

SALLY I follow Marvin again: I think you create that path by questioning “what’s going on”—in the classroom and in any decision-making role. I did do a couple of very strategic things in terms of student recruitment. First, I employed a system of Accreditation of Prior Learning (APL) so that I could encourage people from industry to join the course and receive credits for what they already know—this was about recognising practitioner expertise. Then I tried to reduce the costs for UK students by doing deals with music companies. If they paid for one staff member to follow the course, they would get another for free: two for one! I also got industry to give money for scholarships—such as V2 Scholarships from Richard Branson to mark the label’s tenth anniversary. My work with Gotan Project actually helped recruit overseas students, from France and around Europe and South America: all the places where they were big. This all worked well, and I got really good students from industry, several of whom then became part of the teaching team, as you said. We also had Faculty Music—an in-house music agency which was great for students to develop experience and industry relationships. It was eventually shutdown in 2016 as it didn’t produce enough income. In terms of “critical interventions”, one was Let’s Change The Record (Gross 2017). I set this up in response to #MeToo to challenge the gender divide in music technology and studio production, inspired by Occupy in the late 2000s and feminist events in the 1970s. We staged a week of women-only events, ending in a 48-hour takeover of the big recording studio where the music department is situated, in Westminster’s Harrow campus. It was really inspiring for everybody involved and motivated me to do more direct action and to understand that this was also knowledge production. Another was the Richard Antwi Scholarship. This was very different: unplanned and prompted by tragic circumstances: the death of a friend and widely loved music manager. Originally a group of friends of Richard Antwi, including Matt Ross, Paul Heard, and me, got together in 2017 wanting to honour Richard’s name and his spirit. He was always very generous and willing to help. So we came up with the idea of a scholarship to support aspiring music industry professionals from Black and Minority Ethnic communities in music: a full fee waiver, some living costs and industry mentorship and placements. Ross and Heard went directly to industry to raise money, while I approached the university. This was not at all as easy as I thought it would be, as a scholarship to support Black and Asian students had never existed at the university before. However, the very positive media attention around the scholarship really helped to build confidence within the institution. It also increased applications from Black home students, who, in turn, brought vital current music knowledge into the classroom. It really encouraged the discussion of race and

racism in the music industry, which was a huge boost to the dynamics and critical content of the course. It took a lot of persuading and work on my behalf but much has now changed. We have now had six Richard Antwi scholars graduate, all doing amazing work in music, networked with each other, and all critical of the industry with an activist mindset, the women in particular. It's really phenomenal.

*Passion for Music in the Classroom*

TOBY Do you see any tensions between the course's critical and professional aspirations among students more broadly? How do you navigate the relationship between the university space and the industry space within the classroom?

SALLY There is always tension! My main point when teaching is really to help students understand what they want and why they want it—and to recognise that sometimes it is also okay to change your mind. I also want my students to enjoy studying and I want them to come away with a sense of the history and politics of the music industry and how that has shaped their worlds and their desire. I want them to understand something of that. You do that by tapping into what matters to them. Music has been central to my personal and professional life. It has connected me to communities and taken me places I never dreamed I would go—but whenever I got there, I knew what that connection had been. It helped me make sense retrospectively. So I think that in my teaching I want students to be able to identify what music means for them, so that they can let it take them places. It's certainly something our students will have to demonstrate: the language and codes they will need to fluently display in order to get through the door. This can also be problematic, and they need to have some distance from their passions too, to be able to reflect on them. You have written about the “passion for music” as an “essential” demand from industry but you also pointed to the problems inherent in this demand (Bennett 2018b). Do you think it's important for students to learn how to communicate their passions?

TOBY Of course! Asking about someone's passion for music can be a genuine inquiry into what makes someone tick, in the spirit of sparking a conversation that hopefully leads to a connection. What moves you and why? How did that come about? What's going on there then? What can you teach me or help me understand? But it can be something of a trap because it's also, as you say, a hidden test: What do you know about which market? Do you know the right codes? Can you inspire me? What will you sacrifice to work here? Ultimately, do you belong? The question comes from an important place. At the

same time, it's not the only way of accounting for why music matters to us—to students. Being “passionate” is often associated with fandom, even fanaticism: people with boundless enthusiasm, intention, and agency. In strategic marketing frameworks, it's the world of so-called “actives” who supposedly “lean forward” and get involved because they are always curious for more—and therefore have a high willingness-to-pay. It's opposed to lean-backward “passives”, who are simply content to press play and value low-cost convenience (or so it is said). Or sometimes it's a quality in a recruitment ad or person specification, where passion appears as some sort of inherent natural quality: job applicants either have it or they don't. Students then get the impression that they either perform in the right way or they don't. But this emphasis on drive and restlessness ignores how we encounter and relate to music, and express ourselves, in so many fascinating ways that are constantly shifting. Whether or not people recognise your engagement as a kind of “passion” can depend on all sorts of assumptions that are gendered and racialised and otherwise coded according to implicit cultural norms.

So I completely agree with you that submitting to passions is part of what makes them interesting because they can take us places we didn't know we wanted to go—but that in retrospect are the only way in which we can make sense of how we got there and why. And I agree also that it is a challenge to communicate that passion effectively. Passion is not always something we understand or can control, or even want to. What does “passion for music” even mean? Which music, when, how, why? Everyone has passions but they're complex and they emerge out of encounters with other people. They fade too—and that's OK! Others emerge and displace them and then they resurface at unexpected moments. And this dynamic play of passions, desires, exhaustion, and surprise is also “the market” in action—which simplistic consumer segmentations, active/passive, and so on, can't get at. People are trying all the time, building on all the behavioural data captured through clicks and swipes and the smart devices that attend to our gestures, routines, and tones of voice. But it's very hard to capture all the complex, everyday dynamics through which our passions flow within the prescriptive marketing frameworks that capture so much of our students' attention. Something similar goes for the marketing language of Millennials, Gen Z, and so on—which is a way in to understanding experiences of social and historical change, but a very limited one.

We can think carefully about all this in the classroom though. It comes up every time a student brings out their CV or resumé or talks about their career aspirations. Why are they taking a music business postgraduate qualification when their only work experience to date is in entry-level retail or in local government bureaucracy? That doesn't

obviously make sense—but it’s our job to help them make it make sense. Students are not always aware of the fact that you can combine the basic office experience and technical skills you may have picked up in a different context with your musical loves—and indeed other aspects of what makes you interesting as a person. If we talk about passion at all in the classroom then it’s maybe more helpful to ask, “what makes you passionate right now?”: to try and find out in what contexts someone’s passions are flared, in relation to what, what does that look and feel like, should we surrender to them, what do they make us do, where will they take us? That’s the basis for the most interesting and important questions that come up when teaching—even, or *especially*, in the most “vocational” programmes.

SALLY I agree and this is where critical perspectives are so important to enable that distancing and understanding. But we are also balancing this with many students’ desires to “Just Do It”, as my industry friends said back in the 2000s. They refer to their “passion for music” as a way for them to display their knowledge and identities against what they see as a bland and suffocating mainstream. So we have students from LGBTQ+ communities, who love metal or techno, for whom the “mainstream” is not at all something they want to be part of. They want more recognition for their field or in their home country. We must always remember that the mainstream is not fixed either and it is a much more slippery concept in the digital age. All of this is a way of articulating an identity or a community and in this sense, it is strategically exclusionary: not everyone can come in, or even understand. This can be problematic and limiting too. Sometimes they might be reflecting the mainstream back, or even crossing over that fuzzy border between libertarianism and a more right-wing individualist position, which can be hard for them to recognise. But this tension is the crux of what makes music interesting. They tend to ignore all the warnings, or rather they resist critical perspectives that they often see as irrelevant and a waste of their time. They don’t want a reading list, they want “top tips”! They’re swimming in non-stop information—as we all are—and they want us to give them a how-to guide that cuts through the complexity. And then I spend all my time adding more complexity. It’s very frustrating for them!

### *How-To Guides and Reading Lists*

TOBY I get that. But “just do what?” is what I want to ask them. Being passionate and being able to critically reflect are not necessarily opposed to one another; they feed each other. Music creates an imaginative space for private troubles to connect to public issues, as the old sociological dictum had it (Mills 1959). I think this is the



point I want students to take home about this term “critical”. It is not simply about reading “critical theory”, even if that can be a good navigation aid for those that way inclined. And, equally, it’s not simply about being negative and complaining, even if that’s where it often starts. Complaining can be productive! It leads to conversations and opens up inquiries. Although Sara Ahmed and other intersectional feminist killjoys might have something to say about whose criticisms get recognised as valid “critique” and whose get registered only as “complaint”, particularly within the university (Ahmed 2021), but also in other work contexts—which is something, again, to explore. But being critical is instead about insisting on action with purpose: Why are we doing this? Who benefits? Passion for what? What’s it all about? I try to show them how that’s also what industry actors are trying to work out, even if they have different goals: to get a job; understand audiences; sign a deal, whatever. But I want students to see theories as provisional concepts and explanatory frameworks that can be useful to them. They are not getting an instruction manual—but it’s not so far removed from that kind of thinking.

What I’ve found interesting in my research is that the curriculum is not just made by lecturers: industry actors do it too. And not just the usual “thought leader” quasi-intellectuals either. Everyday conversations around the office or online are filled with recommendations and reading lists. And so I’m interested not just in what people are reading but how they make recommendations, for what purposes, and how they use them. Some of these are “how-to guides” and “how-it-works” industry explainers—but actually they are looking for “tips”, or useful concepts and narratives, all over the place. They read widely across disciplines, genres, and subject matters, not just on matters of music and business. They learn a lot from biographies, histories, and works of fiction—novels and films—and of course music itself. One of the MA MBM assessments involves making a playlist, for instance, which requires skills in curation: selecting, sorting, interpreting—and then discussion or argument. So this is a tool for thinking carefully, sharing knowledge, and generating critical reflection. But the “answers” are not necessarily in the music itself, just as they’re not in any of the course readings. They’re in how you interpret and make use of the ideas they contain—how you share them, argue over them, try and apply them, and so on.

But this comes with the caveat that not all “information” is created or treated equally. This isn’t always intuitive. We’re constantly battling against context collapse: we now encounter an academic article, a newspaper article, a blogpost, and a friend’s message through the

same screen; they all appear in similar ways. So the context of how information is made, by and for whom, is not obvious. Nor is the fact that it's used and valued in different ways—sometimes for explanation, sometimes for “competitive advantage”, sometimes for professional sense-making and community-building, sometimes as a kind of intellectual status game, just showing off. Students need to keep up to date by reading the trade press and following the relevant online analysts and influencers—but they should also be aware of where ideas and practices came from and why this in itself might be open to debate. Why are so many business analysts white men, for example? Does that matter? How? Who are they writing for? I think any industry-facing programme needs to grapple with this kind of critical literacy—which also includes numerical literacy. So it's patronising to speak of “vocational” education, as some university administrators and politicians do, as if it were somehow less “academic” or “theoretical”.

I want students to approach their careers in an inquisitive mode, driven by their curiosity to recognise the contradictions and follow the traces: always asking “where does that come from?” Keeping that together with those other basic elements and skills: learning the cultural codes of A&R, knowing how to read a contract, profit and loss (P&L) or royalty statement, understanding how to assemble the right team, navigating IP and metadata frameworks, being able to put together a social media strategy, keeping up to date with Web 3.0 and artificial intelligence (or whatever people are talking about this week). I always felt the MBM course does that very well. That's also why I think their final research projects are important—which they don't always immediately get. It gives them space to begin from a hunch or a complaint and turn it into something more systematic. Some of them end up really embracing that.

### PART III: WHAT NEXT—FUTURE DIRECTIONS

#### *Good Work?*

SALLY Sure. But often the “entry level” paths into work that many students go through are not highly analytical or key decision-making roles; they're simply admin. They aren't typically aware of this when they join but they become more so as they progress. You've been keen to stress that major labels and collective management organisations and all the evolving music infrastructures need administrative staff. I wonder how to best help them navigate this? Which also takes us back to the point made by Gilroy and that I worry about: maybe this is not “good work”? Just as for musicians, or even “music profes-

sionals”, it seems careers are short—and now, apparently, further threatened by AI: the new disruptor. I’m not sure if we should be advertising or making these positions more appealing to students as a career path.

TOBY Admin is definitely not the most romantic end. Is it good work? I tend to think that, if you’re willing to engage with it critically and thoughtfully, organisational admin provides a good overview of how any industry is put together: you are working in the middle of things and you see a completely different picture to an artist manager or a trade journalist for instance. And you will typically find yourself working alongside people with very similar sensibilities and ambitions. In addition, AI aside, they are typically slightly more secure jobs (certainly more than managing an act) that provide a solid foundation to move into some of the growing and more complex (if still unglamorous) areas of the business. So they offer a good training and are a good place to work out where to go next. And then the more ethical question: should we encourage them to follow these career paths? Well, on a basic level, yes. There are some students who would be very good at this, who would excel and go far within this environment, but do not yet know it. As educators we have a duty to help such students move in a direction that enables them to flourish, whatever that looks like. I think simply revealing that this work exists—that it makes up a large and significant part of music as an industry, that many of them are likely to find employment opportunities there, and therefore what that involves—is a big part of it. Will these jobs continue to exist in future though? Will they be automated away? A huge amount rests on the protection of the IP used in AI training datasets which, depressingly, the major rights-owners are well aware of (here they have learned from the period covered in my book!). And so they are licensing and lobbying: signing strategic partnerships with “responsible AI” companies and arguing against copyright exemptions for innovators (cf. DCMS 2023; Stassen 2023). But this is not the same as destroying jobs. Work will certainly evolve and mutate and require new skills. New gradations and distinctions in aesthetic “quality” will emerge, and new ways of signalling “authenticity” and “novelty”, depending on the amount of human involvement and in the nature of the training. New roles will emerge. The monitoring of rights usage, both online and in live performance contexts, is already automated and it’s hardly perfect. So audio identification technologies like ContentID and SoundMouse will come into their own, alongside the Collective Management Organisations, whose payouts may become more efficient but will still be problematic—and so on. Typically, all this requires apparently

“low value” (but still crucial) work further down the value chain: humans performing monotonous checking, moderating, and algorithmic training exercises. Users don’t usually see this work because it happens behind the scenes or elsewhere in the world (e.g. Kenyan content moderators psychologically traumatised by the material they are viewing to train AI models, to take a particularly dystopian recent example cf. Rowe 2023). In this respect, the routine administrative tasks will continue and educators would do well to monitor this. But the nature and quality of the work, performed where and by whom, is the question. It’s always the question! So I would also say that we should do this with care and continue to encourage these students to develop critical perspectives on their futures.

### *Resources of Hope*

TOBY On that question of the future—the goal is not to make despair convincing but to make hope practical, as Raymond Williams (1989) put it. I think alternative systems need to be built and I don’t think it is our job to simply service and reproduce the existing industry structures. It’s to produce people who can help build alternative futures. Ultimately, I get less excited by equipping the next generation of artist-entrepreneurs than by some of those people who go through the university, who are curious and critically incredibly astute, but who also have deep industry knowledge and technical literacy. That’s what gives me most hope for the education system. What about you? UK academia is not in a happy place right now. At best, it’s become very difficult to be “effective” in that critical-managerial sense; at worst, you are simply managing a near-terminal decline (though again this depends on where you’re standing). I’m not sure this is well understood by the wider public, or potential MA MBM students, and I’m more worried that AI will exacerbate these misunderstandings. How do you respond to the current conjuncture? What do you want for students and for industry? Where do you find hope?

SALLY We are still in that critical moment: #MeToo, the pandemic, and the #BlackLivesMatter uprisings of 2020 have had a huge impact on everyone, of course, and ongoing geopolitical conflicts are more visible in everyday life. This has all had material effects on the music space, certainly in London, that have impacted the MA staff and students, in very clear ways. Some of these things have been good to see, others have been very depressing. Brexit in particular has had

far-reaching implications across music and HE. Specifically for the MA it has meant a change in the cohort: there has been a huge drop in the number of applicants from mainland Europe. European universities are developing their own courses while the UK is seen as hostile and London very expensive. But we now have a large cohort of students mostly on student visas—meaning there are limitations on their right to work in the country. Added to the existing issues around normative music industry cultures in London, it is much harder to help students find placements, let alone proper work! Additionally, the most difficult students to recruit at postgraduate level were always home students, regardless of category, and there you have the music industries' own initiatives to increase equality of access and diversity: actively recruiting from Black British communities, for example. With the marketing weight of major organisations behind them, they're successfully attracting aspiring music industry professionals. All very much needed but, in terms of the MA, it impacts the numbers of applicants from this pool. In the 2022–2023 year we added the cost-of-living crisis, plus the dire situation at UK universities that has prompted the biggest strike action on record—things have been extraordinarily difficult.

I want to see music makers and music folk thriving but I know that will not be possible under the present conditions of the music economy. The “system”, if we can call it that, is already so different that the old rules—which were never that great in the first place—are simply no longer fit for purpose. Pop has eaten itself. There is progress in some ways but it's not equally distributed. It is complex and the major music companies are doing fine right now. But artists and musicians and lots of the support workers that are entangled with, and depend on, the music production supply chain—especially those trying to make a living—are not. Beyond the industry I also want a world transformed: music will always be with us. I want to enjoy my work and to do as little harm as possible.

Students are certainly more aware of the ethical questions these days. It is certainly less difficult to talk about things like anti-capitalism or feminism—not always the case when I first started teaching. But many of the symbolic moments that provide meaning and feed our imagination in the Global North or Western Europe have a different meaning for the students from India or East Asia, for example, which has been harder for us to navigate. I think the history of the MA MBM has reflected the domestic industry and resisted any idea of the UK not being at the centre: countering American dominance and viewing the Global South only in terms of “emerging markets”. That's still the case, I think, but it must change.

We have many international students coming from countries that have experienced the fragility of democratic politics, the ravages of

colonialisation and brutal military regimes. These students bring their knowledges and experiences into the classroom, and their perspectives increasingly shape our conversations. How the course shapes them—I think that is impossible to know just yet. We have many alumni that are doing really well working at the top end of the global music industries and therefore we assume they have successfully adopted or adapted to the professional codes needed to succeed within these companies. Equally some of our graduates are working as activists, attempting to bring about change through music in the UK and abroad—and that is great to see. Overall, students are displaying a far greater interest in music as something that can change ideas and lives, rather than just a source of income. That gives me hope.

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## How Working Musicians (Finally) Became a Matter of Mainstream Political Interest

*David Hesmondhalgh and Hyojung Sun*

### HOW WORKING MUSICIANS (FINALLY) BECAME A MATTER OF MAINSTREAM POLITICAL INTEREST

The pay and working conditions of musicians have, until recently, very rarely been an issue of explicit public concern. Political interest has been even more scarce. Such apathy may well have been one of the peculiar legacies of nineteenth-century romantic thought: a prevalent view, often internalised by cultural workers themselves, that poor remuneration and working conditions are almost inevitable, except for a lucky few (Ross 2000). Such post-romantic views lasted into and beyond the age of modernism and, in music, well into the rock era (Klein 2020). They may be eroding as the insecure working conditions of musicians have come to seem exemplary of a more widespread labour precariousness of labour in twenty-first century contexts of neo-liberalism and austerity.

Our chapter recounts how in the UK growing awareness of—and solidarity with—the working conditions of musicians has recently fed an unprecedented degree of political scrutiny of the music industries. We explain the process by which a UK parliamentary inquiry into *The Economics of Music Streaming* was

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launched in 2020 by the Committee overseeing the national government's Department of Digital, Culture, Media and Sport (DCMS) (hereafter, "the DCMS Inquiry") leading to a substantial report ("the DCMS Report") that was surprisingly critical of the music industries. The earnings and well-being of musicians in the age of streaming were central concerns and this political scrutiny became the object of significant media coverage and public debate, internationally as well as in the UK. In addition, a substantial body of research on these and related topics was commissioned by UK government agencies, both before the launch of the DCMS Inquiry and as part of the UK government's mandatory response to it. Box 35.1 provides a brief timeline of these events.

**Box 35.1 Timeline of Key Political Developments Concerning Remuneration of Musicians in the UK**

- May 2015: Launch of the Fair Internet for Performers Campaign
- June 2019: The European Union's revised Copyright Directive comes into force
- October 2019: UK Intellectual Property Office (IPO) commissions research on *Music Creators' Earnings in the Digital Era*
- March 2020: COVID-19 pandemic lockdowns across much of world eliminates most earnings from live musical performance
- April 2020: "Fix Streaming campaign" launched by pro-creator groups; "Broken Record" Campaign launched by musician Tom Gray
- October 2020: Launch of DCMS parliamentary Inquiry into *The Economics of Music Streaming*
- June–July 2021: Sony Music announces that unrecovered advances performers signed to them before 2000 will be "disregarded" (i.e. that these advances will no longer be deducted from royalties); Warner and Universal adopt similar measures the following year
- July 2021: Final DCMS Committee report on *Economics of Music Streaming* published
- September 2021: Government response to DCMS Committee Report
- October 2021: Publication of report on *Music Creators' Earnings in the Digital Era* (Hesmondhalgh et al. 2021) and formation of working groups on transparency, metadata and "performer equitable remuneration"
- November 2021: Kevin Brennan MP's Private Members' Bill published (this fell in December 2021)
- July 2022: Competition regulator CMA's interim market study of music streaming published, including a decision not to conduct a fuller investigation (CMA 2022a).

(continued)

**Box 35.1 (continued)**

- November 2022: CMA publishes final report on music streaming (CMA 2022b)
- November 2022: Follow-up DCMS Committee hearing on music streaming
- January 2023: Publication of DCMS Committee’s follow-up report (DCMS 2023)
- February 2023: Publication of UK government research on “the impact of music recommendation on the UK music industry” (CDEI 2023) and of a report on contract adjustment and rights reversion (Osborne and Sun 2023)
- May 2023: Publication of industry agreement on metadata; formation of industry working group on artist remuneration
- December 2023: Further DCMS Committee session on “creator remuneration” in music
- February 2024: Publication of UK government research on the potential economic impact of performer equitable remuneration on performers and the music market in the UK; government rules out application of “broadcast model” to on-demand streaming (UK IPO 2024)

As two academics who produced some of the government-commissioned research informing this political scrutiny, we think the politics of these developments are worth analysing, for at least three reasons. First of all, the events we recount illuminate the political forces aligned on different sides of struggles over cultural labour justice. In short, as we shall see, corporate owners of copyright and related rights and digital platforms often play a fundamental role on one side, with less well-resourced “creator” organisations and activist groups on the other. The media and social media have also played important parts. Second, the research commissioned as part of the developments summarised here has produced interesting findings, which we believe will be of interest and value to those researching the music industries and other cultural industries internationally; we outline the main research in what follows. Third, these events represent a fascinating case study of the increasing prominence of questions of cultural labour (and musical labour) justice in public debate.

As we write, in early 2024, there has been little change in UK law and copyright practice as a result of the developments we outline. However, the Music Streaming Inquiry brought under public scrutiny a number of crucial issues regarding the condition of musicians to a degree that is as far as we know unprecedented in any other country. Ensuring that it took place at all was itself a remarkable achievement by a group of organisations representing the interests of musicians.

The account and analysis mainly cover political and industry developments surrounding musicians and copyright in the UK, from roughly 2010 to the end of 2023. This includes our own reflections as researchers commissioned by government to investigate music creators' earnings, recommendation algorithms and other areas of potential reform such as contract adjustment, "rights reversion" and the possible adoption of a rather obscure copyright measure known as "performer equitable remuneration" (ER). All these terms are explained below.

In terms of academic research and debate, the chapter contributes not only to studies of the music industries in the digital era, but also to the much narrower body of work on public policy in relation to the music industries (Bennett et al. 1993). That research tradition is small partly because public policy has shown very little interest in the music industries, compared with other cultural industries such as television, film and museums. Such research has tended to address three domains: the crucial industry battleground of copyright; contestations over national or local subsidy for musical activity that is deemed to be unsustainable without public support, from orchestras to small venues to support of domestic versus international repertoire; and occasional scrutiny of industry trends over whether they "distort" market competition. Only very rarely has the ability or otherwise of musicians to achieve sustainable livelihoods from music (Arditi 2020; Taylor 2023) featured explicitly and in a sustained way in any of these areas. It is intriguing that this is now beginning to change. But how meaningful is public policy engagement with these matters? The recent developments in the UK we analyse here may serve as a test case.

UK public policy attention to musicians' earnings had its origins in controversies surrounding the new technology of streaming, but as we shall see, during the events recounted in this chapter, the battleground shifted to copyright and contract. It might be tempting to interpret this shift as a demonstration of platform power, a successful lobbying effort by the information technology (IT) industries that own and operate the streaming platforms to divert public attention away from themselves. This would be a mistake. We want to argue instead that the shift was in fact a largely appropriate and welcome move, and a significant short-term achievement by organisations representing the interests of creators. However, we also argue that in the longer term it looks likely to be only a provisional and limited success, because of entrenched features of the cultural industries, and the distinctive complexity and opacity of music and copyright.<sup>1</sup>

<sup>1</sup> We are grateful to Graham Davies (Ivors Academy), David Martin (Featured Artists Coalition), Naomi Pohl (UK Musicians Union) and John Smith (International Federation of Musicians) for background and context, and our report co-authors Kenny Barr and Richard Osborne for their comments on a draft. We would also like to thank Nick Yule (AEPO-ARTIS), Daniel Johansson (Inland Norway University) and Martina Andersson (SAMI) for their input. Thanks too to all members of the Steering Group of the *Music Creators' Earnings in the Digital Era* research project discussed in this chapter.

## FROM RECORDING INDUSTRY CRISIS TO POLITICAL CONTROVERSY

Readers of this handbook are likely to be familiar with the crisis that afflicted the recording industry in the wake of digitalisation in the early twenty-first century (Marshall 2012; Sun 2018). By 2015, the increasing success of music streaming platforms (MSPs) such as Spotify (launched in 2006) had begun to stabilise how music was consumed, bringing about a significant recovery in revenues from rights-holders. The recording industry increasingly came to be centred on MSPs from that time onwards. Apple and Google bought up streaming services in 2014 and launched their own MSPs in 2015; Amazon followed in 2016. Since the early days of music streaming, there had been complaints that it was bad for musicians (Hesmondhalgh 2020), as well as for music itself (Hesmondhalgh 2021). Media coverage of criticisms of streaming services by prominent artists such as Thom Yorke and Taylor Swift helped to spread the debate (Aguilar 2018) and criticisms grew with the entry of Big Tech—though much of the critique was directed at the leading service, Spotify. Critics claimed that the new system centred on streaming paid musicians less well than under the old system centred on the sale of CDs, cassettes and vinyl records—and many fans agreed. Comparisons were made between the amount that musicians would make from the price of a CD and the amount of money that would be paid to a musician on the basis of a single stream (the “per-stream rate”). But these comparisons are frequently misleading, because MSPs do not pay musicians directly, they pay rights-holders or digital distributors who then distribute royalties to the musicians contracted to them. In both the new and the old system, the most crucial factor in determining musician payment is the contractual deals between musicians and rights-holders—including royalty rates and other terms, such as when and under what circumstances rights might “revert” to creators. Nevertheless, per-stream rates became a major element of public concern about streaming. And perhaps the most fundamental issue is how many musicians can make a sustainable living from music, including recorded music, and how this compares with the old, pre-digital system (Hesmondhalgh 2020).

Another prominent issue in public debate concerned the method that MSPs use to divide revenues up between the owners of the music that is “licensed” to them. The main system used from the inception of streaming to the present (early 2024) is often called “pro-rata”. Revenue is distributed to rights-owners on the basis of each recording or composition’s share of total streams within any period. The owners of the rights to a track that attains one millionth of the streams in a certain period on an MSP such as Spotify will get one millionth of the revenue that the MSP will pay out for that period. Some creators and their representatives hoped that replacing this system with a “user-centric” one would benefit musicians. Under this system, the segment of individual users’ payments to MSPs that are paid to rights-holders are distributed on the basis of the share achieved by recordings or compositions of any user’s streams

within a period. So if someone pays ten euros or dollars in a month, and one hundredth of their streams are of Aretha Franklin's version of "I Say A Little Prayer", then one hundredth of the seven or so euros or dollars paid out by Spotify after they take their roughly 33% cut would go to the rights holders for that track and song. For some time, there was vigorous contestation over the feasibility and effectiveness of "pro-rata" versus "user-centric" payment systems but evidence seems inconclusive (Pedersen 2018) and the debate has receded somewhat in recent years. As with discussion of low "per-stream rates", it may be that this issue served to distract publics from the more fundamental issues concerning contracts between musicians and rights-owning companies. As we shall see, it has hardly featured in the policy debates of recent times.

Organisations representing music creators had been seeking to build on public concerns about the new system centred on streaming for some time. Recent discussions about music creators' earnings can be traced back to debates concerning the Digital Single Market that began in 2015 and in particular the process of revising the 2001 EU Copyright Directive for the platform era. A campaign, Fair Internet for Performers, was launched by various organisations representing performers to demand better remuneration, via the introduction of a new measure regulating on-demand use of recordings on MSPs (Aguilar 2018). Organisations representing performers in Europe, including the International Federation of Musicians, proposed an amendment to legislation that would apply "performer equitable remuneration" (performer ER) to streaming.

This provision requires explanation to anyone who is not something of an expert in music and copyright. In this context, performer ER refers to the principle that performers should be paid, usually via a collective licensing system and at a standardised rate, rather than the revenue being collected by a rights-owner (e.g. a record label), which then pays royalties at a rate set by a negotiated contract. In those national copyright systems where it exists, performer ER has mainly been applied to public performance and broadcasting. The case of radio can serve as an example. Rights-owners are in many countries compelled by law to license recordings to be broadcast. Radio organisations pay a fee for the recordings they play, revenues are collected by a collecting society (in the UK, it is an organisation called Phonographic Performance Limited, PPL) and then after a commission is taken, they are split (by convention rather than law) 50-50 between rights owners (usually labels) and performers. In the UK, the 50% for performers is then further divided: two thirds for "featured" performers, and a third for session musicians.<sup>2</sup>

<sup>2</sup> In the USA, radio stations do not pay for the use of sound recordings—a result of their once-formidable lobbying power. Nor are there really related or neighbouring rights of the kind that elsewhere are called "performing rights", partly because US copyright law awards rights in sound recordings to "creators" rather than to "producers" (usually rights-owning labels and publishers). Such "producers" instead assert ownership of rights in sound recordings via contracts that see such recordings as "works made for hire". However, a version of performer ER does apply to the subscription "digital radio" (e.g. Pandora) that has been unusually prominent in the USA. Many thanks to Richard Osborne for helpful clarification regarding these issues; any remaining errors are our responsibility.

By contrast, revenues from the streaming of recordings (rather than their underlying compositions) have been collected by record labels, rather than collecting societies, and are divided on the basis of contract rather than a centrally determined rate. Featured performers typically receive a percentage of label streaming revenue, but non-featured performers (session musicians) are not entitled to contractual royalties and therefore receive no ongoing remuneration from streaming. Royalty rates for featured performers were pretty much never 50-50, and were often in single figures once deductions were taken into account. So featured performers stood to gain if performer ER could be applied to streaming, at least if the standardised rate were to be set higher than prevailing royalty rates. Non-featured performers stood to gain even more significantly, because they currently receive no remuneration from streaming. Importantly, performer ER would usually mean that the right to gain revenue in this way would not be waivable as part of contracts between performers and rights-holding companies. This would be an advantage for performers because they usually have limited bargaining power in contract negotiations with such rights-owners.

One reason why pro-creator lobbyists argued in Europe and in the Inquiry that performer ER should be applied to streaming is that royalties from radio are dwindling and streams are more like radio than they are like sales, in that the recording that a user experiences is not purchased and owned by them. In the build-up to the passing of the European Union's revised Copyright Directive in 2019, there were campaigns for new legal provisions for music creators in the streaming age, and some of these provisions appeared in the revision, including measures addressing transparency of contractual terms, contractual adjustments and rights reversion (measures to allow performers and songwriters to regain under certain circumstances rights they had previously assigned to rights-holders). But in spite of efforts by campaigners, the Directive did not extend performer ER to streaming; instead there was merely a rather vague reference to "appropriate and proportionate remuneration" for performers. This has meant that as each of the 27 EU member states have passed the 2019 Copyright Directive into law, there have been various degrees of implementation of performer ER. As we shall see, these developments were to have a significant but under-acknowledged influence on events in the UK, which left the European Union in 2020 and so is not subject to the Copyright Directive.

When the COVID-19 pandemic hit the world in early 2020, removing earnings from live performance and making teaching work far more challenging, a UK campaign called #Fix Streaming was launched by an alliance of the Musicians Union and the Ivors Academy (representing UK songwriters). Shortly afterwards, a musician called Tom Gray, of the rock band Gomez, started a Twitter hashtag #BrokenRecord, arguing that "streaming always

cannibalised culture and gave all of the income to a very small amount of the market” and that the loss of live income made the issue even more urgent (quoted in Dredge 2020). There were particularly strong concerns from songwriters, who felt they were under-rewarded compared with performers. A reason given by some was that the majors owned both recording and publishing interests and because they gained a greater share of recording rights than publishing rights (i.e. they paid songwriters a far higher royalty rate than they did performers), this led the majors to negotiate lower payments from streaming services for publishing than they did for recording (see Osborne 2023 for discussion of such claims).

The campaigns occasioned widespread media and social media interest. Rights-owners and their representatives claimed in response that any reforms (such as the extension of performer ER to streaming) that distributed a greater share of streaming revenue to musicians would harm their ability to invest in artist development (“A&R”) and marketing. Meanwhile, the Featured Artists Coalition (representing featured performers) and the Music Managers Forum (representing artist managers) were campaigning on issues such as minimum session rates, unrecouped artist balances and data transparency. These organisations had joined with the Musicians Union and Ivors Academy to form a Coalition of Music Makers umbrella group in 2019.

In most democracies, parliamentary deliberation takes place in committees rather than in the main houses. In the UK’s “lower” but more powerful chamber, the House of Commons, “Select Committees” of Members of Parliament (MPs) scrutinise issues, with each Select Committee overseeing a government department. Labour Party MPs on the Select Committee overseeing the Department of Digital, Culture, Media and Sport (hereafter “the DCMS Committee”) in 2019–2020 were very sympathetic to the above campaigns concerning musicians in the age of streaming, and two Members of Parliament (MPs) on the Committee (Kevin Brennan and Julie Elliott) were themselves members of the Musicians Union. In October 2020, in spite of considerable lobbying by the major record corporations and their trade organisation the British Phonographic Industry (BPI), along with the major publishers and their trade body the Music Publishers Association, the DCMS Committee launched its inquiry into *The Economics of Music Streaming*. Its remit was the “economic impact music streaming is having on artists, record labels and the sustainability of the wider music industry” (DCMS Committee 2021). On the face of it, it is surprising that Conservative MPs, who formed a majority on the Committee and held the chair, assented to the Inquiry, given that they would traditionally tend to favour businesses over workers. This may have been because of perceptions that an unacceptable degree of monopoly had developed between the MSPs and the record companies that supplied their most popular repertoire. What is even more surprising, given the rightward-leaning composition of the Committee (reflecting the UK government of the time), was that, as we now explain, it took a distinctly pro-creator stance in the Inquiry and its final report.

## THE DCMS INQUIRY

The DCMS Inquiry of 2020–2021 was without doubt the most detailed public investigation of the operations of the UK recorded music industry since two investigations of market competition in the 1990s (MMC 1994, 1996) and almost certainly the most detailed public investigation of the recorded music industries in a single country anywhere in the world in recent years. Parliamentary committees have the power to summon witnesses, and major figures from all sides of the music industries answered MPs' questions during the public sessions, which took place mainly via video conferencing, because of the COVID-19 pandemic. Even the streaming platforms, who generally avoid any kind of public scrutiny, were compelled to send representatives to appear. In addition, 214 organisations and citizens submitted their views in writing. The perspectives and evidence form a potentially rich source of perspectives and data for music industry researchers.<sup>3</sup>

As the drama of the DCMS Inquiry unfolded, watched avidly by many music industry insiders online from their lockdown residences, there was another development. Striking while the iron was hot, pro-creator lobbyists worked with Labour MP Kevin Brennan to push for legal reform, and by chance he was selected in the lottery determining which MPs will have their “private members’ bills” considered. The Brennan Bill sought to introduce a number of reforms: transparency obligations for music rights-holders; contract adjustment; rights reversion (see above); and most notably a change in copyright law so that streaming would be subject to the performer ER provision explained above. Although the Brennan Bill failed, discussions leading to it raised awareness among creator activists of potential reforms and was to have a significant influence on the Inquiry—and the influence of lobbying around the EU Copyright Directive seems clear.

The DCMS Inquiry Report, published in July 2021 (preceded by an earlier interim report), echoed criticisms of the music industries that had been made by many musicians and fans, and some academics. The report described companies leveraging “structural advantages to achieve seemingly unassailable positions in their relative markets”. It referred to the historically high profit margins and asset ownership of the majors and the small proportion of revenue earned by performers, songwriters and composers, long-term trends highlighted by the loss of live music. Most significantly, the DCMS Report recommended “a broad yet comprehensive range of legislative reforms and regulatory interventions” to address these issues.

As already indicated, a key development in the course of the Inquiry was that critical attention shifted away from the controversies over streaming that had helped initiate it, and towards the major transnational music companies, or “majors”, of which there are currently three (in order of size and dominance,

<sup>3</sup>Remit, reports and evidence, including oral testimony, offered to the Inquiry can be found here: <https://committees.parliament.uk/work/646/economics-of-music-streaming/>.



Universal, Sony and Warner). This is apparent in the fact that, in spite of the report's bold proclamation that "streaming needs a complete reset", recommendations relevant to MSPs in fact took two rather mild forms: a recommendation to introduce a code of conduct concerning payments to curators for inclusion on streaming platform playlists; and another that the government should commission research into the impact of streaming platforms' algorithms on music consumption.

By contrast, the most striking recommendations concerned law and practice related to copyright and contract, in particular the application of performer ER to streaming and the introduction of new rights for creators concerning "a right to recapture works and a right to contract adjustment where an artist's royalties are disproportionately low compared to the success of their music". The right to recapture, sometimes known as "reversion rights" or "termination rights" already exist in other countries, notably in the USA (under the 1976 Copyright Act). Such rights can enable creators "to terminate the transfer of their rights after a specified period or alternatively on recoupment of the advances paid to them by rights holders. After the rights have reverted, the creator could be able to negotiate a new deal and could possibly improve their terms" (Osborne and Sun 2023). A contract adjustment right, on the other hand, could enable creators to contest royalty rates or lump sum payments they view as inadequate. They could gain compensation and/or increases to royalty rates. Laws in the Netherlands and Germany have some versions of these rights (Osborne and Sun 2023). Also striking was that the Report called on the UK government to launch a separate investigation into distortion of competition in the recorded music market via an independent regulator, the Competition and Markets Authority (CMA)—we return to this investigation below.

In long-term context, such conclusions and recommendations were arresting. Two years previously, no-one would have predicted that a group of MPs from across the political spectrum would issue such a critical report on the music industries. Nor would anyone have foreseen that the Committee's critical attention would be mainly directed towards the majors that had dominated the music industries since long before the era of streaming, and the systems of music rights and contract that underpin their practices and profits. All this meant that, in political terms, the Inquiry and the Report resulting from it represented a real setback for the major recording and publishing companies and the lobbyists associated with them. It was also notable that the European developments recounted earlier were echoed in many of the recommendations of the Inquiry, even though the UK had formally left the EU in early 2020.

## THE AFTERMATH OF THE INQUIRY: AND RESEARCH ARISING FROM THE CONTROVERSIES

What concrete changes did the DCMS report bring? As of early 2024, the short answer so far is: very little. The UK government is compelled to respond to reports by House of Commons Select Committees, though not to act on them, and in October 2021 it published its response (UK Parliament 2021). The key responses concerned the “legislative reforms and regulatory interventions” proposed by the DCMS Committee, outlined above. We address the most significant developments here, including a summary of some of the findings of a separate report on music creators’ earnings that the UK government released as part of their response, as well as the research on algorithms mentioned above.

### *Performer Equitable Remuneration (ER)*

As already indicated, the demand for performer ER on the part of pro-creator groups and lobbies preceded the DCMS Inquiry. It was a significant part of lobbying behind the EU Copyright Directive, which was updated to its relevant provision in the Digital Single Market Directive and included a provision on fair remuneration to authors and performers enshrined in Article 18. It provides an obligation for Member States to introduce “mechanisms”, although it does not specify which types of mechanisms.

Critics of the extension of performer ER to streaming, especially record companies and their trade associations, pointed out potential unintended consequences and uncertainties, such as whether ER should be applied to all streams, or only to those that were “pushed” in the form of recommendations (see also former Spotify economist Will Page’s discussion—Page 2023). One complication was that no national copyright system had yet applied performer ER fully to streams, at least in the way it operates in radio (see above)—and some would argue that restrictions in the World Intellectual Property Organisation’s Performances and Phonographs Treaty (1996) limit what can be done. Modified “top up” versions of performer ER exist in Spain and Hungary. Unlike radio, rights-owning organisations (most notably record companies) license recordings directly to MSPs, but in these modified versions, “a small percentage of total streaming monies flows through the collective licensing system and is paid directly to performers [...] including session musicians” (Cooke 2022).<sup>4</sup> Advocates of applying performer ER to streaming argued that performers should receive ER for every stream, even if they might receive different rates for “push” and “pull” streaming activity. They pointed

<sup>4</sup>In introducing its own national legislation to conform to the 2019 EU Copyright Directive in 2022, Belgium added performer ER for streams but it is not yet clear how this will operate (Cooke 2022).

to how, in Spain, royalties from performer ER offered an alternative source of income that might help compensate for reduced royalties from radio.

In February 2024, the UK government published its report investigating the potential impact of ER, outlining three different scenarios: “broadcast” where ER is applied to all streams; “partial broadcast” where ER is applied only to “lean back” streams, akin to radio; and a “Spanish model” where streaming platforms pay ER (UK IPO 2024). The report suggested that applying performer ER to streaming may not be a straightforward solution to the financial problems facing musicians. Around the same time, the UK government published its plan for its creator remuneration working group and made it clear that the government does not intend to implement the “broadcast” model advocated by many groups representing music creators (DCMS and UK IPO 2024). As the ER report admits, economic modelling is limited in nuance, and it is also important to remember similar economic concerns were raised before the application of performer ER to the traditional radio, which is now widely accepted. These developments arguably represent a setback for musicians, and it now seems unlikely that performer ER on streaming will make it on to the statute, even under the Labour government elected in July 2024.

### *Rights Reversion and Adjusting Contracts*

What of the Inquiry’s recommendation that the government introduce “a right to recapture works and a right to contract adjustment where an artist’s royalties are disproportionately low compared to the success of their music”? Pro-creator groups had argued that contracts between creators and rights-owners (most notably record labels and publishing companies) had historically tended to be signed for a long duration, often for the lifetime of copyright, and featuring very low royalty rates, which had not sufficiently been adjusted for streaming. And even though there is evidence that contractual arrangements in the music industries have improved in recent decades (Hesmondhalgh et al. 2021; Osborne and Sun 2023; CMA 2022b), unfair practices no doubt persist. In a context where increasing proportions of the revenue from streaming is coming from “catalogue”, often defined as recordings released more than a year previously (Ingham 2022), pro-creator groups argued that artists and songwriters on older contracts were not being fairly remunerated.

A substantial report on rights reversion and contract adjustment was commissioned, and published in February 2023 (Osborne and Sun 2023). It addressed existing provisions in other regimes and the difficulties in assessing evidence about their effectiveness. A major issue is that any new law would need to be retroactively applicable in order to address the injustices of “legacy” contracts (Osborne and Sun 2023). It remains to be seen whether there is the political will in the UK to enact such changes.

*Some Key Reports: Music Creators' Earnings and Music Industry Competition*

A significant part of the UK government's response to the DCMS Inquiry was formed by the publication of a series of three major reports, which we now discuss. The first, on *Music Creators' Earnings in the Digital Era* (Hesmondhalgh et al. 2021), published in October 2021, had actually been commissioned two years earlier by the UK's Intellectual Property Office, before anyone even dreamed that there would be a major government inquiry relevant to this topic. The commissioning of this independent report was itself a response to the concerns raised in earlier public controversies about streaming—including rights holders' battles to extricate greater revenue from the IT sector's streaming companies. The second and third reports came out of the Competition and Market Authority's investigation into competition in the industry (CMA 2022a, 2022b). All three offer a treasure trove of methods and findings for music industry researchers internationally.

We were two of the authors of the music creators' earnings report.<sup>5</sup> Although we and our co-authors self-identify as critical researchers, and we have all in the past expressed scepticism about aspects of the music industries and digital music technologies, our aim in conducting the research was to provide objective research to inform public debate. The project's Steering Group, chaired by Pauline Beck of the Intellectual Property Office (IPO), was in general helpful, but discussions of the issues and of our work were sometimes heated, and it felt that every word of our plans and drafts were pored over, in a way that sometimes went considerably beyond "advice". We were exposed to a number of very different lobbying groups: notably those representing performers, those representing songwriters, and those representing rights-holding organisations (both independents and majors). The latter organisations were particularly tenacious in their determination to have their positions represented in the report. Moreover, with their considerable resources and access to data, they were able to produce abundant data supporting their arguments in submissions and lobbying, very little of which was offered to us. The MSPs were conspicuous by their absence from our research, and pretty much refused to speak to us. None agreed to serve on the Steering Group convened by the IPO.

Our book-length report (Hesmondhalgh et al. 2021) began with a substantial literature review and a comprehensive explanation of how music creators' earnings work, including how on-demand streaming revenues are collected and distributed. It then analysed the perspectives and views of different stakeholders, based on interviews and focus groups. Chapter 4 of the report

<sup>5</sup>The other authors were Richard Osborne (Middlesex University) and Kenny Barr (University of Glasgow). Initial funding was provided by the UK Intellectual Property Office, with Hyojung Sun as Principal Investigator, and Hesmondhalgh and Osborne as co-investigators; in 2020, this was supplemented by substantial further funding awarded by the University of Leeds to Hesmondhalgh from Research England funds, allowing the vital appointment of Barr as a research collaborator, the commissioning of a survey, and the purchase of streaming data.

provided unprecedented quantitative evidence regarding key questions about music creators' earnings in the age of streaming. One of the main challenges was the difficulty of obtaining longitudinal historical data comparable with contemporary data, but the careful forensic work of our co-author Richard Osborne showed that, in inflation-adjusted terms, the earnings that performers and studio producers made from recording rights had remained relatively stable in real terms since 2008, and that the earnings that composers and lyricists gained from music publishing rights had increased by 11% in that period (again, taking into account inflation), though arguably from a very low historical base.<sup>6</sup> Osborne calculated that average per-stream rates had fallen between 2012 and 2019, but revenues had risen substantially during this time, suggesting that the per-stream rates that were a feature of many complaints about streaming provided only a limited perspective on remuneration issues. The report also traced the costs faced by record companies, showing that costs of manufacture and physical distribution had declined; however, the report did not find evidence that the A&R and marketing costs borne by record companies had risen during the digital era, potentially challenging some of the claims made to justify the relatively high proportion of streaming revenues gained by the recording sector versus the publishing sector. However, the survey we commissioned for our report put the focus on streaming in public debate into some perspective. It showed that revenues from recorded music constitute only a small proportion of music creators' earnings; live music and teaching are by far the main ways in which musicians make a living from music.

More generally, we sought to make the point that the main issues determining musicians' income from streaming concern how much revenue is collected by MSPs and how it is shared between MSPs, rights-owning companies and contracting musicians. Average "per-stream" shares expressed in penny fractions gain attention but are pretty much meaningless compared with how much musicians earn in total. Streaming companies that have many users are likely to produce higher total payments but lower per-stream rates than those with fewer listeners.

A vital factor in understanding debates about musicians' earnings from streaming is that it is a system whereby consumers pay either nothing for the music they stream via advertising-supported platforms or very little if subscribing (fees hardly rose in the fifteen years or so since the launch of streaming services up to 2023, a steep decline in real terms). As with cheap clothing, if consumers do not pay much, then it is difficult to see how musicians might earn substantial amounts.

<sup>6</sup>In our view, access to longitudinal data on sales and royalties, going back to the 1980s and 1990s, is the key to addressing the debate about whether digitalisation has *historically* helped or hindered music creators, but comparability will remain a challenge even if access is granted by labels, publishers, artists and collecting societies, because of the huge differences in business models between the 1990s and 2020s.

How is streaming income divided? Although there have been variations over time (see Hesmondhalgh et al. 2021; Osborne 2023), MSPs retain around 33% of the revenue they collect, give or take a couple of percentage points; hardly anyone we interviewed for our report felt this proportion was deeply unfair and/or that it should be substantially reduced in favour of rights-holding organisations and contracted musicians. To our knowledge, no-one has suggested a significant way in which the respective shares of MSPs and rights-owning organisations might be reshaped through law or regulation. Performer ER is unlikely to change those shares much. It might favour some performers, especially session musicians, and may help replace lost broadcast royalties if radio were to continue its relative decline, but it will not change those proportions significantly.

We argued in our report that it is vital to realise that the old system never provided substantial income for most musician-creators. There is no doubt that the rise of MSPs and digital distributors has permitted vast numbers of musicians to enter the greatly expanded recorded music eco-system. But this seems principally to have led to a massive lengthening of the long tail, a finding confirmed by our report's use of purchased streaming data, which showed the number of artists achieving at least one UK stream in our sample month (October) had doubled between 2014 and 2020, from around 200,000 to 400,000. Collecting society data provided to us also showed a large increase in the number of songwriters earning money from their compositions in the UK, from over 36,000 in 2009 to over 62,000 in 2019 (Hesmondhalgh et al. 2021: 211). Popularity however remains highly concentrated in the "head" of the distribution curve: our data showed that the top 1% of tracks gained 75–80% and the top 1% of artists gained 78–80% of all streams in all Octobers between 2014 and 2020.

The two Competition and Markets Authority reports referred to (CMA 2022a, 2022b) provided yet more information of potential value to researchers and students. This included information suggesting significant improvements in the contractual terms gained by musicians from the majors over the years from 2012 to 2021 (CMA 2022b: 45), including higher gross royalty rates, shorter contract terms (with the average number of "commitments" e.g. albums) falling from 3.8 to 3.0 between 2012 and 2021, shorter average periods of retention of recording rights (from 50.4 years to 30.0 years) and a steep decline (from 66 to 26.4%) in the number of contracts where labels took ownership of copyright in perpetuity. The CMA's calculations of average royalties of 26.3% for major recording deals and 84% for major publishing deals confirmed the suggestion in our music creators' report that, in terms of songwriters' earnings versus those of performers, the higher royalty rates for songwriters might balance out the lower share of streaming revenues taken by song rights. These are undoubtedly much higher rates than those achieved historically by artists contracted to the majors. However, many creators would argue that the increase was long overdue, that the rates should be still higher, that studio producers would usually need to be paid out of the performer royalties (a cut

of 3–5% of total income) and that recoupment of advances would have highly variable impacts on musicians’ actual income—impacts that were valuably modelled in the CMA’s analysis (pp. 46–9).

The reports also contained valuable information on many other issues (see Dredge 2022), including the market shares of different MSPs (Spotify is extremely dominant in the UK market), on the different types of playlists used by different MSPs, the highly varied ways in which playlists and recommendation operate across different platforms, and the remarkable degree to which “catalogue” (recordings more than a year old) dominate music streams (86% in the UK in 2021)—though much of this older music was only released in the previous 15 years or so. However, the main purpose of the study was to determine whether to conduct a much fuller “market investigation” rather than market study, and on the basis of its first interim report, it decided against such a move, partly on the grounds that the increasing profits of the majors did not, in its view, represent sustained and excessive profits. While record labels, publishers and their trade associations welcomed this conclusion, pro-creator groups and other interests expressed disappointment, feeling that the CMA report concentrated more on outcomes for consumers (which many people would agree are relatively favourable) rather than power imbalances within the music industries themselves.

### *Report on Algorithmic Recommendation*

In response to concerns about the opacity of music recommendation and playlists, the UK government commissioned its Centre for Data Ethics and Innovation (CDEI), which sits within its Department for Digital, Culture, Media and Sport, to investigate related issues. The CDEI’s research included a 25,000-word review of relevant research, led by Hesmondhalgh with the support of three colleagues (Hesmondhalgh et al. 2023). This is, we believe, the most systematic attempt so far to bring together the extensive literature from computer science and human–computer interaction studies with critical social science and humanities research on recommender systems. The engineers behind recommender systems often collaborate closely with academic computer scientists, or publish academic papers themselves (for a study, see Seaver 2022). The literature review pointed to the predominance in computer science literature engaging with problems in recommender systems of problematically limited concepts of fairness and bias. It also identified the forms of “bias” most discussed in the literature: “*popularity bias*”, a supposed tendency for MRS to favour items that are already popular, thus reinforcing or amplifying the success of the most successful artists and companies, which might also potentially limit the access of audiences to a wider diversity of music; and *biases based on demographic characteristics*, whereby music produced by artists belonging to certain categories (such as men) are favoured at the expense of music produced by others (such as women). Other “biases”, for example those concerning distortions regarding data and systems in relation to ethnicity, social class, sexuality,



age and able-bodiedness/disability of artists and users seem not to have been the focus of sustained analysis. Moreover, the review found that computer science research on bias and diversity has tended to depend on simulations based on relatively limited datasets, or in some cases the use by researchers employed by MSPs of the company’s own proprietary data, which is not available to other researchers. Publicly available research on these topics, based on user studies and/or large-scale online experiments (where real users interact with MRS), was found to be rare.

The CDEI’s own report (CDEI 2023) also provided another potentially valuable resource for critical music industry research, in the form of a survey of 4120 adults living in the UK, one of the most extensive sets of publicly available data on music consumption, and as far as we are aware, a unique dataset on recommendation and discovery. The results are sobering for those who believe that MSPs are only game in town when it comes to critique of the music industries (see the results in Box 35.2). At least according to consumers’ own understandings, MSP recommendations fall considerably behind other means of becoming aware of music; and radio was by far the most frequent way in which people engaged with music (according to the survey, 64% of people over the previous three months, compared with only 40% for both paid and free streaming services).

The CDEI also reported the results of a much smaller survey of creators (n = 102) on music recommendation. The report intelligently surveyed various relevant issues, but its recommendations were relatively limited, arguing that changes to the ways that MSPs “communicate about these technologies could help ease feelings of discontent, and better foster trust between parties in the music ecosystem”, in particular clearer indications “about when a playlist is curated by algorithms, editors, or a combination of both” and the possibility of offering consumers a “why am I seeing this recommendation?” function, and better communication with creators and their representatives about how to access data about how their music is consumed. The CDEI report also

Box 35.2    How UK Users Get Music Recommendations

Radio	39
Friends/family	31
Social media	25
MSP recommendations	22
TV/film	18
Official charts	10
Direct from artists	7

*Responses to the question “Typically, speaking, how do you generally get new music recommendations?” (Percentages) Source: CDEI 2023*



advocated a standardised approach to transparency across MSPs and further research on music recommender systems. Perhaps because of the mildness of these conclusions, the report landed almost without trace and no relevant government actions have followed, as of July 2024.

## CONCLUSIONS

What did these UK developments amount to, and what can we conclude from them concerning struggles for better conditions for musicians internationally? As we have already indicated, there has been a great deal of research, discussion and working groups, but not much real change, beyond some modest progress on metadata (an industry agreement was announced in May 2023) which in any case was relatively uncontroversial. The much more contested issue of performer ER is still uncertain. The UK government commissioned research on performer ER via its Intellectual Property Office (IPO). The report was published in early 2024 (UK IPO 2024). In addition, the majors have adopted some voluntary measures such as writing off advances so that legacy artists could start receiving royalties from streaming (see Box 35.1 timeline). Some music creators interpret this as a way to deter legal measures concerning contract adjustment or rights reversion.

In some quarters, debates continue over alternative methods of distributing streaming revenues to rights-holders such as the “user-centric” payment system mentioned above. That this issue hardly featured in the Inquiry or its aftermath suggests alternative methods might struggle to find policy traction. User-centric payments have been introduced in a partial way by MSPs such as Soundcloud and Deezer. Studies based on their experiments suggest that less successful artists could benefit from a shift to user-centric (Pedersen 2018). In response, major labels, perhaps seeing a threat to the superstar economics that underlie their businesses, have been working with some MSPs to test and/or advocate a set of more “artist-centric” approaches, which seek to reward, for example, artists whose work initiates listening sessions. In Spotify’s new model, introduced from 2024, tracks receiving fewer than 1,000 streams in any year will receive no royalties in that year. The goal appears to be to discourage “gaming”, such as the uploading of multiple short tracks containing rain, to which users might be directed by recommender systems as they use MSPs for relaxation; stemming a potential tide of generative AI-produced tracks is probably another. Such measures may reduce fraud but they may also favour already popular artists and the majors to which they are often signed, marginalising emerging artists.

Music streaming contained the seemingly unstoppable wave of free downloading, by forging a compromise between two sets of interests: major and large independent labels who wanted to extend their control as much as possible, and users, who were exposed to free music, and wanted cheap access (Sun 2018). Although the music streaming model allowed musicians of all kinds to distribute their music more easily, a third set of interests, those of musicians,

were largely ignored at first. Digital optimists' hopes that digitalisation would make it easier for musicians to make music available have only partially been achieved. As our report on music creators' earnings (Hesmondhalgh et al. 2021) demonstrated, success is still concentrated among relatively few musicians. We have shown that recent developments in the UK have involved belated but serious political attention to the fate of music creators. Well-organised groups representing the interests of creators achieved significant results in terms of raising public and policy awareness of musicians' remuneration and working conditions. They were helped by some public animosity towards MSPs. Some public perceptions were based on misunderstandings (e.g. the focus on "per-stream rates") but pro-creator lobbyists were able to redirect attention to important issues, in some cases having to overcome the highly developed lobbying capacities of the majors. However, in doing so, they faced a couple of formidable challenges that will continue to exist. One is that copyright law and practice are complex and difficult for lay people to comprehend. Performer ER is not a topic that sets pulses racing—hating Spotify is far more engaging. Another challenge is that musicians are not generally a priority for governments or political parties. Events in the UK, and to some extent the EU and elsewhere, suggest musicians might have nudged a little higher up some political priority lists, but there is still a long way to go.

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