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Journal of the Music & Entertainment Industry Educators Association

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"Guided by Commercial Motives": Selling Songwriting

Christopher M. Reali
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Abstract

Beginning in the early 1900s, authors working within the American music publishing industry wrote how-to books about popular songwriting for aspiring tunesmiths. On one level, these texts are simply the by-products of successful songwriters taking advantage of their celebrity. But while these instructional books are self-aggrandizing promotional tools, they also continue the tradition of musicians writing compositional manuals for his or her students. The utilitarian purpose of these how-to manuals adds to their historical importance. Examining these sources provides an avenue of inquiry into three related areas: how pioneering Tin Pan Alley writers such as Charles K. Harris and others wrote and thought about songwriting; the ancillary business practices of the music publishing industry; and the origins of popular music's cultural dominance in the twentieth century. Ultimately, examining these how-to books provides a unique opportunity to view Tin Pan Alley from the perspective of music industry insiders.

Keywords: Tin Pan Alley, music publishing, popular song, Charles K. Harris, Irving Berlin, how-to, songwriting

In 1914 Irving Berlin wrote lyrics for a work he titled, "The Popular Song." In the first verse Berlin cleverly addressed the ephemeral quality of popular song: "Born to live for a short space of time"— the dichotomy between highbrow and lowbrow culture: "Hated by highbrows who call it a crime; Loved by the masses who buy it"—and the business of songwriting: "Publisher pleading with all of their might with some performer to try it."[1] Berlin mused during the second stanza that popular song composers were soon forgotten once his or her tune faded from memory, while names such as Chopin, Verdi, Beethoven, and Liszt have become immortal. Berlin also compared popular song to the evanescent quality of a rose—a

thing of momentary beauty that is quickly forgotten. And while Berlin conceded that the names of the European musical masters would outlast the composers of popular song, 1914 was still the early days of the American music industry.[2]

Berlin's lyrics expressed his sentiment regarding the early twentieth-century love affair between the American public and popular song. These two stanzas also encapsulate a multiplicity of issues that surround the study of popular music. Many authors have written about the early-twentieth-century business of songwriting, and addressed the formulaic practices of Tin Pan Alley that sought to minimize risk and maximize profits in order to sell to the largest possible market.[3] But beginning in the early 1900s, individuals working within the American music publishing industry wrote how-to books about popular songwriting for aspiring tunesmiths. These manuals have been viewed by some as an extension of the "calculated conservatism" of Tin Pan Alley.[4] On one level, these how-to manuals are simply the by-products of successful songwriters or industry insiders cashing in on their cultural capital. But while these instructional books are self-aggrandizing promotional tools, they also continued the tradition of musicians writing compositional manuals for their students—a practice that extends far into the past. The utilitarian purpose of these how-to manuals adds to their historical importance. These sources provide an avenue of inquiry into how legendary Tin Pan Alley writers such as Charles K. Harris and others thought about songwriting, the ancillary business practices connected with the music publishing industry, and the origins of popular music's cultural dominance in the twentieth century.

Examining several how-to-write-song manuals published between 1906 and 1945 brings the relationship of the popular song composer to their craft into tighter focus. The book titles often included the phrase "popular song" or "hit song" in an effort to attract attention to the potential financial rewards. Highlighting the organization of these "how-to" books reveals the emphasis the authors placed on the business of songwriting. This essay also surveys the ways in which various authors address the compositional process and the language used to express their musical ideas, while closely scrutinizing the instructions on how to compose melodies. This mode of analysis offers insights into how three composers—Charles K. Harris, E.M. Wickes, and Robert Bruce—model the practical creation of a popular song. Additionally, each author, in his own way, addresses the tensions between what Harris called the "great American 'unmusical' public [and]

the more highly cultivated musical class."[5] Ultimately, these how-to books provide a unique opportunity to view Tin Pan Alley from the perspective of music industry insiders.

"Guided By Commercial Motives"

In 1904 economist Thorstein Veblen wrote, "The vital point of production is the vendibility of the output, its convertibility into money values, not its serviceability for the needs of mankind."[6] Tin Pan Alley built the practice of producing a steady stream of popular songs on this principle. Tin Pan Alley is used here to represent the industry as well as the songwriting style, particularly the AABA song form, that dominated American popular song from roughly 1890 through the 1940s. What separates the Tin Pan Alley era from previous eras of music making, specifically music celebrated by "highbrows," is the critical distinction that selling a song was the key motivation of all those involved in the songwriting process. Instead of expressing human emotion, Tin Pan Alley was concerned with manipulating human emotion in the interests of selling music.[7] Practically speaking, writers and publishers working within Tin Pan Alley measured success purely in terms of sheet music sales.

By the early 1900s, Tin Pan Alley publishers viewed songs as products and sheet music was readily available at a variety of stores. Music publisher Charles K. Harris blithely remarked in 1906:

> Only a few years ago a sheet music counter in a department store was unheard of. Today in the largest dry goods emporiums and department stores in New York, down to the smallest in every city in the United States, can be found a music counter where all the popular songs of the day are on sale.[8]

The sale of sheet music became ubiquitous; the public could buy the latest hit almost anywhere. In 1910, the *New York Times* profiled the business of songwriting in an article titled, "How Popular Song Factories Manufacture a Hit." "The consumption of songs by the masses in America is as constant as their consumption of shoes, and the demand is similarly met by factory output," the unknown author exclaimed.[9] Writing in 1916, composer and music publisher Harry Von Tilzer posited, "[The songwriter's] work has become a commodity with cash value, and in order to augment the value

he must subordinate his own personal tastes to those of the music-buying public."[10] Both views, one by an outside observer and the other by a Tin Pan Alley insider, present similar views of the business of music: a song was just another mass-produced, commercially available specialty product, and public demand dictated product development.

The authors of the how-to books primarily organized their texts with an eye towards the business of selling music. Charles K. Harris composed "After the Ball" circa 1892, which was the first popular song to sell hundreds of thousands of copies, ultimately becoming the first national hit.[11] By the time Harris wrote *How To Write a Popular Song* in 1906, the oldest source examined here, he was an enormously successful songwriter and publisher. The Harris text includes eight chapters: three related to songwriting; four related to publishing the song; and an extensive rhyming dictionary, the longest chapter of the book (see Table 1).

Chapter	Title
1	Lyric Writing
2	The Musical Setting or Melody
3	The Accompaniment
4	Finishing Touches Previous to Publication
5	Printing and Publishing Your Own Composition
6	Presenting Manuscript to a Publisher – Selling Outright
7	Hints and Don'ts
8	Dictionary of Rhymes

Table 1. Harris, *How to Write a Popular Song* (1906), table of contents.

Writing a decade after Harris, E.M. Wickes remarked in his 1916 publication *Writing the Popular Song*, "The consistent producers of hits are men who eliminate personal likes and dislikes and judge a song as a tea merchant would value a chest of tea for marketing purposes."[12] Wickes' comment echoes the 1910 *New York Times* article as well as those by Von Tilzer. Keeping with his capitalist approach to songwriting, Wickes bluntly proclaimed: "From the very conception of the song-idea the lyrist[13] and composer are guided by commercial motives."[14] Like Harris before him, Wickes was a salesman who peddled songs. The Wickes how-to text

is greatly expanded when compared to the Harris source: Wickes devotes half of the twenty-six chapters to the business of music (see Table 2).

By the 1930s for authors of these how-to manuals, the business of selling the song became equivalent to the craft of writing the song. And in the case of Robert Bruce, the writing of these manuals became a cot-

Chapter	Title
1	The Popular Song
2	Various Types of Songs Analyzed
3	Song-Lyrics and Magazine Verse Contrasted
4	Titles
5	Themes
6	Themes To Be Avoided
7	Timeliness
8	Lyric Construction: Length and Transition
9	Lyric Construction: Meter, Rhythm, and Rhyme
10	Lyric Construction: The Story Element
11	Lyric Construction: Punch
12	Lyric Construction: The Chorus
13	Lyric Construction: Diction
14	Lyric Construction: Point of View
15	Melody Construction
16	Collaboration
17	Song Hits and Song-Cycles
18	Manuscripts and Markets
19	Scarcity of Women Songwriters
20	The Staff Writer and the Freelance
21	Popular Song Publishers
22	The Evolution of a Manuscript
23	Publishing Your Own Songs
24	The Song Shark
25	Colored Slides and Motion Pictures
26	High-Class Publishers

Table 2. Wickes, *Writing the Popular Song* (1916), table of contents.

tage industry. Bruce, a former ASCAP employee, editor of the magazine *Melody*, and Vice President of The Songmart, wrote or co-wrote several how-to books: *So You Want to Write a Song* (1935); *How to Write Popular Songs* (1939), co-authored with Sigmund Spaeth, the famous "tune detective"; *How to Write and Sell a Song Hit* (1939), co-written with Abner Silver, and *How to Write a Hit Song and Sell It* (1945).[15] Each of these sources have much in common, but this essay will focus on *How to Write a Hit Song and Sell It*. Like Harris and Wickes before him, Bruce placed the business of music near the center of his text. In his chapter "Publishing for Profit," Bruce explicitly states:

> It is sometimes difficult to realize that music, despite its nebulous distinction as "one of the arts," is actually regarded as a commodity and is bought, exploited, distributed and sold much the same way as other commodities including soap, food, cosmetics, cigarettes and automobiles…It is important for the new songwriter to understand the purpose and function of the different components of the music industry.[16]

To help his reader understand the so-called different components of the music industry, Bruce presented comprehensive and practical music publishing information. He included nearly thirty pages of appendices that contained a copy of a standard royalty contract, directories of music publishers, radio stations, record companies, and transcription companies. There was also a three-page essay describing the copyright law and a list of hit songs from 1936 through 1944 (see Table 3).[17]

These texts targeted amateur musicians and were advertised accordingly. The Home Correspondence School published *Writing the Popular Song* by Wickes. The school advertised in magazines such as *The Atlantic* and *Harpers* and promoted a catalog containing over one hundred course offerings. The Spaeth and Bruce 1939 book, *How To Write Popular Songs*, was a correspondence course that included homework exercises to be sent in to receive commentary. A 1946 ad in *Billboard* for *How to Write a Hit Song and Sell It* states, "Here is the one book that tells you how to write a song and what to do about it after you have written the song . . . HOW TO SELL IT!"[18] Considering the practical purpose of these texts, these how-to manuals represent the beginnings of music industry education.

Chapter	Title
1	Writing the Song
2	The Completed Song
3	Protecting Your Song
4	Publishing for Profit
5	The Hit-Makers
6	Marketing Your Song
7	Summary

Table 3. Bruce, *How to Write a Hit Song and Sell It* (1945), table of contents.

"What Kind of Song Shall I Write to Achieve Fame and Success?" – Harris

As many music educators know, teaching a student to write a melody is a difficult task. Learning how to write a melody is a nearly impossible challenge with only a book as one's teacher. Harris' chapter, "The Musical Setting or Melody," relies mainly on prose to explain the process of melodic construction.[19] After four pages of anecdotes and general commentary Harris recommends, "A few hints as to some of the prevalent causes that lead the inexperienced into the paths of disappointment and disaster…"[20] While Harris does not mention any supposition of previous musical knowledge—it may be argued that he did not expect any—his first comments addressing the writing of a melody make use of what he refers to as technical language.[21] Harris cautions against using "awkward 'intervals'," and the use of consecutive "higher tones, such as the d's and e's and occasional f's."[22] Harris asks the reader to sing over the four examples in hopes that he or she will discover that the lower melody of each pair is much easier to sing. Perhaps it did not occur to Harris that the amateur songwriter using his text might not have the ability to read and perform music at sight.[23] Harris nevertheless concludes, "the simpler [melody has] the better chance of real popularity."[24]

Wickes uses no music notation for his chapter "Melody Construction." Throughout the book, he makes frequent references to popular song titles and lyrics in order to clarify his point for the reader. This is a clever pedagogical device, but only effective if the reader is familiar with the songs that Wickes references. Wickes offers concrete, albeit gendered, advice for the burgeoning songwriter: "The girl of ordinary playing ability

prefers a simple bass…the majority of performers cannot do justice to a song that goes beyond an octave in range."[25] Similar to the advice of Harris, Wickes cautions against melodies that "jump back and forth" which produces a "weird collection of notes."[26] Instead, Wickes suggests that the composer should "try to build by easy stages." Wickes calls this technique a "re-vamp," and offers ten examples that primarily rely on song titles. Based on the examples, a "re-vamp" is a melody that uses chromatic neighbor tones: for example, D-E♭-D.

Both Harris and Wickes proffer slightly differing views on melody construction. Harris' advice that lasting popular melodies rely on smooth melodic contours still rings true. That Wickes would suggest popular melodies incorporate chromaticism is curious considering those types of melodies are harder to sing, especially for amateurs.

How to Write a Hit Song and Sell It presents the most thorough explanation of how to compose a melody. Bruce assumes his audience to have at least a reading knowledge of music.[27] He makes frequent use of musical examples and song titles to support his explanations and does not avoid the use of "terms and phrases peculiar to the music industry." In describing melody, Bruce states:

> We might think of melody as an organization of tones played in a logical and pleasing progression. Melody is not static. It must move, and in moving, it must proceed to a logical and expected conclusion…If we should interrupt this movement at any point, our ears will tell us that the progression is incomplete, or, in other words, that we have reached an incomplete cadence. If we now continue the progression to the "C" at either end of the scale, we find that our cadence is complete, and that our melody has reached a satisfactory and logical conclusion.[28]

Bruce then uses "Row, Row, Row Your Boat" to demonstrate his point. "Although the motion of the progression shuttles back and forth," Bruce concludes, "the direction is still towards the key-note or its octave equivalent."[29] The key difference between the lessons taught by Harris and Wickes and the lessons provided by Bruce is that the former relies primarily on anecdotal evidence whereas Bruce's instructions are grounded in examples distilled from Western European musical traditions.[30]

"Hated by Highbrows"

Irving Berlin's 1914 lyric addressed above expressed an early-twentieth-century view of popular song: "Hated by highbrows who call it a crime; Loved by the masses who buy it." Pop music has been at the center of various culture wars for quite some time, and the writings of Harris, Wickes, and Bruce directly and indirectly participated in that discourse. Harris comments on the highbrow culture versus lowbrow culture debate in his introduction while speaking about those who listen to and embrace popular song:

> The word "popular," as used in this treatise in reference to songs, has been employed to expressly designate the various classes of songs which are written, published and sung, whistled and hummed by the great American "un-musical" public, as distinguished from the more highly cultivated musical class which often decries and scoffs at the tantalizing and ear-haunting melodies that are heard from ocean to ocean in every shape and form.

Harris goes on to justify the importance of popular songs by pointing out their commercial value and broad appeal:

> Argument in favor of their merit is undoubtedly proved beyond question by their enormous sale; and many a sad and weary heart has been made glad by the strains of these "popular" songs.[31]

For Harris, an industrial-age music publisher, the salability of a song more than demonstrated its cultural worth. "One does not have to be a finished musician to be able to write popular tunes," writes Wickes in his chapter "Melody Construction."[32] Although Wickes never articulates the precise meaning of "finished musician," he likely uses the phrase in reference to someone with conservatory training. Regardless, Wickes' contempt for the "finished musician" is very clear: "The finished musician who tries to write popular music by note rarely makes a success of it. His music is too stiff and foreign to the ear of the masses, though it is technically correct—and in the latter fact he appears to find a great deal of pleasure."[33] The finished musician is likely someone who received European training, as the

use of the term foreign may allude to. Wickes concludes his argument by asserting the finished musician "would rather starve and turn out musical gems than live in opulence and create 'rot'."[34] Bruce enters the dialogue via his remarks on musical training:

> In fact, a thorough training in harmony and counterpoint is more apt to be harmful, for it tends to make the song-writer lean too heavily upon his accompaniment when he is writing his melody line. Some of the most successful songwriters have only a cursory knowledge of music and the majority of them are only mediocre performers.[35]

Like Wickes before him, Bruce reminds the readers that they should embrace their lack of musical knowledge and training as a positive attribute. All three authors made their living from working in the popular music publishing industry, so it is no surprise that each of them would champion popular song over music written and performed for "the more highly cultivated musical class."

By 1941, Bruce, or at least his published work, was already part of the larger culture wars surrounding popular music. Theodor Adorno, a German philosopher and social critic, references *How to Write and Sell a Song Hit*, the 1939 text by Abner Silver and Bruce, in "On Popular Music," an essay where the author outlines what he calls the "two spheres of music" as "serious" (non-standardized) and "popular" (standardized) music.[36] In a lengthy footnote, Adorno castigates Silver and Bruce, who he refers to as part of the "current literature on popular music," for their apparent misunderstanding of the difference between a "standard song" and a standardized popular song. One of Adorno's overarching criticisms was the "industrialization" of popular music, which Silver and Bruce's work (as well as Harris' and Wickes') was a part of. A book that attempted to teach the public how to write popular songs would have been anathema to Adorno. The public rebuke of Silver and Bruce, however, provides some indication of the popularity of *How to Write and Sell a Song Hit* if Adorno selected this work over others to demonstrate his point. Adorno's attack on Silver and Bruce has also memorialized the two author-composers long after much of their music has faded from popular memory. Years after "On Popular Music" first appeared, authors noted the similarities between the way Silver and Bruce wrote about melodic construction and how Arnold

Schoenberg, a significant influence on Adorno's own thinking, addressed the same topic.[37] Hated by highbrows, indeed.

Wickes' commentary about the "finished musician" reveals an interesting tension. By 1916, the year Wickes published his text, outsider observers of the music industry, as represented by the *New York Times* article, viewed Tin Pan Alley as a "songwriting factory." This factory was populated by a select group of people who went to work every day to write quantities of popular songs, sold for public consumption. Yet Wickes celebrated the musically illiterate and looked down upon those with more advanced musical training. That many successful Tin Pan Alley songwriters had limited musical training is now well known. In 1916, that may have not been the case, especially to commentators writing for the *New York Times* and other sources that criticized the music publishing industry. In his text, Wickes, perhaps, was trying to equate the Tin Pan Alley songwriter to the "unmusical public," to use Harris' term. If the successful songwriter who writes the how-to book is no different than the reader, then the reader, too, can be a successful songwriter. Bruce states as much in 1939, "In the songwriting business a professional is anyone who succeeds in getting a song published. So, working backward on our problem, we arrive at the conclusion that the only difference between an amateur and a professional is one song."[38] Essentially, Harris, Wickes, and Bruce present Tin Pan Alley and the business of songwriting as inclusive and open to anyone, which sharply contrasted to the *New York Times* article that equated the earnings of successful songwriters to those of bank presidents. This inclusive view might seem ironic considering Harris' and Bruce's association with ASCAP and the PROs history of exclusivity towards certain types of (popular) music.

"The Song Builders"

Articles about popular songwriting and Tin Pan Alley also appeared in a variety of periodicals. These pieces ranged from those that mocked the formulaic popular songwriting practices to those that presented views provided by Tin Pan Alley practitioners. These stories represent the dual nature of fascination: the astonishment with the public interest in popular songs, and the allure of the business of popular music for the authors or editors wishing to share the attraction with his or her readers. While these articles are not exactly the same as the how-to texts, they offer similar advice and insights into both the world of music publishing and the craft

of popular songwriting. The authors of these articles also used their platforms to weigh in on the "value" of popular song, further stoking the fires of the culture wars. In 1910, Arthur Somers Roche began "The Gentle Art of Song-writing" for *Harper's Weekly* by stating, "The blame for the existence of the popular song lies with the people who buy it."[39] (A sentiment that Berlin utilized in "The Popular Song.") Roche then tells a comedic, fictitious story that makes copious use of the vernacular to recount a hit songwriter writing a tune at the request of his publisher ("I wanna noo [new] song," the publisher asks). "…[I]f there be any readers who now feel sufficiently shameless and sufficiently feeble-minded to write a popular song," Roche remarks, "let them go ahead and do it. But first let them learn something about the business end of song-writing." Although Roche does not overtly state his disdain for popular song and those who write them, the astute reader would have been able to read between the lines. George F. Byrne wrote "Songs that Sell" for the January 1916 issue of *The Green Book Magazine*.[40] "Just what makes a so-called popular song succeed—if it is one out of the ten that does?" Byrne queries. "Melody? Perhaps fifty per cent, but almost worthless sans catchy lyrics." Catchy lyrics, according to Byrne, are hard to identify. "Only the public knows" what makes a popular song succeed Byrne quips.[41] For the remainder of the article Byrne provides lyric excerpts from recent and past hits as he attempts to solve the problem of "How do you know when you have a popular song?" "But I can't answer," Byrne concludes, "and I don't believe anyone else can… Only the semi-annual statement can tell you that."[42] Song popularity, in Byrne's estimation, was measured exclusively in terms of sales.

Writing a few months later for *The Green Book Magazine*, Irving Berlin posited, "It's the love-element that sells the song. It comes before everything else in popular music."[43] As far as Berlin is concerned, love is a commodity when it comes to songwriting. And by that, Berlin makes it clear to the reader that songs based on love are the songs that sell. Berlin's article also offers a glimpse inside the world of song publishing. After Berlin briefly explains the unseen costs of music publishing such as song plugging, advertising, and expenses related to rent and staffing, he states: "Under present conditions a publisher loses money on a song unless he sells more than three hundred thousand copies. (I mean, by this, a song he has advertised and 'plugged'—one he is betting on as a success.) He must sell between five hundred thousand and six hundred thousand copies to make a fair profit."[44] Because of what Berlin calls his "knowledge of the

game," he provides for the reader a perspective that other authors writing on the same subject cannot. And since Berlin was one of the best known popular songwriters at the time, his comments were likely taken as definitive. Berlin finally cautions against the beginner songwriter entering into "the trickiest game in the world" for several reasons, including because, "not *living* song-writing, [the amateur] is not in the proper atmosphere" (original emphasis).[45]

On October 14, 1922, *The Saturday Evening Post* published, "The Song Builders," a lengthy article written by "One of Them" that also offered a view inside Tin Pan Alley.[46] The author immediately warns the budding songsmith at the outset of the article about the songwriting game:

> There is a trick in song writing, just as in laying bricks. Unless you get it you will not write a successful one. What is more unfortunate, the chances are you will never get that trick unless you are around where the trick is being done. A person must live in the atmosphere of the song business and be in constant touch to pick up ideas and make them workable. That is why the outsider has so little chance of success; why he or she is so easily swindled.[47]

Similar to Berlin's advice, this article reminds the reader that you need to know the (business) rules of songwriting before entering the game. While the article begins by cautioning the reader, the author is also critical about the place of the popular songwriter within the musical universe: "Personally I have never been able to consider a song writer a composer. Real composers are finished musicians who create new thoughts in music, mostly instrumental music. I am talking about what we know as popular songs. Some of our very best song writers know nothing about technical music."[48] It is possible that "One of Them" was responding to views about "finished musicians" expressed by Wickes in his 1916 text; the similarity in language between the two sources is uncanny. The authors of these articles, with the exception of Berlin, made their readers clearly aware of the lack of "technical" training by those who write popular songs. In contrast, authors who wrote how-to books for songwriters used and expanded upon the idea that anyone, regardless of musical training, can write songs.

21st-Century "How-to" Sources

Harris, Wickes, Berlin, and Bruce worked during what has been called the "Golden Age of American Song," and their attitudes towards songwriting were consistent with that era. Since that time, the song publishing industry has expanded well beyond its Tin Pan Alley origins, and the publication of how-to books has continued. While print sources still exist, the early-twentieth-century how-to guide morphed into twenty-first-century websites that use algorithms to help predict a songs success. The now-defunct Hit Song Science website was a patented, "on-line service… for independent/unsigned musicians and songwriters interested in immediate feedback on the quality and hit potential of their music."[49] Hit Song Science did not offer tutorials on melody writing. Instead, the website allowed users to upload their recordings while algorithms allegedly predicted a song's potential. uPlaya, the website that provided the service, boldly stated on its home page, "Democratize the Music Industry," a sentiment that parallels, at least in spirit, those expressed over a century ago by Harris and Wickes (see Figures 1 and 2).[50] Two sources geared towards the music industry professional include MasterWriter and Hit Songs Deconstructed. MasterWriter, a web-based resource, claims to be "The most powerful suite of songwriting tools ever assembled in one program."[51] "Hit Songs Deconstructed," another internet source, "provides cutting-edge tools to understand today's mainstream music scene at the compositional level."[52] This subscription-based service sends out reports that detail recent past trends common to hit songs. Both of these sources literally build upon the foundations established by Harris, Wickes, Bruce and many others, while

Figure 1. Screenshot of uPlaya website (photo by author).
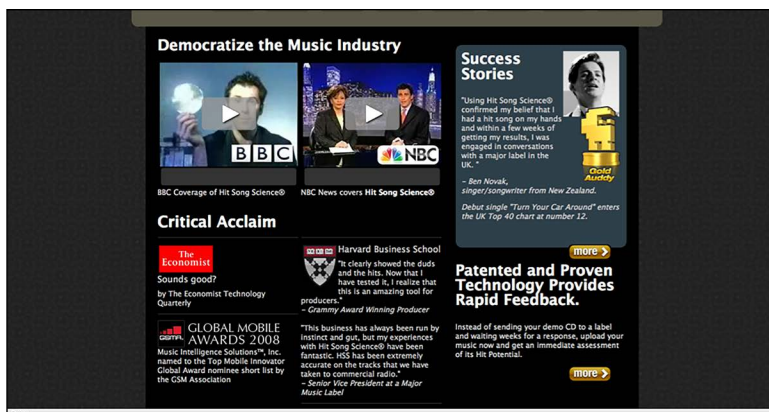
Figure 2. "Democratize the Music Industry," Screenshot of uPlaya website (photo by author).

trying to help music creators "stay ahead of the curve in a fast-changing musical landscape."[53]

Conclusion

These how-to manuals and articles act as lenses to view the early days of popular songwriting and the music business. Analysis of these sources also exposes the intersection of the music publishing industry and amateur music making. With the exception of Bruce, these texts are neither "how-to" guides nor manuals in the instruction of songwriting. None of the sources definitively answers the question of how a song becomes popular. It is quite possible that Harris, Wickes, and Bruce (and Berlin) could write a popular hit but were unable to communicate to others how to do it. Of course, public response, the one factor that no songwriter can predict, still ultimately determines what is and isn't a hit. The effect that these texts had on the actual creation of music may be unknowable, but that does not make the study of their content any less intriguing. Much of the instruction presented by Harris, Wickes, and Bruce exhibit many parallels with today's formulaic songs created by production teams. These authors provide commentary from a music industry insider's perspective that offers an alternate view on popular songwriting, the business of music making, and the clash between the "highly cultivated musical class" and "the great American 'unmusical' public."

In 1906, Charles K. Harris remarked, "Always look to the selling qualities of the song," which in his opinion included, "an original idea,

a catchy title, a haunting melody, clean words, good grammar…and last but not least, a good publisher."[54] While musical styles and genres have greatly expanded since 1906 and the public has learned to tolerate explicit lyrics, the remaining "selling qualities of the song" formerly posited by Harris have certainly endured.

Endnotes

1. Irving Berlin, Robert Kimball, and Linda Emmet, *The Complete Lyrics of Irving Berlin* (New York: A.A. Knopf, 2000), 93. The song was unpublished and was registered for copyright on April 18, 1962. The lyrics for "The Popular Song" appeared in "'Love Interest' As a Commodity," an April 1916 article written by Berlin, published in *The Green Book Magazine*. The magazine is available online: https://books.google.com/books?id=U2YhAQAAMAAJ&pg=PA695&lpg=PA695&dq=Born+just+to+live+for+a+short+space+of+time,+Often+without+reason+or+rhyme+irving+berlin&source=bl&ots=zMzs2N9NCm&sig=KX4n187lnIE0egZ1SU09H1N2NEs&hl=en&sa=X&ved=0ahUKEwjY8oPb38TbAhXixlkKHYcPD64Q6AEIKzAA#v=onepage&q=Born%20just%20to%20live%20for%20a%20short%20space%20of%20time%2C%20Often%20without%20reason%20or%20rhyme%20irving%20berlin&f=false. (accessed June 9, 2018.)

2. I would like to thank Catherine Hughes for reading and commenting on an early draft of this article, as well as Diane Steinhaus at the Music Library at the University of North Carolina at Chapel Hill, for providing information about one of my sources. The anonymous reviewers for this journal also offered me valuable feedback. Finally, I would like to thank the Ramapo College of New Jersey Office of Grants and Sponsored Funding for providing financial support to attend the MEIEA 2018 Summit, where I presented an earlier version of this article.

3. Charles Hamm, *Yesterdays: Popular Song in America* (New York: W. W. Norton, 1983); Russell Sanjek, *From Print to Plastic: Publishing and Promoting America's Popular Music (1900-1980)* (Brooklyn, New York: Institute for Studies in American Music, 1983); David A. Jasen, *Tin Pan Alley: The Composers, the Songs, the Performers, and their Times: The Golden Age of American Popular Music from 1886 to 1956* (New York: D.I. Fine, 1988); Russell Sanjek, *American Popular Music and Its Business: The First Four Hundred Years, Vol. 1: The Beginning to 1790* (New York and Oxford: Oxford University Press, 1988); Russell Sanjek, *American Popular Music and Its Business: The First Four Hundred Years, Vol. 2: 1790-1909* (New York and Oxford: Oxford University Press,

1988); Russell Sanjek, *American Popular Music and Its Business: The First Four Hundred Years, Vol. 3: 1900-1984* (New York and Oxford: Oxford University Press, 1988); Russell Sanjek and David Sanjek, *American Popular Music Business in the 20th Century* (New York and Oxford: Oxford University Press, 1991); David Suisman, *Selling Sounds: The Commercial Revolution in American Music* (Cambridge, Mass.: Harvard University Press, 2009).

4. Suisman, *Selling Sounds*, 48.

5. Charles K. Harris, *How to Write a Popular Song* (New York: Charles K. Harris, 1906), 10. The Harris text is available online at https://openlibrary.org/works/OL7872576W/How_to_write_a_popular_song.

6. Thorstein Veblen, *The Theory of Business Enterprise* (New York: Charles Schribner's Sons, 1904), 51.

7. Suisman, *Selling Sounds*, 22.

8. Harris, *How to Write a Popular Song*, 7.

9. "How Popular Song Factories Manufacture a Hit," *New York Times*, September 18, 1910.

10. E.M. Wickes, *Writing the Popular Song* (Springfield, Mass.: The Home Correspondence School, 1916), xv-xvi. Von Tilzer, who penned the introduction to Wickes' text, also wrote "The Bird in the Gilded Cage." The Wickes text is available online at: https://babel.hathitrust.org/cgi/pt?id=hvd.ml1qbk;view=2up;seq=16.

11. Suisman, *Selling Sounds*, 28.

12. Wickes, *Writing the Popular Song*, 144-145.

13. Wickes uses the word lyrist in the original text. Lyrist also describes a lyric poet, which is perhaps how Wickes used the word.

14. Wickes, *Writing the Popular Song*, 100.

15. Robert Bruce, *How to Write a Hit Song and Sell It* (New York: Lexington Press, 1945). At this point, I have not found any information regarding the sales and distribution for this source or the other two books discussed here. Lexington Press appears to be a vanity press.

16. Bruce, *How to Write a Hit Song and Sell It*, 110.

17. Bruce, *How to Write a Hit Song and Sell It*, 173-202.

18. *Billboard*, December 22, 1945, 24. Available via Google Books: https://books.google.com/books?id=phgEAAAAMBAJ&lpg=PP1&pg=PT23#v=onepage&q&f=false.

19. Harris begins his book with "Lyric Writing: Different Style of Songs." In the first chapter Harris classifies songs into ten categories: the home or mother song, the descriptive or sensational song, waltz, the coon song, the march song, the comic song, the production song, the popular love ballad, high class ballads, and sacred songs. The third chapter of his book addresses musical form as applied to the ten song categories. See Harris, *How to Write a Popular Song*, 26.
20. Ibid., 23.
21. In his introduction Harris states that, "Technical and foreign terms have been avoided as far as possible, and wherever it has been necessary to make use of them an explanation in plain English follows," 10.
22. Harris, *How to Write a Popular Song*, 22.
23. See Harris, *How to Write a Popular Song*, 10, 18.
24. Ibid., 24.
25. Wickes, *Writing the Popular Song*, 100.
26. Ibid., 100.
27. Bruce, *How to Write a Hit Song and Sell It*, xi.
28. Ibid., 25-26.
29. Ibid., 26.
30. Bruce's explanation of melody is remarkably similar to that of the nineteenth-century German music theorist Adolf Bernhard Marx. Writing in 1837, Marx characterized "the first concepts of composition…[as]…the distinctions between the *moments of rest and motion* in the scale, i.e., the *tonic* on the one hand, and the *remaining tones* on the other [original emphasis]." See A.B. Marx, *Musical Form in the Age of Beethoven: Selected Writings on Theory and Method*, ed. and trans. Scott Burnham (Cambridge: Cambridge University Press, 1997), 45.
31. Harris, *How to Write the Popular Song*, 10.
32. Wickes, *Writing the Popular Song*, 97-99.
33. Ibid., 98-99.
34. Ibid. 99.
35. Bruce, *How to Write the Popular Song*, xi.
36. Theodor Adorno, "On Popular Music," *Studies in Philosophy and Social Science* (New York: Institute of Social Research, 1941),

IX, 17-48. The essay is available online, see: http://www.icce.rug.nl/~soundscapes/DATABASES/SWA/On_popular_music_1.shtml.

37. Matthew Brown, *Debussy Redux: The Impact of His Music on Popular Culture* (Bloomington: Indiana University Press, 2012), 27-29.

38. Bruce, *How to Write and Sell a Song Hit*, 3

39. Arthur Somers Roche, "The Gentle Art of Song-writing," *Harper's Weekly*, January 1, 1910, 31.

40. George F. Byrne, "Songs that Sell," *The Green Book Magazine*, January 1916, 62.

41. Byrne, "Songs that Sell," 62.

42. Ibid., 64.

43. Irving Berlin, "'Love-Interest' As a Commodity," *The Green Book Magazine*, April 1916, 695-698.

44. Ibid., 698.

45. Ibid., 698.

46. "The Song Builders," *Saturday Evening Post*, October 14, 1922, 26-27, 85-86. "One of Them" was later revealed as Theodore F. Morse of Leo Feist, Inc., a well-known songwriter working for a prominent song publisher.

47. "The Song Builders," 26.

48. Ibid., 26.

49. http://uplaya.com/about_hss/hssfaq, accessed March 15, 2011.

50. http://uplaya.com/about_hss/hssfaq, accessed March 15, 2011.

51. http://masterwriter.com/songwriters/, accessed June 1, 2018

52. https://www.hitsongsdeconstructed.com/, accessed June 1, 2018.

53. Ibid.

54. Harris, *How to Write a Popular Song*, 15-16.

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Key Learnings from an International Social Entrepreneurship Collaboration: Songs to Change Our World

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Abstract

This project is an international collaboration between music industry educators at higher education institutions in the United States, Australia, and New Zealand. The main goal of the project was to provide a case study and guidelines for collaborative pedagogical practices in higher education music programs in order to promote intercultural understanding, creativity, and social entrepreneurship. After the educators completed their initial planning work, the project was conducted in three phases. During the first phase, groups of songwriting students collaboratively wrote a set of songs that commented on a range of contemporary social issues. The second phase addressed the challenges encountered in successfully realizing international collaborations. In the final phase of the project, entrepreneurship and music industry students evaluated the original songs and incorporated a selection of these songs into student-driven collaborative social entrepreneurship projects. Finally, music industry students came up with promotional strategies to move the final successful project forward. The

following identifies and discusses the social, cultural, educational, and logistical issues we encountered during the project, and concludes with our recommendations on how to mitigate and avoid these difficulties in similar projects.

Keywords: social entrepreneurship, creative collaboration, collaborative pedagogy, songwriting, collaborative songwriting, music industry pedagogy, music entrepreneurship

Introduction

This case study chronicles an international collaboration between four higher education institutions in three different countries. Supported by a MEIEA (Music and Entertainment Industry Educators Association) grant, the project brought together creative practice, music industry, and entrepreneurship students. As a faculty group we began with a broad set of overarching aims and principles which then informed the design of the project.

1. Promote music business and entrepreneurial skills across different territories
2. Encourage intercultural communication and creative collaboration
3. Explore the role of music to foster awareness of social and environmental issues
4. Facilitate global networks
5. Foster cultural sensitivity

Timeline

Phase One: March 2017 – June 2017 International collaborative creative practice	Songwriting and music production students from Queensland University of Technology, Bergen Community College, and the University of Auckland
Phase Two: April 2017 – July 2017 The challenges of international collaboration	Reflection and revision of the original plan by the project leader
Phase Three: August 2017 – May 2018 Networking, social entrepreneurship project development, and marketing	Students from Indiana University and Bergen Community College

Conceptual Framework

According to Sik (2016) in contrast to other disciplines, artists prefer creating alone and are less interested in brainstorming sessions, managerial support, and financial gains. Contrary to these findings, collaboration between songwriters and musicians is the industry norm and has been common practice for centuries. Bennett (2011) found that the majority of songs in the *Billboard* charts are written by collaborative teams who interact through approving and adapting stimulus materials, hence validating each other's ideas. Furthermore, Chase and Hatschek (2010) identified emotional, social, intellectual, and musical competence as well as the ability to collaborate with artists at a mature and productive level as the most desired traits for new employees. Consequently, they questioned traditional education methods in much of American higher education, suggesting that the lecture-essay-examination model would not equip students with the knowledge, skills, and experiences required for a successful music industry career. Bruenger (2015) advocated for a curriculum that reflects the evolving complexity of the music industry, and fosters the development of adaptive capacity in students through active learning. Such models include the use of simulations (Strasser 2006), student-run business structures (Butler 2007; Morrow 2008; Tomkins and Schlesinger 2010), journaling (Bolin et al. 2005; Pavlovich 2007), and internships (Frenette 2013). Nevertheless, Jacobs (2005) cautions about giving students "their reins before they have learned to walk safely." Hence, Draper (2008) argues for developing strategies for knowledge transfer from the inside out, appropriated and adopted by the students themselves, rather than top down.

This paper uses a reflection-based approach proposed by Kreber (1999). This approach is based on her conception that pedagogically-oriented academics engage in peer-reviewed scholarship though content, process, and premise reflection. Kreber addresses research and experience-based studies in the areas of instruction, pedagogy, and curriculum. After a literature review that includes discussion of principles of creativity and various forms of group collaboration across institutions of higher learning, we provide a description of the specific cross-institutional teaching process we employed and learning outcomes and observations between Indiana University (United States), Bergen Community College (United States), The University of Auckland (New Zealand), and the Queensland University of Technology (Australia). Finally, we will offer a discussion of the data and observations collected throughout the process with recom-

mendations for implementation of similar projects and further development of collaborative teaching techniques.

Literature Review
Principles of Creativity and Group Collaboration

With more than one hundred published definitions (Meusburger 2009), creativity has been identified as one of the most important factors for satisfactory living and job effectiveness. Originality and effectiveness are commonly identified as measurements of creativity, but especially in a business environment creativity is observed through product improvement or new avenues of operation (Amabile 1998). Hence, group collaboration towards a creative product is essential for success beyond the presence of creative individuals. Similarly, motivation plays an important role, especially an intrinsic drive to gain pleasure and satisfaction from creative challenges. Amabile's research identifies six managerial practices that influence creativity: challenge, freedom, resources, work-group features, supervisory encouragement, and organizational support.

The jazz metaphor drawing on principles of interaction in a jazz combo is frequently used to conceptualize effective group collaboration. For example, Holbrook (2008) draws parallels between the jazz genre and principles of improvisation to management and marketing. Further comparisons with the jazz model are discussed in the areas of improvisational behaviors (Hatch 1998; Hatch 1999; Weick 1990; Hadida, Tarvainen, and Rose 2015), product innovation (Kamoche and Cunhae 2001; Kamoche et al. 2003; Akgün et al. 2007), organizational innovation (Crossan 1997; Bastien and Hostager 1998; Pasmore 1998; Holbrook 2008), actors within an organization (Kao 1996), strategic decision making (Eisenhardt 1989), market orientation (Dennis and Macaulay 2007), service performance (John, Grove, and Fisk 2006) and leadership within organizations (Walzer and Salcher 2003; Newton 2004). Herzig and Baker (2014) developed a seven-factor model for group creativity based on the jazz jam session. The seven factors are individual competence and knowledge of the field, practicing improvisation, establishing a mentoring system, democracy and collaboration, leaders and sidemen, community support, and a continuous evaluation system. This model is taught and implemented for the Arts Entrepreneurship course taught by Herzig at Indiana University, who joined the project as the final group of student participants.

International Collaborations in Higher Education

Cajander et al. (2012) identified a range of issues that need to be managed carefully in international student collaborations. Logistically, universities across the globe work with different course durations, curriculum contexts, and grading schemes. Hence, there are significant advantages if international collaborations are designed to sit outside individual course structures and curricula. Different semester schedules, break weeks, time zones, and holidays need to be factored in as they can affect deadlines and cause frustration among teams and individuals. Real-time collaboration may be difficult when working across a wide range of time zones. As well, cultural differences have the potential to impact projects in various ways. The communication and work styles of the participants as well as differences in interpretation of situations and directions, and significant language barriers can cause issues (Lajoie et al. 2006).

As described by Holmstrom et al., "despite flexible work hours and communication technologies that enable asynchronous communication, extensive delay in responses brings with it a feeling of 'being behind' and 'missing out'—even losing track of the overall work process" (12). Cajander et al. (2012) recommend guidelines on email/communication etiquette and require regular full-team meetings. Opportunities for online video conferencing, and where possible, face-to-face in-person meetings, establish a feeling of trust and understanding between participants, increasing the quality of communication and social interaction.

Collaboration Through Social Media/Digital Technologies

Active community participation and interactions in online communities may produce social knowledge and lifelong learning beyond conventional classroom learning. Bereiter and Scardamalia (2013) proposes a new theory of the mind that argues against the notion that the mind is a container to be filled. Rather, he explores the role of individual minds in the production of social knowledge. He then argues that collaborative online learning emphasizes the building of knowledge through active community participation and interactions, as opposed to more conventional models that emphasize the acquisition of information and factual knowledge.

This sits in stark contrast to conventional music studio educational practices where the master-apprentice model is preferred over reciprocal peer learning. Any shift towards a more ad-hoc environment with a focus on peer learning could be challenging for music educators and students

alike. Salavuo (2008) explains that, in formal education, students tend to perform for credits or a good grade.

The learning activities suggested in this project do not stipulate a particular curriculum on the understanding that the necessary learning will occur on demand as students navigate various music industry concepts. Following Salavuo, therefore, we were interested in exploring the idea that assessment need not exist in a conventional sense, but rather as an opportunity for students to evaluate and reflect on the authentic music industry projects that they themselves implemented and managed.

Social networking that employs information and communication technologies is emerging as a highly naturalized practice in everyday life. Given the real-world learning opportunities and global collaboration afforded by our project, social networking and use of the relevant online platforms became the natural day-to-day of our business and as exemplified in this project, a platform for the creation and promotion of creative work. A social network is created by people unified by shared interests and common goals (Pettenati and Cigognini 2007). The spontaneous interactions and informal conversations via social media constitute a large part of informal learning and contribute to the creation and transmission of knowledge. Ito, Livingstone, Penuel, Rhodes, Salen, Schor, Sefton-Green and Watkins (2013), in their proposal for a "connected learning" approach (5), point out that participants in online communities have the ability to learn, create good work and exercise leadership, thus increasing the capacity and value for others in their community and beyond. With classrooms based on standardized metrics and individual competitiveness, Ito et al. argue that:

> The classroom experience does not elevate culture at large or expand a valuable social network if the activity ends at the classroom walls. Further, when individual competence is assessed based on grades, test scores, and other standardised and summative metrics, one student's success highlights another student's failure. (48)

Our research strives to understand the role of dialogue and exchange in these networked environments. Ravenscroft (2011) emphasizes that, until now, researchers have been concentrating on network technologies, the connections within these networks, and on the way in which these

influence perspectives on knowledge. Downes (2010) and his "connected knowledge" theory, also emphasizes the dialogue process. As he explains: "These trends combine to form what is sometimes called e-learning 2.0— an approach to learning that is based on conversation and interaction, on sharing, creation and participation, embedded in meaningful activity such as games and workflows" (1). We therefore do not aim to evaluate or rate our program, but rather open up a communal space for conversation, reflection, and a shared evaluation of the experience. We do this as colleagues, and with our students as partners in learning.

Method

The approach for this project is based on a constraint-based, problem-solving model of the innovation process (Stokes 2013). This means that through paired constraints an issue that evolves from a constraint is resolved by a substitution or change suggested from a paired constraint. Thus the solution proceeds by iterations of substitutions in small increments towards a novel solution path. The process does not preclude pre-planning as a first step towards alterations. However, the final product cannot be predicted and is the result of continuous alterations over many iterations of the process. Similarly, the faculty group initially planned the collaborative project with the understanding that the outcome will be the culmination of successive problem-solving and iterations of the project towards a yet unknown product. This understanding of the entrepreneurial process conforms with Kolb's (2014) theory of a four-step cycle of experiential learning: concrete experience, observation and reflection, forming abstract concepts, and testing in new situations.

Based on the assumptions above, we have chosen a case study approach allowing us to conduct our investigation using an empirical inquiry of real-world phenomena within its naturally occurring context (Kaarbo and Beasley 1999; Yin 2009). Fieldwork is suitable, as the intention of the research was to reveal emerging processes as they occurred in the field (Hammersley and Atkinson 2007). This also allowed for a variety of data collection strategies, including participant observations (Jorgensen 1989) of our students in action, in both face-to-face and online contexts. These observations, along with our own reflections were conveyed in regular debriefing discussions as a faculty group via email and Skype meetings. Action items from each meeting were implemented according to the problem-solving model and key learnings recorded. Most collaborative work

made use of online platforms. Our roles were multifaceted, as we all took part as researchers, teachers, and learning designers.

Project Design
Phase One: Collaborative Creative Practice
(March 2017 – June 2017)

Activities and Courses:
- Twelve undergraduate Creative Practice in Popular Music year-three students from the University of Auckland started working on the project in late March 2017. Forming collaborative groups and composing with Bergen Community College or QUT students was a compulsory coursework assignment for them
- Approximately twenty songwriting students and alumni from Songwriting Workshop at Bergen Community College were invited to participate as songwriters and producers as an optional assignment
- All undergraduate students from the Queensland University of Technology (QUT) Bachelor of Music course were invited to participate as an optional activity (Approximately 120 students)
- Facebook group created in early April 2017 to introduce all participating students and encourage the formation of collaborative creative teams
- Four international groups were formed and one group produced and recorded a song

For the first phase of the project, our aim was for a group of music students to produce a collection of original songs addressing social or environmental issues of global importance. This part of the project occurred between March and June 2017, and involved students from Bergen, Auckland, and QUT. The creative groups of two or more musicians were formed via introductions on the *Songs to Change Our World* Facebook page. Entertainment industry students from QUT and Bergen were also invited to document and capture the creative process and to consider ways to prepare for the next step of disseminating the music and implementing projects. Participation in these collaborations was mandatory for the Auckland student group as part of their coursework and voluntary for the

others. Both approaches provided an experiential opportunity to develop international networks.

Phase Two: Reflection and Revision of the Original Plan (April – July 2017)

Activities and Courses:
- In response to the issue of having only one completed song to work with, a contingency plan was formed by the project leaders
- This plan involved a peer-review exercise by the Indiana students of songs already completed by the Auckland University, Bergen Community College, and QUT students for assessment within their undergraduate programs and including the songs into the final phase of the project
- 120 QUT students in 24 groups and 14 University of Auckland students were composing social justice themes in their songwriting classes between February and June 2017. These songwriting assignments were not connected to the Songs to Change Our World project
- Six Bergen Community College students enrolled in Music in the Marketplace collaborated with students from QUT on administration of Facebook and Sound-Cloud pages as well as documenting team collaborations

This phase of the project occurred between April and July 2017. While there was much initial excitement and interest around potential student collaborations, four groups emerged that included students from the three participating universities, and only one group produced a finished song. This group was comprised of two creative practice students from Auckland and a songwriter who had recently graduated from Bergen. After this, music industry students from Bergen and QUT collaborated on creating a SoundCloud page to feature the results. During this period, the faculty group discussed ideas and solutions for trying to engineer more collaborations, but given the time constraints of semester deadlines, the faculty group had to make some key decisions around moving the project forward, and ensuring that the Indiana University students would have a

body of work around which to base their music entrepreneurship projects. Both QUT and University of Auckland had been incorporating social justice themes internally into their respective songwriting classes between February and June 2017. This proved to be fortuitous as it allowed the project to move forward, providing a body of six songs from Auckland and twenty-four songs from QUT which were identified as potential song choices for the Indiana University Music Industry and Arts Entrepreneurship classes. All of these songs commented on social, environmental, and global issues, topics that the student songwriters believed needed promotion and further discussion, and were created in collaborative student groups.

Phase Three: Networking, Social Entrepreneurship Projects, and Marketing (August 2017– May 2018)

Activities and Courses:
- 84 students from the Indiana University Music Industry I class ranked a number of songs from Bergen, Auckland, and QUT as a peer-review exercise
- 42 students from Indiana's Arts Entrepreneurship class formed groups, selected songs, and developed social entrepreneurship projects based on the song themes
- These songs were then professionally re-recorded at QUT for inclusion in this final stage of the project
- Three groups were awarded a monetary prize to further develop their work
- One group followed through in implementing its project on raising awareness about domestic abuse and worked with Bergen students on marketing ideas
- Eight students who were enrolled in Music in the Marketplace at Bergen Community College reviewed the proposal from Indiana University and participated in an interactive session with the Indiana University student project leader and Dr. Herzig. The Bergen students completed written assignments reviewing the website and video

The last phase of the project occurred between August and December 2017. The first exercise involved two sections of the Music Industry

I class at Indiana University with a total of 84 students, working in small groups, who watched and rated 24 video-recorded performances of the QUT social justice songs. From the group rankings, charts were created, and during a guided reflection exercise, students analyzed the factors that guide good songwriting as well as chance factors such as personal preference, order, and visual appearance.

Separate from this exercise, 42 students in the Indiana University Arts Entrepreneurship class formed nine groups and selected one song per group to implement in a social entrepreneurship project with the goal of initiating change and raising awareness about the issue addressed in the song. Since most songs were produced in video format only, the chosen songs needed to be professionally produced for final use. The groups used the process of design thinking and worked in collaboration with the songwriters throughout the semester towards creating a final pitch deck for their projects. In December, the Indiana students pitched their social entrepreneurship projects incorporating the song to a panel of industry professionals. The faculty group had decided that the top three groups would be awarded a monetary prize to develop their idea further. Nine projects were presented in December 2017 to two outside expert faculty, the participating faculty, and all students in the Arts Entrepreneurship class at Indiana University.

Two of the groups decided to decline their award as some of the students were graduating and the semester had ended. One group followed through in implementing a website raising awareness on domestic abuse by creating a video to the song *Numb* by Izzy Robb as well as resources for victims. A final Skype conference connected the Indiana group with six students from the Music in the Marketplace class at Bergen Community College for a collaborative brainstorming session on marketing suggestions for the website. The strategy compilation was shared with the entrepreneurship group. Appendix 1 offers a description of the four participating institutions, Appendix 2 contains excerpts from sample assignments, and Appendix 3 includes links to sample songs, the final project site, and project samples.

Discussion

The initial phase of the project aimed to facilitate the co-creation of cross-institutional musical works by using online social networks to form collaborative teams. This approach resulted in challenges not present in

inter-department and inter-faculty collaborative musical practice projects familiar to students at many tertiary institutions, a collaborative practice that includes regular face-to-face meetings as well as social media communication. Our project's students had not met before and were unfamiliar with each other's work. The collaborative process is asynchronous, and necessitates established relationships of mutual trust and clearly delineated roles for each team member to ensure productive collaborations eventuate. A high level of confidence and digital literacy is required to jointly navigate the communication and production tools necessary to negotiate the temporal and spatial barriers resultant from online and cloud-based collaboration.

Only one cross-institutional project was completed and the following barriers that contributed to this low output were identified:

1. Institutional time constraints and internal deadlines place undue pressure on the natural development of relationships based on mutual understanding and trust. As a result, students tend to turn to the familiar and form groups with their local peers in order to meet class deadlines

2. The voluntary nature of student involvement resulted in low levels of student engagement and a perceived lack of investment in the project as a whole

3. For the QUT and Bergen students, a lack of clearly defined roles and the absence of a timeline specifying a date for the completion of each task impacted the ability of the international student groups, once formed, to work together efficiently

4. Most students lacked knowledge of essential technical procedures needed to pursue successful online collaborations and as a result preferred to work locally with teacher and mentor supervision

Upon reflection, there would be considerable advantages in cross-institutional collaborative projects incorporating Koszolko's "seven phases of user-instigated collaborative asynchronous project development" (2015) to ensure students have a clear understanding of the tasks involved in each stage of a cloud-based musical collaboration, and how different steps are undertaken as either solo processes (pre-production, initial com-

positional ideas, inviting collaborators) or group processes (collaboration, additional composition, and adjourning). Koszolko identifies the clear communication of a project's objectives, and goal-orientated discussion with potential collaborators as key components of asynchronous digital collaboration (2015).

While the student posts in the Facebook group communicated an initial excitement in the possibilities afforded by transnational collaboration, there was little visible communication detailing clearly defined roles or goals, or outlines of technical steps required to realize articulated team goals. This suggests further pedagogical scaffolding is required to equip students with requisite skills for cloud-based collaboration. Although time zone and seasonal differences pose numerous challenges, brief synchronous communication events using tools such as Skype may help facilitate cross-institutional camaraderie. This became evident in the final phase of the project, when students from the various institutions were able to participate in brief synchronous brainstorm meetings collecting marketing ideas for the implementation of the winning project.

Industry standard music production software has increasingly incorporated cloud-based file sharing (Gallagher 2016), and new web-based services such as Blend.io facilitate work on a single digital audio workstation (DAW) project file by multiple users. Recently, online software tools developed by Soundtrap have enabled students to collaborate on music compositions synchronously and asynchronously. However, cloud-based collaborations still frequently rely on more established non-media-specific file-sharing platforms such as Dropbox, Google Drive, iCloud, etc. Notably, Dropbox has recently partnered with Australian record label Future Classic to open a Los Angeles-based music studio, or what they refer to as a "creative incubator." The "Future Classic x Dropbox Studio" aims to "create an ecosystem that nurtures the creative process and facilitates culture and communication," an acknowledgement that while cloud-based services provide many advantages for asynchronous collaboration, the creative process is often still best served by having people together in a room. From the outcomes of our project, this seems to be especially true for emerging industry professionals; while established practitioners and artists with pre-existing collaborative relationships can effectively leverage new technologies to realize asynchronous co-authored creative work, students in tertiary institutions require specific technical training and as-

sessment-driven motivation to successfully realize cloud-based collaborative work.

Logistical Constraints

As might be expected, a host of logistical barriers need to be addressed and overcome when collaborating internationally across institutions. Following are examples of various organizational hurdles encountered during this project.

Very limited alignment of working hours across U.S., Australian, and New Zealand time zones made it difficult to find face-to-face meeting opportunities for faculty and students alike. For example, the only common denominator for our monthly faculty Skype meeting was at midnight U.S. Eastern Standard Time. Collaborative work during class time was not possible due to different time zones, semester dates, and varying areas of study for the students. For example, the songs by the Queensland students that were selected for the entrepreneurship projects had to be reworked as studio productions outside of the Queensland semester, where in most cases those initial song project groups had disbanded. However, despite these challenges, the Queensland songs were recorded successfully giving students the opportunity to learn about working under pressure and adhering to international deadlines.

As a result of time, schedule, and content differences, the students worked from different pressure points. For example, the Indiana University students working on the entrepreneurship projects were eager to communicate with the writers of their chosen songs in order to meet their class deadlines and move ahead with their ideas. Similarly the New Zealand songwriters received credit for being part of a group and producing a song, but eventually opted to form groups among themselves to avoid the logistical barriers and meet their class requirements; others opted to just forfeit the academic credits.

Mandatory Versus Voluntary Student Engagement

Inflexible institutional assessment processes were key issues affecting student engagement and participation due to the limitations of using existing course structures with institution-dependent assessment procedures. Also, instructors varied in requiring mandatory versus voluntary engagement. For example, the Bergen students were initially encouraged to participate voluntarily in the collaborative songwriting groups, but after

a period of initial enthusiasm only one student completed the songwriting process. On the other hand, participation for the Bergen marketing class students was compulsory with nearly a 100% engagement rate. Although all the New Zealand songwriters received credit for producing a new song with students from either Bergen or Queensland, a number eventually opted to work among themselves due to ongoing communication difficulties and the overall lack of progress. The Queensland students received no credit for their international collaborations and in the end, just one student had started to work with two Auckland students. This song was not completed. To summarize, the composition and recording of only one song by an international collaborative student group led us to conclude that students need significant guidance and structure, and are heavily incentivized by expedience and the need to complete graded assignments more so than by an opportunity to meet and work with others from another country, especially when that opportunity is impaired by many logistical constraints.

The students' initial enthusiasm, founded on the opportunity for international collaboration in almost all cases, did not result in the production of realized musical outcomes. We used a private Facebook group as a forum for students to introduce themselves and present examples of their work. The private Facebook group had 76 members, with seven faculty and staff members. All student posts from the first week were positive, with eighteen initially expressing excitement around the transnational collaborative opportunities, e.g., "Woohoo super excited to be part of this can't wait to get started" (March 21, 2017) and similar comments. Despite this initial enthusiasm, and even with a class requirement for the Auckland students, only four groups were formally created and only one song was completed. One week into the project (March 20, 2017) faculty member Yanto Browning from QUT reminded his students to start working or be removed from the project groups and admits in an email to Auckland faculty four days later that the collaboration without mandatory participation and guidance didn't seem to be working. Likewise, repeated emails from Stephen Matthews to his Auckland songwriting students did not seem to overcome the inertia that developed a few weeks into the project.

Even with the mandate for international collaboration, the issues of cross-institutional scheduling often made it difficult or even impossible to follow through. We have one example of transnational co-authorship, every other piece of student work used in the project was an assessment item completed by students internally with no outside collaboration. This

confirms the time and engagement issues encountered by Cajander et al. (2012) who recommended to work beyond semester and syllabus confinements of individual institutions for effective international collaborations.

Student Versus Faculty Collaboration

As it became clear that the voluntary student collaborations were not successful due to the issues listed earlier, the faculty group implemented contingency plans. Working internally in their respective songwriting classes, Auckland and QUT students produced a body of songs addressing social issues as class assignments mandated by their respective faculty. As a result, all collaborations were now mediated by faculty and the local student groups became mere content providers for the project. The following email conversation exemplifies the realignment from voluntary student collaborations to faculty-mandated projects:

> Kia ora all
> Here is possibly a much better plan. As it would be best to have say 8-10 songs for our project. I teach my usual 4 week songwriting module (starting in one week) where all of my stage twos compose a Social Commentary Song. How about I officially draw this module song into our project - there are 14 songwriters in this group. I could form groups of 2 and 3 - at least 5 groups resulting in 5 new songs. We would [have] 5 finished songs - with charts and a completed basic demo by the beginning of June. (Stephen Ralph Matthews, April 2017)

New student collaborations during Phase Two of the project were initiated between the students in the Indiana University (IU) Arts Entrepreneurship course and the existing songwriting collectives. IU student groups evaluated and chose songs from the pool of QUT and Auckland songs with the goal of creating projects that raise awareness of the issues addressed in the songs. The groups followed the process of design-thinking towards creating pitch decks by the end of the semester that demonstrated their project ideas with the incentive of possibly receiving funding for their ideas from the project grant. The groups were also asked to work with the songwriters on designing their projects and make sure they agreed with possible uses and implementations of their music.

However, with the logistical barriers explained earlier of misaligned semester times and mandatory versus voluntary requirements, this collaboration again ended up being more focused around organizing technical deliverables to meet deadlines, such as re-recording of music and the provision of lyric sheets, as opposed to a shared artistic vision that included the songwriters in the work leading up to the presentation and release of the music. This meant students had to arrange to be on campus outside of semester time to re-record songs that they had already submitted for assessment, with very little collaboration with the entrepreneurship groups.

Because of the looming deadlines and the need to frequently adapt project requirements due to collaboration hurdles and schedule changes, the students at Indiana University also expressed their frustration with the difficult process. Below are two examples from class evaluations:

> The Songs to Change Our World project. It constantly changed and was very unclear and difficult to understand and fulfill instructions.

> I think that the class didn't give me as much creative freedom as I would have liked. Having to pick a song from a different country and use it for a whole project is difficult especially communicating with artists.

The final projects presented with Pitch Deck presentations by the Indiana University students were of high quality but utilized the student songs in a way that was different from that envisaged at the outset of the project. Their ideas were geared towards creating social change for the issue raised, but not necessarily using the song as the main catalyst for change. This was possibly because the Indiana students had limited opportunities to collaborate with the overseas songwriting students and so had not developed a working relationship with any of them. Project faculty collaborator Stephen Ralph Matthews observed:

> Kia ora Monika
> I watched all the presentations (and follow up question sessions) and had a look again at the websites. The standard of the presentations was consistently high. This is

a really good group of well organised and articulate students.

 I was surprised by how the song did not feature in many of the ideas - it was included and introduced but often not central to the conceptual ideas or delivery of the project. I must admit this made recommending two or three front runners rather challenging and made me reflect upon the criteria for choosing. I am not sure we really defined the criteria that well. Next time! (Stephen Ralph Matthews, December 2017)

Conclusion

Since completing the project we spent a number of months collectively reflecting upon the significant challenges we encountered planning and implementing a series of international cross-institutional collaborative student activities that relied upon online student led communication and teamwork. We conclude by sharing these observations and offer them as a set of possible guidelines for those considering similar cross-institutional collaborative projects.

Building Relationships of Trust Between All Participants

Opportunities to develop personal relationships in online communities are crucial for effective collaboration. Ideally face-to-face meetings via video platforms or similar tools should be arranged at the very start of the project so that all the student participants are able to meet each other and introduce themselves. The purpose of these interactions is to allow the participants to have the opportunity to communicate in an informal setting, to meet with no pressure, and build trust.

Streamlining of Online Platforms

Social and technical barriers were more prevalent because the students and faculty used a variety of online platforms and communication tools. This made it difficult for the educators to monitor and mentor the collaborative process stage by stage. Using an integrated and dedicated software platform versus relying on an assortment of software tools such as Facebook, email, SoundCloud, etc. may help to alleviate some of the cross-institutional barriers.

Longer Timeframes/Setting and Balancing Priorities

Distance collaborations need to be scheduled to allow much more time than a conventional project where participants live in the same city and study at the same institution. Institutional resources dedicated to distance collaboration, such as faculty release time and administrative staff, would grant participants greater opportunity to facilitate closer communication and collaboration. Using repertoire from existing assessments and repurposing three individual projects guaranteed an outcome but eliminated further opportunities for creative collaboration. The need for a time-sensitive product shouldn't override the mission of the collaboration and the time needed to build interpersonal relationships.

Mentorship/Not Assuming Literacy

Even though most contemporary higher education students have grown up in the digital age, technical literacy of the online tools needed for effective collaboration can't be assumed. During our project we failed to teach and then effectively mentor strategies to collaborate, share files, deliver content, or navigate the needed platforms. As the collaboration unfolds, students will need the opportunity to reflect on their skills deficiencies and receive guidance and resources because they don't know what they don't know how to do.

Faculty Schedules/Institutional and Work Pressures

Faculty and staff have busy lives in their own institutions and may be offline at various times as well as experience different pressure points because of non-alignment of semester schedules across countries and institutions. A strict schedule of reflection and evaluation meetings should be established before the project commences.

Knowledge, Skills, Motivation, and Student Needs

A variety of skill sets, degree curricula, and career development trajectories among the various student groups created some barriers to understanding and learning. For example, the students in the Indiana University Entrepreneurship class did not necessarily understand the process of songwriting and music production as a number had not studied or been exposed to these disciplines. Furthermore, assessment procedures and participation enforcement is very different in U.S., Australian, and New Zealand institutions. The Indiana University Entrepreneurship students' work counted towards a major part of the final course grade and yet they frequently did

not receive the timely communication they needed from the songwriters based overseas, often because they had already completed courses and/or were participating on a voluntary basis. Due to the demographics of many community college students in the U.S., collaborating with students in baccalaureate programs can be challenging but may offer opportunities for mentorship in the future.

The Challenges of Pilot Projects/Initial Case Studies

The exploratory nature of this project made it necessary to continuously adapt assignments and align the collaboration process. As a result, students became frustrated about expectations and less engaged. These difficulties could have been mitigated by clear communication about the nature of the project and goals and clearly defined student roles and responsibilities. Another helpful strategy for the initial songwriting collaborations would be to provide various examples of successful collaborations.

Overall, the initial aims and principles of our cross-institutional collaboration as listed in the project design section provided the needed guidance for a successful completion of the long-term project and the reflective process on outcomes and recommendations. Music business and entrepreneurial skills across different territories as well as intercultural communication and creative collaboration were documented in the nine entrepreneurship projects as well as Facebook communications, brainstorming sessions, and song collaborations published on SoundCloud. The final funded project raising awareness about domestic abuse is powerful in addressing a global issue through the power of music and cultural sensitivity. The detailed analysis of challenges and barriers documented throughout this case study is recommended as a planning tool for similar cross-institutional and international collaborations.

Appendix 1

Collaborating Institutions

Bergen Community College (BCC) is a publicly funded two-year post-secondary institution located in suburban New Jersey in the United States of America. It offers a variety of two-year vocational and transfer programs to any secondary school graduate. Associate degrees are offered with a focus on music performance, music business, and music technology. BCC faculty member and singer/songwriter Andy Krikun assumed leadership of the music business curriculum in 2002 and created courses in popular music studies, including songwriting and pop/rock ensemble, in 2004. "Songwriting Workshop" includes a wide diversity of students, ranging from those with no previous musical or lyric-writing experience to music majors with a range of music theory knowledge and considerable instrumental skill. The music business curriculum currently includes three specialized courses: "Introduction to the Music Business," "Music in the Marketplace," and "Concert Promotion and Production."

Indiana University with its main campus in Bloomington, Indiana is one of the top-ranked Universities in the United States and hosts more than 550 academic programs with many ranking in the world's top ten. The Bloomington campus is home to approximately 45,000 students and was founded in 1820. The Arts Administration program is part of the School of Public and Environmental Affairs, founded in 1972, and the largest school of public administration and public policy in the United States, boasting an alumni network of more than 34,000. Arts Administration faculty member and jazz pianist/composer Monika Herzig created courses on the Music Industry and Arts Entrepreneurship inside the program for the more than 250 Arts Administration majors. For this project the Fall 2017 "Music Industry I" courses with a total enrollment of 78 undergraduate students, mostly Arts Administration majors and minors, and the Fall 2017 "Arts Entrepreneurship" course with 9 graduate and 34 undergraduate students for a total of 43 Arts Administration majors and minor students participated in the international collaboration.

The *Queensland University of Technology* (QUT) is a major Australian university with a global outlook and a real-world focus. QUT offers a diverse range of undergraduate and postgraduate degrees and currently caters to approximately 50,000 students. QUT established the world's first

Creative Industries Faculty, and invests heavily in collaborative learning and interdisciplinary research environments. The Creative Industries Faculty is a world leader in arts, media, and design teaching and research with some of the highest-demand undergraduate courses at QUT, and specialist degrees across a range of creative studies. Unique to QUT is the Bachelor of Creative Industries, which equips graduates with diverse knowledge, creativity, and professional skills across a range of industries and practice. The music program offers a variety of flexible pathways for pursuing careers within the contemporary music scene with a focus on music production, performance, and composing for media. Within the program, there is a heavy emphasis on collaborative interdisciplinary projects involving students from dance, fashion, film, games, IT, health, visual design, and entertainment.

The University of Auckland in New Zealand offers research-led programs across all the major disciplines, and has a student enrollment of over 40,000. In 2009 the School of Music introduced a new three-year BMus Popular Music degree that aimed to develop students as creative practitioners with a focus on songwriting and the performance and recording of their own music. A cohort of approximately twenty students gain entry into this BMus specialization each year after passing a songwriting and performance audition and New Zealand's national University Entrance qualification. All BMus Popular Music students take six consecutive creative practice songwriting courses, each one lasting a semester. These courses are supported by courses in music industry studies, music theory, music production, and instrumental and vocal performance. The School of Music also offers a MMus specializing in songwriting and popular music creative practice.

Appendix 2

Sample Assignment Excerpts

University of Auckland Creative Practice in Popular Music Course
Assignment: Phase One

Week One: Starting Monday 20 March
- **FB POST: PERSONAL INTRODUCTION:**
  Songwriting students will go to the ***Songs to Change
  Our World*** Facebook page and upload a personal intro-
  duction. Start your post with the words **Introduction**
  so that other members can scroll down posts and find
  just the introductions. Include things such as a personal
  intro to your music, your interests, some background to
  who you are, links to your music and online videos, etc.
  Songwriting students will also describe in their FB page
  Introduction the type of **social or environmental issues**
  they are interested in writing/composing about.

Week Two: Starting Monday 27 March
- Students will form groups and begin exchanging
  ideas—for example, links to news and online articles,
  lyrics and music.
- **FB POST: WHO'S IN EACH GROUP AND A
  NAME:**
  Student songwriting groups will all post this week on
  the project FB page the names of the people in their col-
  laborative group. Choose a name for your group.
- Student songwriting groups will decide what platform
  they will use to share and collaborate with the others in
  their group (for example, Google Groups, a Facebook
  Group, Skype, email).
- Student songwriting groups will begin composing the
  song based on a theme of global importance—a theme
  in response to a social or environmental issue they think
  has wider significance.

Sample Assignment Instructions for Part 2 of the Project to Indiana University Arts Entrepreneurship Class

Prototype and Peer Review

Meet as a group—videotape your meeting—from your list of 100 ideas have everyone identify a list of five favorites on five sticky notes and present them to the group. As a group discuss the options and focus on one. Assign a possible place to each group member where they can observe actions related to the cause and the music—make sure each one has a different assignment and cause and song are covered. For example, if you want to look at the issue of drug use and you chose a song about the cause assign someone to observe (from a safe spot) one of the gathering places of drug users in Bloomington (e.g., next to the downtown post office) and use the Observation Worksheet in Neck, p. 162 to record the AEIOU Framework. Another group member can gather a group of people for a listening session to the song and record observations, consider asking questions to the listeners to help you complete the AEIOU framework to capture reactions to the song. Another group member can conduct interviews (use the good questions technique on p. 165) on the issue. Submit a description of the idea and the proposed observation action by each group member for peer review as a word document BY OCTOBER 4!

At the October 11 meeting share your proposals with the International Faculty via Skype and review the peer review comments. Finalize your observation plans and conduct the initial observations.

Meet a second time and collect all your observations, discuss as a group (videotape), and create a list of insights. Formulate a hypothesis on how to implement the song to change the issue, if appropriate create a prototype.

By October 30 submit your interview/AEIOU worksheets and a summary document that includes:
1. What is the final plan of action/ prototype that you will implement using one of the songs to change our world?
2. How was this final plan shaped by the observations from each group member's observation experiment?
3. How was the peer review and faculty feedback implemented?
4. Share your learning experiences/reflection throughout the prototyping process.

Appendix 3

SoundCloud Playlist of Collaborative
Songs from Phase 1
https://soundcloud.com/bcc-music

Final Project Site: Aware DV
https://www.awaredv.com/

Project Samples
https://artegroup05.wixsite.com/projectno5
https://emjtucke.wixsite.com/anthempodcasts
https://dracolzhao.wixsite.com/firstworldproblems

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She has released more than a dozen CDs under her leadership on her own ACME Records as well as Owl Studios and Whaling City Sound. Her awards include a 1994 Down Beat Magazine Award for Best Original Song, a Jazz Journalist Association Hero 2015 award, as well as grants from the NEA, the Indiana Arts Commission, MEIEA, among others. Her newest project "SHEROES" (Whaling City Sound) features the world's leading female jazz instrumentalists including Leni Stern, Jamie Baum, Jennifer Vincent, Rosa Avila, Mayra Casales, Reut Regev, Ada Rovatti, and Ingrid Jensen and was recently featured on NPR's *Here and Now* as well with a four-star review in *DownBeat* magazine. Thomas Garner from Garageradio.com writes, "I was totally awed by the fine musicianship throughout." More information and sound samples are available at www.monikaherzig.com.

KRISTINA KELMAN is an academic, teacher, community music facilitator and jazz musician. Her research interests include the education of the aspiring musician. She holds a Ph.D. titled "From music student to industry professional: An entrepreneurial learning design," producing an experiential music curriculum model for student-run enterprise. Dr. Kelman's work also takes place in community music settings, most recently she collaborated with Australian ARIA award winner, David Bridie and First Languages Australia on a language project through original song, *Yamani: Voices of an Ancient Land*. This resulted in a full length album, Australian curriculum materials, and a documentary featured throughout 2016 on QANTAS in-flight entertainment.

Since 2015, with three years of successful grant funding, Kristina has coordinated an intensive recording program and music education project in Chennai, India, which produces an album of original music by emerging independent artists each year, distributed and promoted internationally. Kelman is also a Brisbane based musician, who has had a successful twenty year career performing and recording as a jazz singer, and working as both a music director and conductor for various Australian projects. She currently lectures at the Queensland University of Technology.

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versity. His research and scholarship have appeared in peer-reviewed journals and book chapters, and he has presented his work at international conferences in the United States, Great Britain, Canada, and China. In 2006 he was awarded a NISOD Teaching Excellence Award from the University of Texas. He is an executive board member of the Association of Popular Music Education. As a singer-songwriter, Krikun has maintained an active career as a performer, composer, and recording artist. His band, Andy and the Rattlesnakes, was a seminal force in the L.A. Punk/New Wave scene in the late 1970s and early 1980s. A compilation CD of the band's recordings, *Last Summer to Dance*, was released in 2006 and the band is currently working on a new album set to be released in 2019. He has written music for theatre and film, including the 1996 comedy *The Shot*, and continues to write, perform, and record for eclectic musical projects.

Stephen Ralph Matthews was born in Heretaunga, Aotearoa New Zealand. He works in Auckland as a composer, lecturer, multi-media artist, and performer. Since 2007 he has led the development of the undergraduate and postgraduate songwriting degrees at the University of Auckland's School of Music. Matthew's academic work examines songwriting pedagogy, international collaboration, and social justice and environmental issues. His chapter on collaborative composition projects with indigenous communities, "Being Heard: A Māori Community Narrative," appears in *Intersecting Cultures in Music and Dance Education* published by Springer International Publishing.

Matthews' creative work embraces instrumental and electroacoustic music, song, text, and moving image as well as the intrinsic values and worldview of the people and communities he collaborates with. His work references image and sound drawn from the land, river, and sea, and incorporate text in te reo Māori, mōteatea (traditional Māori song) and taonga puoro (traditional Māori instruments). Examples include the semi-staged orchestral work *Witnessing Parihaka*.
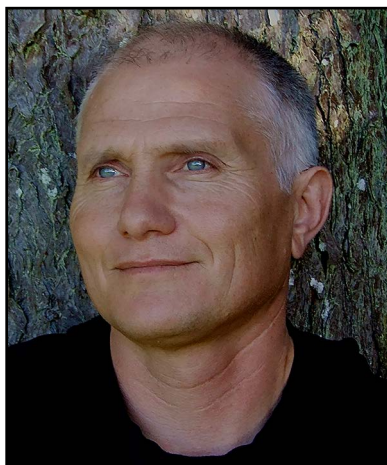
This work was written and performed with the people of Parihaka, a Māori community situated in Taranaki, Aotearoa New Zealand. The piece portrays the political passive resistance of the leaders and people of Parihaka in the late nineteenth century.

Yanto Browning is a Brisbane-based academic, record producer, and musician, with a strong background in technology in music performance and production. With twenty years of studio experience, Browning has produced several hundred records for a broad range of Australian bands and artists, and has also worked as a composer and producer of music for film and contemporary dance. Yanto has researched, developed, designed, and produced several interactive musical spaces, investigating gestural control of electronic instruments and concepts of play, centered around the creation of active musical spaces that incorporate audience participation. This work has included performances and installations at events such as the 2017 Ars Electronica festival. As an educator, Browning has coordinated the music production program at the Queensland University of Technology for the past several years, while continuing his research and personal practice around technology in music. He is currently a lecturer in music and a Ph.D. candidate at the Queensland University of Technology.

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A Work of Art in the Age of Technological Disruption: The Future of Work in the Music Industry

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Abstract

While the outlook on careers in the music industry is very good, the data on specific jobs are not current. With the emergence of new technologies and new licensing regulations related to e-commerce, industry leaders admit that new positions are always emerging and evolving. The number of companies associated with the music industry is quite significant, but in reality, the future of the industry will be dependent on the efforts of entrepreneurs. To that end, it is important for those interested in music production and management to become multidisciplinary learners, combining a number of skills associated with music production, promotion, licensing, and distribution. And since technologies are in a constant state of change, it would be wise for students to develop the ability to think critically and globally, with the understanding that any particular skill set is part of larger paradigms that shift to the tune of disruptive technologies, changing economies, and complex social relations.

Keywords: job, career, entertainment industry, music industry, creative industries, content industry, technology, disruption, work, futurism, entrepreneurship

Methodology and Research Design

The methodology and research design for this study involved four phases. First, the author reviewed the top online sources for job statistics, including LinkedIn.com, Indeed.com, Monster.com, and the U.S. Bureau of Labor Statistics. Second, the author researched scholarly journals and books on the topic of employment trends, disruptive technologies, and theoretical positions on culture, economics, and technology. Third, the author reviewed a series of educational videos from various professional and education sources. Fourth, the author interviewed various scholars and industry professionals.

Introduction

Technological innovation. Democracy. Pluralism. Capitalism. Globalization. These are the pressing points to which those who dream of music business careers look and puzzle. Who hasn't nursed dreams of being a rock star, or at least of working around them in some capacity? But the reality is this: while the music industry has always been difficult to "break into," (depending on what you want to do), modern technology has made *access* much easier, while also making it increasingly difficult for musicians to get noticed. The democratization of the creative economy (Saintilan and Schreiber 2018) has opened the floodgates for would-be music entrepreneurs while, in the absence of tastemakers and gatekeepers, simultaneously drenching the market with digitized commodities. As I often tell my students, it's like trying to take a sip of water from a fire hydrant.

With the economic downturn of the late 2000s and early 2010s the job market floundered, only exacerbated by emerging disruptive technologies that promised quick results for limited cost. A number of industries felt the sting, and music was no exception. Already reeling from the disruption caused by Napster in 1999, recorded music remained on life support. While publishers prayed for licensing deals, the concert industry upped its game and record companies flirted with 360 deals. Then, prophets of doom signaled the decline of the music industry, while internet service providers seemed to prosper. It was a musical apocalypse that created both utopian and dystopian realities, depending on one's position within the new digital economy. Now, the culture industry continues to deal with the fallout of this new economy, and its impact on jobs and paychecks remains uncertain.

A Brief History

Before the Romantic era, the prospect of doing music for a living was somewhat rare. Until this point in Western history, composers worked exclusively for the Church or the State, until wealthy patrons entered the story, offering more flexibility and freedom to composers. As a new middle class developed during the nineteenth century, novice music-makers emerged from domestic parlors, banging away at newly-purchased pianos as they sang hymns and pop tunes for the family. Music publishing expanded as economic and technological development created a new market.

The piano industry and the publishing industry offered novice musicians the ability to entertain at home with quick, accessible novelty songs

and religious works. The emerging difference between "physical and non-physical mediums,"[1] (Heideggerian "thingyness") did not discourage the culture industry's ability to equally monetize both tangible and intangible products. With the expansion of public entertainment, a new professional class of performer arose amid the cross-sections of industrial manufacturing and marketing, a broad appeal becoming a kind of popular music that David Suisman has referred to as a "national phenomenon," with sounds that "accompanied a broad cultural shift in American society." This development did more than change culture, it altered our collective perception of the way the arts (and more broadly, intellectual property) could be translated into a professional endeavor. He continues:

> At the end of the nineteenth century many styles of music rang out across America. Ten thousand military bands, from coast to coast, played an eclectic repertoire of marches, European and American symphonies and overtures, operatic arias, dances, and hymns. The sounds of Italian and German opera, singing societies, symphonic concerts, and street bands filled the air and cities. Musical theater and operetta attracted the white urban middle class; vaudeville, variety, and minstrel shows appealed to a mix of middle and working-class audiences. Among African Americans in the south, one might hear work songs by day and music that would later be known as the blues by night. English ballads were sung in Appalachia, cowboy songs in the west. Religious music ranged from Moody and Sanky hymns to shape-note congregational singing and, among African Americans, music descended from slave spirituals. Of all these many musical forms, however, none had as great an impact on the emergent musical culture in the United States as the popular song industry. (Suisman 2009, 19)

Luminaries such as Thomas Edison and George Westinghouse explored the interrelationships between invention and commerce throughout the so-called "Gilded Age." Advances in industry and technology, along with sweeping cultural shifts from immigration, profoundly shaped what would become the entertainment industry. Key developments throughout

the nineteenth century made it possible for a new creative class to step into the limelight. The railroad industry made the traveling circus an event every American town openly welcomed. Light opera morphed into Vaudeville. Musical theatre made artist management and ticket sales indispensable parts of show business. And the phonograph (an archiving machine for speeches, Figure 1) made it possible to replicate and recreate events in the interest of making "records" (archives) of important milestones worth remembering. Indeed, the recording and publishing industries owe their existence to these developments, as well as many others: the player piano; the Phonautograph;[2] the cylinder Phonograph; the Gramophone; the Telagraphone; lacquer-coated discs; magnetic tape; multitrack recording; Vinyl records; cassette tape; Apple's personal computer; the Compact Disc; the MP3 (and various formats); the Internet; smart phones; and the Cloud. The eventual convergence of multiple technologies would conflate four parts of the music industry (publishing, recording, concert, products) into one, which would rely on enumerable digital services to keep the machine running and in check.

Figure 1. Thomas Edison and his early phonograph. Cropped from U.S.A. Library of Congress copy (Wiki Commons).

While technology has been good for ease of production, manufacturing, and distribution, it has also redefined the role of the musician. The "musicalization of the phonograph," (once perceived as a toy by serious musicians), advanced a new "cultural hierarchy," according to David Suisman, as gramophone companies became tastemakers and gatekeepers who signified class, elegance, and a sort of sacralization of art, which served to archive "the world's greatest musical artists" (Suisman 2009, 110).

Recorded music devices became music-making instruments, with phantom performers contained in bounded form that was transportable and eternal. The novice music lover, now, could "perform" music at the drop of a hat. Similarly, the drum machine, synthesizer, computer laptop, and smartphone have all secretly smuggled what Walter Benjamin referred to as a work of art's "aura" into every part of society, both democratizing and destroying everything in its path. In so doing, original performances (think of sound loop libraries in your favorite digital audio workstation) are endlessly copied and recopied, the smell of the original always pointing back to something that was once authentic, now merely a series of binary numbers. And it is this new "product" (whether art or not) that tastemakers and powerbrokers work to monetize. The aftermath (like dominoes) will have both positive and negative consequences for those who seek to be professional "creatives."

In 1995 Walter Benjamin's classic "The Work of Art in the Age of Mechanical Reproduction" was revisited within the context of the digital era. Douglas Davis's "The Work of Art in the Age of Digital Reproduction" prophetically exhumes the potential heaven or hell that will result from what Theodore Roszak has aptly referred to as the "technocracy" (Roszak 1995):

> It seems clear as the century unwinds that the prophets of technocratic control…overlooked the capacity of an educated elite (infused with the anarchic vitality of contemporary fine and popular cultures) to resist control [of the people] naturally, without conscious intent. Our prophets further overlooked the sheer profit awaiting those inventors and entrepreneurs able to create the sensitive, intuitive computer programs….

…which would inevitably displace not only the arts, but also the creators. Davis disentangles the way technological development would later rise to the point of automation, a development that now rivals the paradoxes and ironies of developments commonly associated with mechanization and the industrial revolution. "Only the unwary mind" he argues, "would deny the further inevitability that a 'neurasthenic' computer, programmed by humanoid codes (a fuzzy logic program, for example, such as those already used by the Japanese to run washing machines and park cars) will shortly create paintings from first stroke to last."

Voice commands for computers and other "smart devices" have now become commonplace. And virtual art, says Davis, is as obvious and automatic (as a fixture) as anything in the Digital Age, even as virtual reality promises to insert users into a "totally artificial universe medium of stereoscopic glasses and sensate digital gloves. Thus clad," he quips, "we can walk, think, and feel the manmade world in virtually the same way we experience the 'real' world." Davis reminds us of what we already know—that the machines are coming for us. Which is fine, as long as we can have Star Trek holodecks (Davis 1995, 383).

Ease of production. Simplicity of distribution. Democratic artistry. As with any attempt to fashion utopia through disruption, dystopic results become real possibilities. And we see this in the current paradigm as rising college graduates (especially creatives) puzzle over what they will do to earn a living amid the cacophony of high-tech wizards, multinational corporations, and unchecked (unregulated) balances of state and corporate power.

Futurism: How Data is Subverting the "Content is King" Paradigm

We are moving from scarcity to abundance, according to futurist and entrepreneur Peter Diamandis. Abundance for whom? Indeed, "within two decades," according to former U.S. Treasury Secretary Lawrence Summers, "we will have almost unlimited energy, food, and clean water; advances in medicine will allow us to live longer and healthier lives; robots will drive our cars, manufacture our goods, and do our chores." However, there will not be much work for human beings. Automation, robotics, and various digital technologies have already replaced many jobs, and they promise to do more (Wadwha 2014).

According to Ray Kurzweil, "Automation always eliminates more jobs than it creates if you only look at the circumstances narrowly surrounding the automation. That's what the Luddites saw in the early 19th century in the textile industry in England. The new jobs came from increased prosperity and new industries that were not seen." Kurzweil's key argument was that just as no one can truly predict the types of jobs that will be created, they also cannot predict what is to come (Wadwha 2014). The pressing question at hand concerns not the presence of automation, but the extent to which *value* is calculated and rewarded…and to whom payment is made.

"In the absence of expertise," said Theodore Roszak "the great mechanism would surely [break] down, leaving us in the midst of chaos and poverty" (7). Modern computer technology is arguably a product of some of the principles that developed during the American counterculture in the middle part of the twentieth century. In the midst of the Silicon Valley tech boom, young entrepreneurs (many of them the children of hippies) applied the liberal idea of collectivism to technology, envisioning global democratic connectivity and new forms of commerce. The "counterculture," says Tim Adams, "fed directly into plutocratic tech culture" (Adams 2017). The following is an executive summary that was prepared by the Roosevelt Institute for the Open Society Foundations. The questions raised echo a sentiment about perceived virtues and evils of technology.

> The changing nature of work in the 21st century and the widening gap in income has led to a vibrant debate about the role of technology in shaping future labor markets and overall economic well-being. For at least a decade, the debate had two clear sides: a) that technology inevitably drives the polarization of the labor market and growing income inequality or b) that the hollowing out of American jobs is the result of a host of policies that have put downward pressure on wage growth and job creation. Recently, we have seen a more balanced view emerge: technology, alongside poor policy choices, has played and could well continue to play a significant role in reducing both the political and workplace power of American workers. As a result, newer research questions have arisen: How has technology shaped not just the number of jobs but also the

nature of work? How will new economic opportunities (or constraints) affect people of color, young people, and others who have traditionally faced discrimination or lacked opportunity? And how can we develop policies that seek to balance the creation of good jobs with an acknowledgement that sharing economies, second economies, and other very different structures are presenting challenges as well as opportunities for workers? The ultimate question, then, is not only whether it will "be different this time," but also how, precisely, technology will change life for various kinds of American workers. (Open Society Foundations 2015, 1, 2)

New ideas for advances in technology are often viewed as mere science fiction, until those advances are suddenly here. In the 1960s Gordon Moore predicted that the number of transistors found on a microchip would double approximately every two years, since they were first invented in 1958. It has been predicted that this trend will (for good or ill) continue indefinitely. Certainly this applies to the current paradigm of computing. But "the exponential increase of price performance," according to tech organizations such as Singularity University, "holds true for the following paradigms of computing: electromechanical, relay, vacuum tube, transistor, and integrated circuit." Exponential technologies continue to accelerate and shape major industries. However, those industries, according to some arguments, are vertically organized in such a way that prioritize technological progress over and above *human* progress. Still, while it is true there has been a "skill-biased technology hypothesis" which points to the inevitability of job polarization and loss at the bottom and "hollowing out the middle class," others maintain that progress is always good. In the same way old industries (such as buggies and carriages) were grandfathered in during the rise of automobile manufacturing, so too will others facing the threat of automation (assembly lines, package delivery, banking, transportation, the service industry, etc.) reap the benefits of disruptive technology (Sundararajan 2017, 53; Open Society Foundations 2015, 1, 2).

Some of the most respected scientists have advised caution as we clumsily advance products and policies that may have uncertain consequences. According to Harvard geneticist George Church, breakthroughs in biological engineering are advancing at such a rate that "we can't pre-

dict how they will develop going forward." According to Joi Ito, "Crispr, a low-cost gene editing technology that is transforming our ability to design and edit the genome, was completely unanticipated; experts thought it was impossible…until it wasn't." The price of gene sequencing, says Ito, is decreasing faster than Moore's Law for processors. Much like those dark developments reminiscent of our favorite science fiction narratives, the speed at which bioengineering is moving, for example, could eclipse traditional computing faster than any of us realize and, if Church is correct, may catch us all by surprise. Big tech advances exponentially, touching every industry that relies on it for monetization (Ito 2018).

Similar to portents made by both Walter Benjamin and Theodor Roszak, Jaron Lanier (widely recognized as the father of Virtual Reality) consistently warns us about the dangers of unchecked power. Our Nietzschean "will to power" (it would seem) has become a collective need that has been emboldened through technology's ever-striking lightning bolt. Ironically, our quest for power and the unconscious desire to destroy ourselves (Sigmund Freud's so-called "death drive" or what Herbert Marcuse called "Thanatos") appear to be two sides of the same coin. Still more ironically, both musical instruments and global warfare, according to Lanier, remain two primary drivers of technological progress.

> I would argue that among musicians who work in technology today, the level of technological sophistication probably exceeds that of military programs, to be blunt. They are just really smart people attracted to making strange new sounds.
>
> In the Sixties, the hippies said "Make love, not war," and that was naive. But it might be less naive to say "Make music, not war," in the sense that the people who create musical instruments are the same people who make up new weapons. If I were perhaps one percent different, I would be over at Los Alamos designing some incredible fusion thing. (*Psychology Today* 2016)

But what about democratizing the arts? Hasn't the internet changed the game? Leveled the playing field? "In all of history, there's not another example of millions of people doing something suddenly together," argued

Lanier back in 1996, "not because they are forced to, but simply because they wanted to—without advertising, without compensation, without lines of authority, without any celebrities." In the beginning coercion was, in Lanier's estimation, absent. "The only thing that happened here was that millions of people thought this was a good idea, enjoyed the notion of participating in it, and the Web couldn't have existed without them choosing to cooperate together in a pleasant, friendly way" (Powell 1996). But now, advertising has changed the paradigm. As the mode of production relies more heavily on distributors rather than creators, a sort of economic cannibalism has developed.

The pros and cons of technological disruption are reoccurring tropes throughout literature, film, and television. Our attempts to reengineer society for the greater good have resulted in some of the greatest accomplishments in history (and some of the most dangerous). Guttenberg's printing press, the typewriter, the cotton gin, the lightbulb, the phonograph, the steam engine, the internal combustion engine, automobiles, airplanes, the telegraph, the telephone, television, the microchip, genetic engineering, and modern medicine (to name a few) all pointed to a larger process (a dream) that promised a way of life that was defined by efficiency, connectivity, and democracy. But much like the Industrial Revolution, the Digital Revolution has created a ripple effect that has an uncertain destination, one that could have profound implications concerning medical ethics, education, politics, religion, long-term healthcare, and the future of work. Ito continues:

> …we can clearly imagine the perils of amortality. Would dictators hold onto power endlessly? How would universities work if faculty never retired? Would the population explode? Would endless life be only for the wealthy, or would the poor be forced to toil forever? Clearly many of our social and philosophical systems would break. Back in 2003, Francis Fukuyama, in *Our Posthuman Future: Consequences of the Biotechnology Revolution*, warned us of the perils of life extension and explained how biotech was taking us into a posthuman future with catastrophic consequences to civilization even with the best intentions. (Ito 2018)

Technological advancement, however, is not merely about robots and automation (see Figures 2 and 3), but a continual trend that enables a vast reorganization of corporations that has a number of potential economic consequences. The following talking points continue to be of great import as futurists and economists attempt to disentangle the technological impact on the future of jobs. This is an ongoing debate about the prickly relationship between technology (particularly big tech) and the labor market.

Automated for the people
Automation risk by job type, %

Job type	
Food preparation	
Construction	
Cleaning	
Driving	
Agricultural labour	
Garment manufacturing	
Personal service	
Sales	
Customer service	
Business administration	
Information technology	
Science & engineering	
Healthcare	
Hospitality & retail management	
Upper management & politics	
Teaching	

Source: OECD

Figure 2. Automation risk by job type (source: economist.com).

Work Activity Category	Time Spent Across All Occupations	Automation Potential
Managing and developing people	7%	9%
Applying expertise to decision making, planning, and creative tasks	14%	18%
Interfacing with stakeholders	16%	20%
Performing physical activities and operating machinery in unpredictable environments	12%	26%
Collecting data	17%	64%
Processing data	16%	69%
Performing physical activities and operating machinery in predictable environments	18%	81%

Figure 3. Time spent and automation potential by work activity category (source: McKinsey Global Institute).

1. Will there continue to be significant developments in technology, and if so, how will it shape the economy? For some, the trend will continue in the same way as the Industrial Revolution, but others argue the trend will either level off or dwindle.
2. Institutionalists believe that to focus on the past or future impact tech has on inequality distracts us from a bigger problem, which is law and policy.
3. Although a "skill-based technological bias" has created a paradigm where workers are replaced by technology, it is important to note the systemic benefits from technology's ability to transform the structure of the economy, and therefore, the labor market.
4. We must analyze the specific capabilities of technology so we can see precisely what jobs or tasks could (or should) be automated, and any potential effect on the distribution of workers throughout the greater labor market.
5. Technology is not enough, according to futurist Nikola Danaylov. The most pressing matter is *how* we use it. This is why we need ethics, and this requires instruction (Open Source Foundations 2015).

The greatest technological disruption to the music industry has clearly been in the area of recorded music, a structural paradigm that Cherie Hu refers to as "a continuous ungrouping, and regrouping, of content" (Hu 2018). And while the Music Modernization Act promises to close the gap between service providers on one side of the gulf and songwriters and producers on the other, the extent to which disruption will affect other parts of the industry remains unclear. Yes, the concept of automation has had an impact on session musicians due to the presence of digital audio workstation libraries, and recorded music continues to be driven by the bundled service revolution, but disruption may also extend to the concert industry.

"The Internet has revalorised live performance," says Andrew Leyshon, "and now generates revenues higher than recorded music" (Leyshon 2014). The promotional engine that once drove the concert industry involved human agents. With the rise of digital marketing, however, disruption creates a paradox whereby the live industry (spirited to the fore-

ground by major players such as Live Nation and AEG Live) continues to prosper, even though street-level marketing campaigns (for now) do not offer the same job security as they once did. With one click, consumers are able to discover more details about their chosen artist on platforms such as Spotify. While listening to their favorite tunes, fans are able to study an artist's tour schedule, compare prices based on region, examine travel possibilities, and book lodging (note: even Airbnb now produces concerts). And with one click, a fan is also able to secure an annual membership fee with Live Nation for unlimited concerts. One-stop shopping!

Although the economics of the concert industry has proven to be on solid ground (somewhat), recorded music and internet platforms continue to vie for the consumer's attention. Even smart speakers (Figure 4) have entered the game, promising to reward creators and distributors in a world that is increasingly defined by the creative economy or, more accurately, the "experience economy." For example, "when Spotify CEO Daniel Ek told *The New Yorker* that his company isn't in the music space, but the moment space, he was implying that the *experience* [emphasis added] is the commodity—not music, but everyday activities tuned to Spotify's algorithms and curated playlists. Smart speakers nestle perfectly into a digital music landscape colonized by streaming platforms, the better to curate each activity as a meaningfully soundtracked moment" (Harvey 2018).

Record labels join the fray as they recognize that consumers prefer *styles* of music (rather than branded artists) that fit specific situations and lifestyle patterns. Will Slattery, global digital sales manager for the upstart label Ninja Tune, tends to feature music that highlights specific moods and activities. "When people start interacting with smart speakers," he says, "they're going to want to say, 'Alexa, play some chill music,' or 'play music for dinner,'" Slattery predicts. Labels could then be positioned to provide streaming
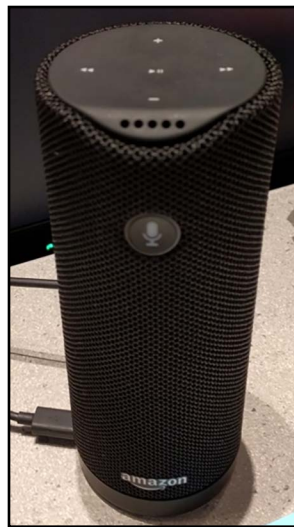

Figure 4. The Amazon Tap smart speaker on display at an Amazon Books location (Wiki Commons).

companies with metadata that allow employees to search for (and code for) songs that fit specific moods. Ninja Tune artist Bonobo, Slattery notes, is very popular on study and concentration playlists—something the producer doesn't take into account when composing his music, but which he can't deny once it's in circulation. "It is strange to imagine an artist hoping they someday get their music on fitness playlists," he quips, as opposed to getting a rave review or a plum Coachella slot. "But this will change fast. What seems like a slightly absurd way to approach music today will be commonplace tomorrow" (Harvey 2018).

Metadata has become the economic determinant for what will be successful. The promise of integration between smart speakers and lyric searches signals yet another shift, according to LyricFind founder Darryl Ballantyne. "Even though the labels aren't getting paid by us, having the lyrics available gets them paid more from other people," Ballantyne says, leading to more streams. Technology companies have been pitching their products toward the type of music consumer who might request something like "the hipster song with the whistling." Simply put, "Amazon, Apple, and Google aren't going to sell millions of smart speakers by aiming their products toward music obsessives, especially when casual fans are much more amenable to algorithmic programming" (Harvey 2018).

This new disruption could become the "exclusive province of massive firms," (who have deep pockets for experimentation), which means three of the so-called "frightful five" (Amazon, Apple, Facebook, Microsoft, and Alphabet, the parent company of Google), are poised to become somewhat the equivalent of the major record labels, but (and here's the kicker) with "exclusive holdings in hardware and software, and plenty of incentive to lock competitors' products and content out of their systems" (Harvey 2018; Manjoo 2017).

The Future of Power

Technology has become a bit of a taskmaster for those whose "will to power" affords them more social leverage within a world that grows increasingly epicurean. However, theories of classical liberalism contend that the profit motive remains one of the primary motivators for the common good. For instance, the copyright system was once based on the idea of "moral rights," whereas modern iterations and understandings of intellectual property law have evolved with the free market. Thus, the desire to capitalize on the work of content creators is necessarily entwined with the

need to protect them (or so it should be), and the protective impulse will arguably benefit all actors involved in the process, both rewarding ingenuity and benefiting society. But this dalliance between what amounts to employers and workers comes at a cost (Guthrie 2016, 98, 99).

Power is solidified within the creative industries due to specializations of labor. Though copyright protection is arguably available to anyone in most industrialized countries, the impact of the work of content producers, according to Jason Lee Guthrie, is meaningful only if it has the "potential for economic capitalization." We all know one must obtain a certain mastery at a skill for one to produce work that has economic value. "In an advanced capitalist economy," he continues:

> this level of specialization typically precludes content creators from also obtaining the specialized knowledge necessary to secure the rights to their own works. They are even less prepared to defend those rights legally if the need arises. In general, content creators in a position to produce works of such quality that they require protection are not in a position to provide for that protection themselves. (Guthrie 2016, 99)

In other words, the skills of the content producers (whether they be songwriters, arrangers, record producers, audio engineers, sound designers, etc.) are reliant on larger entities who promise legal protection and expedient, monetizable distribution. "These twin paradoxes of dependence and specialization," says Guthrie, "are fundamental to the structure of creative industries." The balance of power, as most of us well know, tends to benefit industrialists rather than creatives. With the rise of popular culture came the convergence of technology, capitalism, and commodification. The result? A disconnect between management and labor within the music industry…as Cultural Marxism once predicted. But now, *because* of technological disruption (a nod to the Frankfurt School of cultural studies), content creators are increasingly able to produce, distribute, and retain control of their works, "independently of industry mechanisms if they so choose" (Guthrie 2016, 99).

That technology will continue to redefine and remap our cultural paradigm of "work" is undeniable. Work will continue and jobs will remain, but technological disruption will loom large. Consequently, the nature of

those jobs (the power relations and levels of content ownership) remains uncertain. It has been said that the factory of the future will only have two employees, and those will be a man and a dog. The man will be there to feed the dog…and the dog will be there to keep the man away from the equipment.

Perspectives on Work in the Future (And Some Quick Visuals)

According to an Oxford study, 45% of all current jobs will disappear due to automation. In the so-called "gig economy," musicians appear to be operating as hunters and gatherers, seeking and foraging for their next meal. Depending on your perspective (and politics) the future of work is irreducibly dependent on humanity's individual and collective ability to either close Pandora's box (so to speak) or to forcibly wield its power to benefit those who deserve it. For some, automation will destroy human jobs and creativity (a dystopian outcome). For others, the creative economy will continue to grow, despite automation (a utopian outcome). And depending on how one defines a "product," the conflation of digital moments (abstractions) and the physicality of devices interconnected with digital content, will continue to feed the beast that has become IoT. "The number of IoT devices [Internet of Things] increased 31% year-over-year to 8.4 billion in 2017 and it is estimated that there will be 30 billion devices by 2020. The global market value of IoT is projected to reach $7.1 trillion by 2020," according to Chin-Lung Hsua and Judy Chuan-Chuan Lin.

In the future, "things" will potentially be digitized and networked, according to Arun Sundararajan in *The Sharing Economy*. "We are now entering a world," says Sundararajan, "where you no longer need a factory or warehouse or distribution network to be engaged in the sale of physical objects…All you need is design." 3-D printing has added another layer of complexity to growing narratives associated with disruptive technologies, creating and displacing industries and jobs (Sundararajan 2017, 56, 57). Furthermore, the world of IoT will become one where common, household items will have embedded digital intelligence, designed to alert local stores that you are running out of milk, for example. A physical object, he notes, "will know where it is and how much it is being used, and will be able to arrange automated, digitally enabled transport for itself to its renter without human intervention (56). To some extent, both 3-D printing and IoT will expand crowd-based capitalism.

The "sharing economy," according to Sundararajan, may supplant the current economic paradigm…if we trust one another and learn how to monetize our unused resources and "share" our tangible goods that are not in use (automobiles, houses, apartments, parking spaces, etc.) and turn them into services. (And just imagine how we might apply that to recorded music.) These physical objects may continue, but the way we attach value and monetize them will evolve. Will this new paradigm, he asks,

> represent the rise of the microentrepreneur—a generation of self-employed workers who are empowered to work whenever they want from any location and at whatever level of intensity needed to achieve their desired standard of living? Or will it represent the culmination of the end of broad-based and high standards of living that the United States witnessed in the 1950s and 1960s—a disparaging race to the bottom that leaves workers around the world working more hours for less money and with minimal job security and benefits? (Sundararajan 2017, 177)

To some extent, the physicality of industries built on tangible products will remain reliant on the power and appeal of *intangibles* as digital content continues to haunt every facet of the music industry, including recorded music, live events, management, publishing, licensing, software development, manufacturing, and retail (Guthrie 2016). This all seems rather daunting, but a visual of how jobs are organized and what is expected may help us to conceptualize both organizational and curricular needs. The following career map (Figure 5) once typified the universe of professional songwriters, producers, technicians, and managers in the music industry. It is not surprising that the layout of this map (the number of identifiable jobs) will shift, even bleeding over into other industries. Only within the current paradigm could a major retail outlet be considered a record label or Netflix serve as a major employer for those seeking work within the music industry.

The following is a list of general careers that have been identified by the U.S. Bureau of Labor Statistics[3] and advertised on career sites such as LinkedIn. As of 2017, the overall outlook for jobs in the U.S. places careers in "wind turbine" as the most common with careers in the dramatic arts coming in last. The ranking below offers *some* insight into career sta-
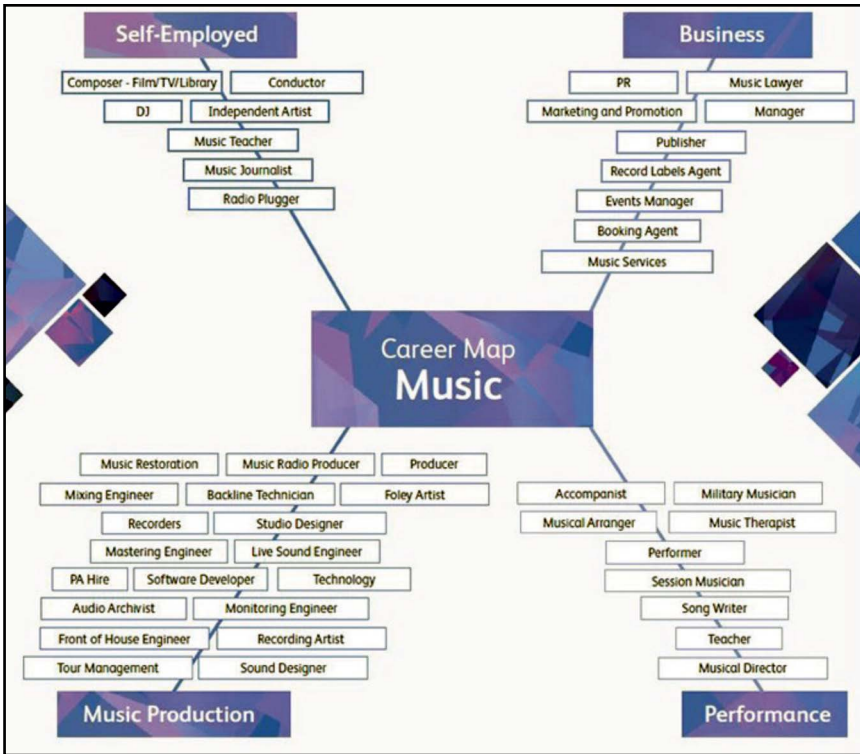
Figure 5. This career map once typified the universe of profes-
sional songwriters, producers, technicians, and managers in
the music industry.

bility relative to some of the top-hiring industries, relative to the evolution
of technology and the demographics of age.

1. Wind Turbine (technological development makes eco-
   nomic and environmental sustainability both necessary
   and possible)
2. Healthcare (baby boomers are retiring)
3. Data Analysts (due to technological disruption)
4. Architects and Engineering (robotics, nanotechnology,
   etc.)
5. Specialized Sales (due to technological disruption, abil-
   ity to explain company's offerings)

6. Senior Managers (leadership needed through periods of transformation) media, entertainment, and information industries!
7. Product Designers (Creativity still requires a human being)
8. Human Resources and Organizational Development (training existing employees for new jobs)
9. Athletics
10. Regulatory and Government Relations (experts increase as companies embrace new technologies)
11. Film, Television, and Theatre (actors will sell a 3-D rendering of their persona to big tech companies)

The following is a list of careers in the music industry that have been identified by the U.S. Bureau of Labor Statistics[4] and advertised on platforms.

- Creative
    - Songwriter
    - Session Musician
    - "Record"/Content Producer
    - Entrepreneur (YouTube, Amazon, SoundCloud, etc.)
    - Voiceovers and Audiobooks
    - Music Supervisor
    - Sound Design
    - Music Communications
    - Instruction
    - Film, Television, and Gaming Industry
- Technical
    - Recording/Mix Engineer
    - Acoustician
    - Sound Design
    - Film, Television, and Gaming Industry
- Publishing
    - Licensing (film, television, gaming, eating establishments, music venues, service industries, travel industries, etc.)
    - Music Communications
- Management
    - Artist
    - Attorney
    - Tour

- Live production
- Concert promotion
- Stage
  - Business
  - Personal
  - Film, Television, and Gaming Industry
- Distribution, Storage, and Archiving
  - Streaming services (audio, television, film, gaming)
  - Files and storage formats (WAV, AIFF, MP3, MPEG, etc.)
  - The Cloud
  - Social Media
- Retail and Manufacturing (the least amount of growth)
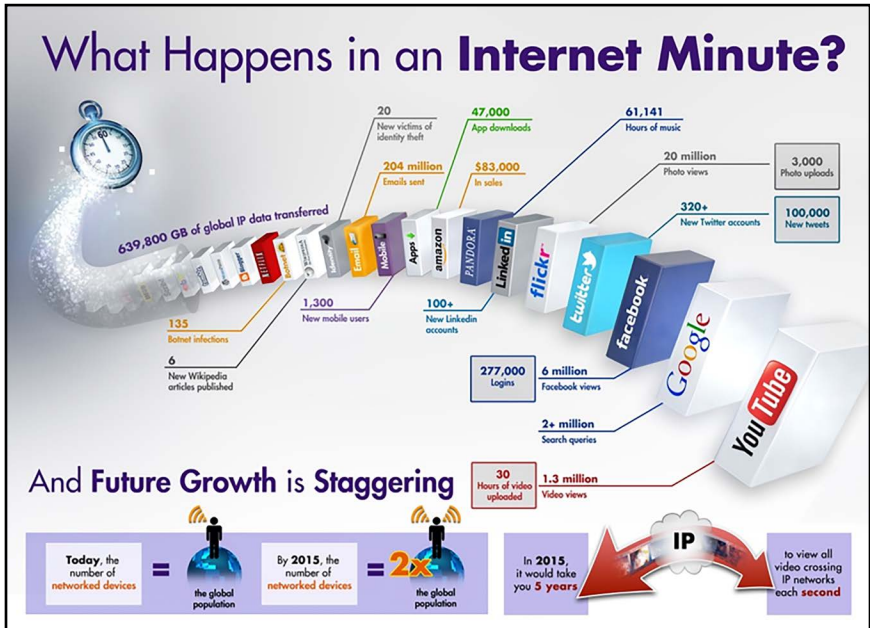
Figure 6. Estimates of information flow before 2015 (Source: Wiki Commons).
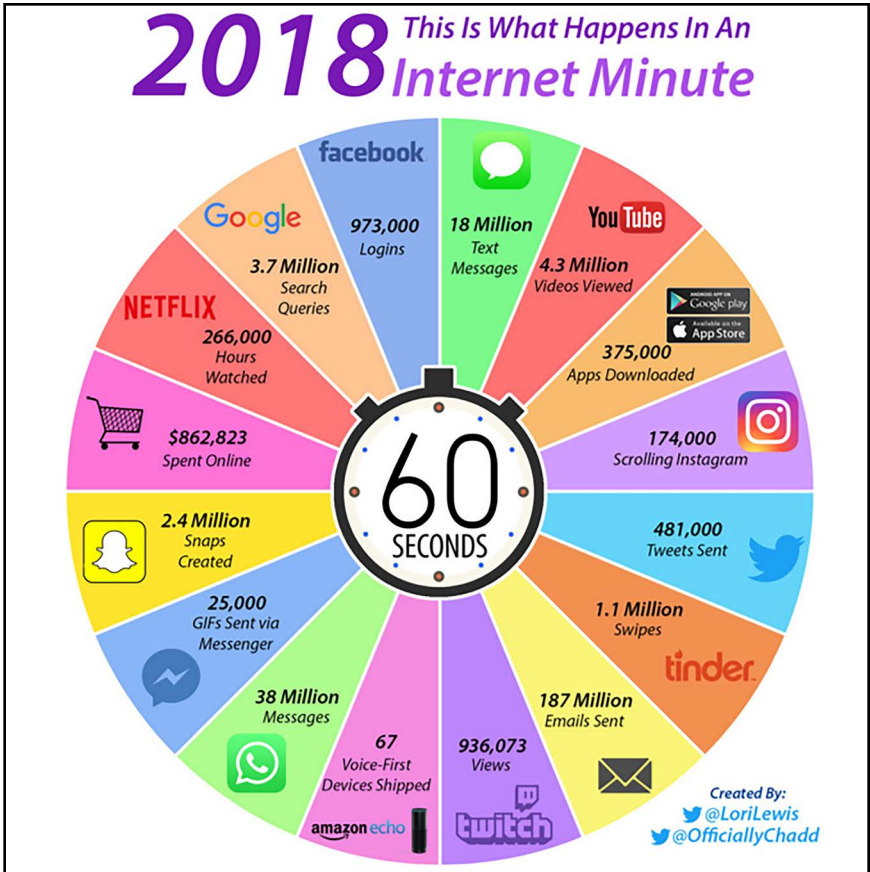
Figure 7. Estimates of information flow in 2018 (Source: Visual Capitalist).

The following is a list of *some* of the major companies that list job openings related to the music industry.

Sony Music Group	Columbia
Universal Music Group	Spotify
Warner Music Group	iTunes
LIVE Nation	Shazam
AEG Live	Vevo
William Morris Endeavor	Youtube
Creative Artists Agency	Soundcloud

Pandora	International Creative Management
United Talent Agency	Apple
The Agency Group	ASCAP
The Windish Agency	BMI
AM Only	SESAC
TKO	Fender
Netflix	iHeartMedia
CBS	Rock & Roll Hall of Fame Museum
ABC	Yamaha
NBC	Clair Solutions
Amazon	Sony BMG
Disney	Time Warner
Nickelodeon	NAMM
DreamWorks	MTV
Universal Studios	Hit Factory Studio
Miramax	National Academy of Recording
Recording Industry	Arts and Sciences
Assoc. of America	

What do Employers Want?
- Transferable Skills
- Practical Skills
- Professional Portfolios
- Resume (don't write this on your smart phone!)
- Writing and Communication
- Creativity

Career Websites
- Monster Jobs
- Glassdoor
- LinkedIn
- Jobs.net
- Indeed
- CareersinMusic.Com
- Forbes
- Berklee

Making a Case for Music Industry Programs

Prospective students continue to express an interest in the fields of studio and live audio production, artist management, concert promotions, publishing, licensing, and marketing. Graduates of music industry programs will be able to work for production companies, tour companies, content development, content management, and others *related* to the music industry—and there are many of them. At the time this report was created (January 2018) there were 1,660 jobs listed on LinkedIn, well over 1,000 listed on Monster.com, and 5,651 on Glassdoor.com, all related to music production.[5] While the outlook on careers in the music industry appears to be good, the data on *specific* jobs are not current. According to recent interviews with members of the Music and Entertainment Industry Educators Association (MEIEA), the data do not yet exist, given the nature of this ever-changing industry. With the emergence of new technologies and licensing regulations related to e-commerce, industry leaders admit that new positions are always emerging and evolving.

The music industry can be divided into four sectors (publishing, recording, concerts, products), and the fields that continue to yield the most profit (revenue pipelines) tend to be the concert industry, licensing, and distribution through e-commerce. According to Nielsen Holdings, "there are five key media sellers in the media industry: TV networks, digital publishers, radio broadcasters, ad networks/platforms and multichannel video programming distributors." These sellers continue to grow and expand.[6] While the number of companies associated with the *music* industry is quite significant (see Table 1), in reality, the future of the industry will be dependent on the efforts of entrepreneurs. To that end, it is important for students interested in music production and management to become multidisciplinary learners, combining the liberal arts, business (specifically, entrepreneurship), and the various skills associated with music production, promotion, licensing, and distribution.

Those of us in higher education are well aware of this struggle to convince administrators of our relevance and students of the obvious connection between a college degree and success. Prospective students often ask, "Why college? Can't I just learn from YouTube?" The answer is, yes! And no! It is important for program directors, department chairs, recruiters, deans, provosts, and college presidents to recognize the disconnect between the bottomless pit of online knowledge (some good, lots bad), and the "curated" approach to higher education that can be traced back to

Category	Approximate Number of Companies
Movies/Video Production	58,000
Communications	13,500
Installation Technologies	11,400
Printing/Publishing	177,000
Stage & Lighting	150
Recording & Playback	275
Recordable Media	1400
Internet Service Providers	30,000
Broadcast Radio	18,000
Broadcast TV	5,300
Cable/Satellite TV	13,500
Electrical Entertainment Equipment	3,100
A/V Equipment	3,700
Music - Licensing and Royalties	175
Ad Agencies	41,000
Art/Graphic Design	63,000
Software Development	32,000
Music and Broadcasting Services	14,500
Theatrical Services	20,000
Editing - Motion Pictures	1,100
Equipment & Props - Motion Pictures	1,100
Theatrical Rentals	375
Pro/Semi-Pro Sports Clubs	3,800
Theme Parks	2,000
Cruise Lines	175
Music Publishing	1,500

Table 1. Types and number of U.S. companies associated with the music industry (Tolley 2008, 3).

the origins of higher learning. Indeed, students can locate a good number of online sources, many of them free. However, after sifting through the ocean of questionable information (YouTube, etc.), students stumble upon various webinars, online conferences, and lectures, many of these quite good. However, while these resources offer a modicum of knowledge (often mere overviews), they do not go beyond a certain skill level or offer any series of networks that might lead to an actual job. Furthermore, if the online learner wishes to be awarded credit (which verifies their knowledge to potential employers), they are asked to pay for credit hours.

Music industry programs pride themselves on an ability to meet the needs of the student, based on a number of key outcomes. These outcomes (which go through a process of rigorous institutional vetting) are intended to offer students the following advantages when it comes to the job search:

1. Curated knowledge
2. Access to a series of lifelong networks
3. Internships
4. Service-based learning
5. Experience

The cost of tuition continues to grow. However, a different view of our "value proposition" may prove enlightening, especially for the parent who (quite rightly) has become skeptical about the return on investment. In other words, educators must continue to help prospective students and their parents connect the dots, illuminating precisely what they are purchasing, as well as the value chain associated with key social networks that connect higher education to the workforce.

The information and knowledge industry markets and sells usable data. But for the college student, tuition is paying for more than merely a seat in class or credits for a transcript. The college diploma represents a transaction that is the result of years of "external" analysis and review by professionals who are connected to the very networks to which a college graduate seeks entrance. Put another way, in today's competitive market it is both *what* you know and *who* you know (Tuition = Knowledge and Networks).

In today's economy, consumers are increasingly placing a greater value on *experiences* rather than content or product. In fact, the "experience economy" goes beyond festivals and concerts and now includes any ongoing encounter with local communities that may offer access to information, career networking, friendships, and completion of Maslow's

hierarchy of needs. Today's *typical* liberal arts college must continually strive to meet the needs of "customers" who have become increasingly disenchanted with the future of work and promises made by academe. Our purpose, therefore, is to inform them of the radically changing paradigm of "work" in the music industry and to convince them of our worth as institutions of higher learning. In fact, Steve Jobs once insisted that "the best ideas emerge from the intersection of technology and the humanities." "We're not just a tech company, even though we invent some of the highest technology products in the world," he said in a keynote speech, "It's the marriage of that plus the humanities and the liberal arts that distinguishes Apple" (Lehrer 2011; Sarno 2010).

Conclusion

That the nature of employment is changing is indisputable. Disruptive technologies continue to pressure companies to redefine and reimagine what their workforce will look like. As stated earlier, many have advised caution as various industries advance products and policies that may have uncertain consequences. The Digital Revolution has created a ripple effect, and it could have profound implications concerning medical ethics, education, politics, religion, long-term healthcare, and the future of work. Again, technological advancement is not only about robots and automation. It is a continual trend (a structural process) that has potential economic consequences. Economists and technology futurists continue to inform us about impending doom or a newer, better world. Terms like "shared economy," "on-demand economy," "collaborative consumption," "crowd-based capitalism," "uberisation," and "gig economy" all point to newer versions of capitalism that redefine property and ownership, while reorienting consumers to new kinds of currency (blockchain technology, Bitcoin, etc.), and this new world will be one where we learn how to properly leverage our social networks as additional forms of currency.

Internet companies continue to challenge the conventional brick-and-mortar business model, a once dominant paradigm. An increasing number of companies are now part of the music industry, and they do not fit into the traditional models once associated with the music business: record labels, concert promoters, talent agents, etc. Rather, a vast network (literally) of cyber-companies have helped us all reimagine concepts such as property, ownership, leisure, community, knowledge, and entertainment. This interconnectivity thus implies the importance (the necessity) for col-

lege graduates and young entrepreneurs to turn on, tune in, drop in, and engage, to paraphrase Timothy Leary. Higher education is more important than ever. If a successful future is understood as something which arises out of a proper relationship between knowledge and social networks (both forms of "currency"), then music industry programs must convince prospective students of our importance to their futures in the new economy.

Employment in the entertainment and sports industries has been projected to grow ten percent from 2016 to 2026, which is faster than the average for all other occupations. Strong demand from the public for more movies, television shows, music, and video games (as well as athletic events) will contribute to job growth in the sports and entertainment occupations, according to the U.S. Bureau of Labor Statistics.[7] The implication? There *will* be jobs in the music industry. But as educators, we need to prepare our students to be flexible and, as stated by MEIEA's 2018 keynote speaker, Dina LaPolt, "collaborative, global-minded risk takers." They must strive to be multidisciplinary learners, combining skills in music production, promotion, licensing, and distribution. And they must remain flexible learners, able to respond to new disruptive technologies and the new laws that accompany them. Since technologies are changing, students must learn how to think critically and globally, with the understanding that any particular skill set they have learned will eventually become obsolete. With this in mind, prospective students (and anyone concerned about the future of work) must strive to live and learn within larger paradigms that shift to the tune of disruptive technologies, changing economies, and complex social relations.

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Content ID as a Solution to Address the Value Gap

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Abstract

In September 2016, the European Commission included in its Proposal for a *Directive on Copyright in the Digital Single Market* an obligation for user-uploaded content platforms to introduce effective content recognition technologies as a means to address the value gap. After describing the size and origin of said value gap, and taking YouTube's Content ID technology as a reference, the paper assesses the effectiveness of this technology in identifying sound recordings and musical works. It then analyses how rights holders are currently using Content ID and why they have not consistently applied it to block access to the content they own. The paper suggests that an agreement would have to be reached by a significant amount of record labels, most notably the majors, to act in unison and use Content ID to block their content on YouTube until it agrees to pay fair remuneration for the making available of their content. Such an initiative raises several questions. First, whether record labels would be able to stick to such an agreement and not be tempted to unblock access to their content to benefit from YouTube's promotional capabilities. Second, whether this form of cooperation among competing labels could be considered a concerted practice, potentially contrary to antitrust regulations. And third, whether any potential negative effects on competition could be outweighed by increased efficiency in the market and thus be authorized by antitrust authorities.

Keywords: Content ID, value gap, YouTube, Spotify, Digital Millennium Copyright Act, E-Commerce Directive, Copyright in the Digital Single Market, IFPI, music streaming, digital music, sound recordings, music copyright, recording industry, music industry

Introduction

The International Federation of the Phonographic Industry (hereafter IFPI) has described the value gap as "the biggest threat to the future sustainability of the music industry," making it "the industry's single highest legislative priority" (IFPI 2017, 24-25). IFPI is, however, not the only trade association to put the value gap high on its policy agenda. Albeit in some cases using different terminology,[1] the International Confederation of Societies of Authors and Composers (hereafter CISAC), the Independent Music Companies Association (hereafter IMPALA), the International Confederation of Music Publishers (hereafter ICMP) or, at domestic level, the Recording Industry Association of America (hereafter RIAA), to name a few, all have strategies in place in order to "bridge the value gap."

The political debate has become particularly intense in Europe since September 2016, when the European Commission presented its draft *Directive on Copyright in the Digital Single Market*.[2] The bill covers a wide variety of subjects and was presented together with other proposals in what seemed to be the most ambitious copyright package in many years.

One of the most important aspects of the draft directive is its attempt to bring some clarity as regards the role played by user-uploaded content (hereafter UUC) platforms in the dissemination of copyright protected content. If adopted, it would therefore constitute the first piece of legislation in the world to address the value gap.

One of the most debated aspects of the bill is the obligation it imposes on UUC platforms to introduce content recognition technologies to help manage the copyright protected content that is made available. However, this type of technology has already been implemented by some UUC platforms, most notably YouTube, and, albeit helpful, has not completely solved the problem. This raises questions as regards the effectiveness of said technologies, the way they are used by rights holders, and ultimately asks if the obligation to introduce them is enough to address the value gap. But what exactly is the value gap?

The Value Gap

According to the IFPI, "The value gap describes the growing mismatch between the value that some digital platforms, in particular user upload services, such as YouTube, extract from music and the revenue returned to the music community—those who are creating and investing in music" (2018, 26). In other words, music rights holders consider that

the money paid by UUC platforms for the use of music does not reflect the true value of music.

Calculating the Value Gap

The question now is if we can actually quantify that mismatch, and while this is not easy, we can look at different sources. The IFPI itself provides some information (see Figure 1).
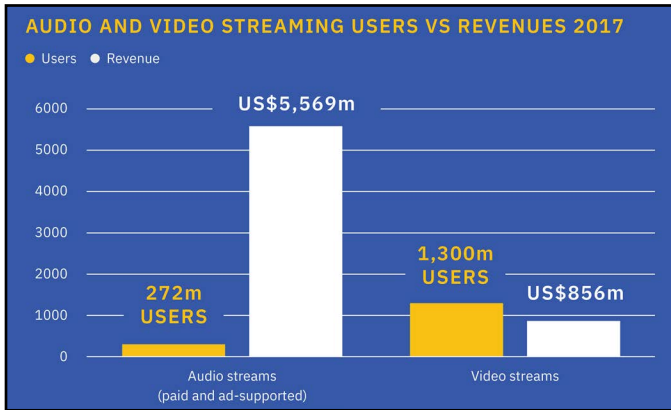
Figure 1. Audio and video streaming users vs. revenues 2017 (IFPI 2018, 27).

The IFPI also adds that the estimated annual revenue per user is US$20 in Spotify and less than $1.00 in YouTube. Moreover, it reports that video streaming makes up more than half of on-demand streaming time, YouTube alone accounting for 46% of that time (2018, 27).

On the other hand, Information is Beautiful compares the average artist revenue per play of the major music streaming services, coming to the following results (Table 1). However, calculating the value gap is not as simple as comparing YouTube payouts to those of other digital services, let alone other sources of revenue. First of all, because value gap claims are based on YouTube's ad-based service, not on its newly created YouTube Music,[3] whereas Spotify, Apple Music, Deezer, and other digital platforms generate most of their income, if not all, from subscriptions, which is a different business.

Some therefore argue that YouTube should be compared only to the ad-supported tier of those services. Yet, even if that comparison is made, YouTube seems to be paying less than Spotify (Table 2).

Service	Average Artist Revenue per Play
Napster	$0.0190
Tidal	$0.0125
Apple Music	$0.0074
Google Play	$0.0068
Deezer	$0.0064
Spotify	$0.0044
Amazon	$0.0040
Pandora	$0.0013
YouTube	$0.0007

Table 1. Major music streaming services compared (McCandels 2018).

Service	Payouts per 1,000 Streams
Spotify (ad-supported tier only)	$2.11
YouTube	$1.20

Table 2. Payouts per 1,000 streams (Peterson 2017).

Liebowitz (2018) suggests further analysis. First, he looks at the percentage paid out by YouTube compared to the ad-supported tiers of music streaming services. He indicates that a service like Spotify typically pays out 70% of ad revenues to rights holders, whereas YouTube only shares 55% of said revenue.[4] Therefore, according to Liebowitz, it appears that YouTube not only fails to generate as much revenue per stream as its competitors, but it also pays a smaller share of its advertising revenue to copyright owners (2018).

Finally, Liebowitz points out that the fact that YouTube is under-monetizing might have also had an effect in the ability of fully-licensed platforms to maximize revenue in three ways. First, because services like Spotify could be forced to lower their advertising intensity to compete with YouTube. Second, because they cannot fully match YouTube's low

advertising intensity, they might have reduced audiences in their ad-supported tier. And third, because low advertising intensity in ad-supported services disincentivizes users to switch to subscription ones (2018). In fact, some competing online music streaming services claim that YouTube has a fundamental impact on their business, even affecting their ability to increase artist payouts (Kharpal 2016).

Liebowitz, however, is not able to estimate the economic impact of these dynamic effects. Beard, Ford, and Stern (2017), on the other hand, apply economic modeling techniques and come to the conclusion that a more market-based royalty rate applied to YouTube could generate $650 million to over one billion dollars a year in the U.S. alone, which is 11% to 17% of total recorded music revenue in 2017 (IFPI 2018). Finally, it seems that growth by video UUC does not translate in an equivalent increase in money being paid out to rights holders. According to the British Phonographic Industry, while YouTube and Vevo saw a rise of 88% in video plays, money collected by labels from ad-supported services grew by just 4% (Ingham 2016).

Critics of the Value Gap Claim

Not everyone, however, shares the view that YouTube is underpaying. YouTube itself obviously denies it, albeit providing little detailed information. In a 2016 blog entry, YouTube claimed to have paid the music industry over $1 billion that year without specifying for which territory it paid that amount. Assuming it was for the entire world, which seems a likely assumption, that would amount to 6.25% of total recorded music revenue in 2016. Note however that part of that money was paid to the owners of the musical work. Therefore, we can estimate that YouTube payouts must have been between 4% and 5% of recorded music revenue in 2016. This is more than the amount collected for vinyl (3.6%)[5]—a surprisingly healthy market, albeit a marginal one—but less than half the revenue generated by public performance (13.7%), a non-interactive form of music consumption, and therefore likely to be less valuable for consumers (IFPI 2017).

Another figure was provided by YouTube's Global Head for Music, Lyor Cohen. He claimed that YouTube paid $3.00 per thousand streams (CPM) in the U.S., more than other ad-supported services (Roettgers 2017).[6] Jason Peterson (2017), Chairman of GoDigital Group, nuanced that figure. First, Peterson argues, the number refers to monetized video

streams, stressing that only 40% of YouTube videos have advertisements. If 60% of videos are not monetized the effective CPM (eCPM, in his own terminology) would be $1.20, instead of $3.00, less than Spotify's ad-supported eCPM of $2.11, and much lower than the latter's subscription eCPM of $6.19.

Peterson's estimate seems to be in line with calculations by the Recording Industry Association of America (hereafter RIAA). In a rebuttal statement to Cohen's blog entry, RIAA Chairman and CEO Cary Sherman stated that 2016's "payout per 1,000 streams was closer to half that [$3.00] amount, according to industry data and Nielsen and BuzzAngle estimates" (2017).

Peterson adds that YouTube is part of a vertically integrated company (Google) with a 60.12% margin, compared to Spotify's 16% margin. Although he concedes that Spotify's margin is anemic, he underlines that a healthy one would be around 20% to 30%. He adds: "If Google was in line with music industry practices it would increase its advertising fill rate and pay through at least on par with Spotify at $2.11 eCPM in the United States ($3.51 CPM at a healthy 60% fill rate or $5.28 CPM at today's 40% fill rate) and still have 53% to 30% margins from ad supported streaming, respectively" (2017, 2). Finally, he suggests that in any case the figure provided by Lyor Cohen is for the U.S. market, a particularly lucrative market. Global rates, according to Peterson are lower than $0.50 eCPM (2017).

YouTube has also argued that the comparison between its service and audio streaming services like Spotify is unfair. Christophe Muller, YouTube's Global Head of Music Partnerships, understands that the service should rather be compared to radio:

> Like radio, YouTube generates the vast majority of its revenue from advertising. Unlike radio, however, we pay the majority of the ad revenue that music earns to the industry. Radio, which accounts for 25% of all music consumption in the US alone and generates $35bn of ad revenue a year, pays nothing to labels and artists in countries like the US. In countries like the UK and France, where radio does pay royalties, we pay a rate at least twice as high. (2016)

He also stresses YouTube's value as a platform that helps artists obtain greater exposure, claiming that the service "is one of the only platforms that allows anyone to get their music heard by a global audience of over one billion people" (2016). Muller's comparison of YouTube to radio seems strange, since one medium is interactive and the other is not. As indicated above, the value for consumers is therefore fundamentally different and a higher rate is probably justified. YouTube is more likely to be a substitute of at least ad-based audio streaming services and, as indicated above, the rates should be more in line with the latter.

As regards the promotional power, it is, as we will discuss below, undeniable. Having said that, it seems reasonable for rights holders to decide the value they attach to said promotion and adjust their tariffs accordingly. However, rights holders' claims as regards the value gap suggests that this does not seem to be something that they can negotiate.

Within the music industry there are also people who seem skeptical about the existence of a value gap. Denis Ladegaillerie, CEO of French aggregator, label services company, and parent company of TuneCore, Believe Digital Services, has expressed that he doesn't "see a YouTube value gap. No-one has been able to prove that you can successfully make users pay a few dollars a month to watch official music videos. When someone does that, I'll raise the issue of a value gap. Also, we don't see YouTube cannibalizing usage or money that we should be making on subscription services like Spotify or Apple Music" (Jones 2017).

Ladegaillerie seems unconvinced of the value gap claim. However, his statement merits some comment. First, as indicated above, YouTube seems to be underpaying, even in comparison to the ad-supported tier of streaming platforms. And second, his claims that no one has been able to make users pay to watch official videos sounds like a self-fulfilling prophecy. It is not easy to show that users might be willing to pay money to watch official videos (or videos of any kind) if that option cannot be exercised. Maybe consumers are not really that interested in the audiovisual aspect of YouTube's videos and they just use it as an online music service. In any case, for reasons that we will discuss below, rights holders claim that they cannot negotiate at an arm's length with UUC platforms. But even if they were, that would not necessarily mean that rights holders would impose a pay-per-play tariff on UUC platforms. There are many examples of licensing models that are not based on the final user paying a fee, for example PRO licenses to radio broadcasters.

The question therefore is, why are rights holders not able to negotiate with YouTube and other platforms in the same way they negotiate with other users of their repertoire? And the answer lies in the safe harbor provisions introduced by the Digital Millennium Copyright Act in the U.S. (hereafter the DMCA) and the E-Commerce Directive in the European Union.[7][8]

UUC Platforms and Safe Harbor Provisions

Rights holders claim that UUC platforms such as YouTube take advantage of a legal loophole to avoid paying for the making available of copyright protected content, or to pay less than what they consider to be the market value of music. This loophole was created by the safe harbor provisions included in legislation all over the world, such as the 1998 DMCA in the U.S. or the 2000 E-Commerce Directive in the European Union. Said provisions were introduced to facilitate the development of the internet by protecting intermediaries from, among other things, copyright violations committed by users of their services.

Religious Technology Center v. Netcom On-Line Communication Services, Inc., 907 F. Supp. 1361 (N.D. Cal. 1995) had raised the possibility that certain types of Online Service Providers (OSPs) could, under certain circumstances, be held liable for contributory or vicarious copyright infringements. The DMCA (and later on, the E-Commerce Directive) was an attempt to provide legal certainty as to the specific circumstances under which different types of intermediaries would benefit from liability limitations for third party copyright infringement. §512 (c) of the U.S. Copyright Act[9] deals with providers of storage services on the internet. At a time when these services included mostly website and chatroom hosting, the DMCA created a liability safe harbor for these OSPs if three cumulative conditions are met:

First, the OSP cannot have "actual knowledge that the material or an activity using the material on the system or network is infringing," or be "aware of facts or circumstances from which infringing activity is apparent." Also, "upon obtaining such knowledge or awareness," it must act "expeditiously to remove, or disable access to, the material." The second condition to be eligible for the §512 (c) liability limitation is absence of "a financial benefit directly attributable to the infringing activity, in a case in which the service provider has the right and ability to control such activity." Finally, upon notification of claimed infringement the OSP has to

respond "expeditiously to remove, or disable access to, the material that is claimed to be infringing or to be the subject of infringing activity."[10]

The balance achieved by the DMCA and the E-Commerce Directive worked well in the first years of the internet. Copyright holders felt they had the necessary tools to take down unlicensed services, be they commercial platforms like MP3.com,[11] or small websites of fans with a reduced number of songs available for download. The procedure was simple. As soon as a service was big enough to be noticed, the copyright holder had two strategies at hand. It could sue the service directly or, if it was just a random website with some music, send a take-down notice to the provider of the hosting service. Once the hosting service received one such notice, it would be considered to have actual knowledge of the infringing activity and could therefore no longer be exempted from secondary liability under the DMCA (and E-Commerce Directive) safe harbor provisions if it did not disable access to the infringing content.

Safe Harbor Provisions and UUC Platforms in the U.S.

This legal framework started to be tested in the late 1990s. By that time, unlicensed services were usually small, dispersed, and with very limited content, and they could be easily taken down by copyright holders. Contrary to some misconceptions, there were also a bunch of licensed online music services available (i.e., eMusic, IUMA, Ritmoteca, etc.), but they, too, would only offer limited repertoire.

That changed in 1999, when Shawn Fanning, a 19-year old Northeastern University student, and his friend Sean Parker created a platform that would shake the music industry. Fanning and Parker realized that the aggregate musical repertoire stored in the hard drives of hundreds of thousands of people was much bigger and potentially more attractive to music lovers than the existing online offer at the time, and they found a way to connect that supply with a growing demand for online music.[12] Basically the formula was convincing people to share their music through a common hub.

The p2p version of Napster did not remain open for long—among other things because they could not benefit from any form of §512 liability exemption[13]—but the concept was so powerful that it is still one of the drivers of the internet. YouTube, Facebook, Uber, AirBnB…, these are all platforms that allow individual users to share something: content, rides, rooms, private information, etc. Through these platforms, the users there-

fore become the actual distributors or service providers. However, there's a little difference between a service like AirBnB and one like YouTube. AirBnB users share something that they own, whereas YouTube's ones, at least some of them, share somebody else's property. The difficulties that the music industry has had in past years to enforce copyright on the internet therefore do not come from primary liability for copyright infringement, but rather from the difficulty in establishing a secondary one.

Many UUC platforms actually have copyright policies in place, which include having users accept the terms of use agreement, in which it is clearly specified that they will not upload copyright protected material unless he or she is the copyright owner or has permission from the rights holder. Additionally, these platforms will usually take down any specific copyright protected content if properly notified by the rightful owner, in order to continue benefiting from the DMCA liability exemption. However, given the large scale of uploads, rights holders usually claim this option to be costly and ineffective.[14] Additionally, they consider that UUC platforms should not be able to benefit from the DMCA liability exemption because they have actual knowledge of the copyright infringements that take place.

This controversy has been addressed in a number of cases both in the U.S. and in Europe. In *Viacom Int'l, Inc. v. YouTube, Inc.*,[15] the United States District Court for the Southern District of New York identified the issue at stake:

> [T]he critical question is whether the statutory phrases "actual knowledge that the material or an activity using the material on the system or network is infringing," and "facts or circumstances from which infringing activity is apparent" in §512(c)(1)(A)(i) and (ii) mean a general awareness that there are infringements (here, claimed to be widespread and common), or rather mean actual or constructive knowledge of specific and identifiable infringements of individual items. (*Viacom Int'l, Inc. v. YouTube, Inc.*, 718 F. Supp. 2d 514, 529 (S.D.N.Y. 2010)

The District Court held that "the phrases 'actual knowledge that the material or an activity' is infringing, and 'facts or circumstances' indicating infringing activity, describe knowledge of *specific and identifiable*

infringements of particular individual items (emphasis added)." The fact that YouTube was generally aware of prevalent infringement on its platform was therefore not enough to prevent the application of the liability exemption.

The case was appealed before the United States Court of Appeals, 2nd Circuit, which confirmed with certain nuances the District Court's opinion. However, it remanded the case back to the District Court "to brief [among other things] […] (A) Whether, on the current record, YouTube had knowledge or awareness of any specific infringements; (B) Whether, on the current record, YouTube willfully blinded itself to specific infringements; [and] (C) Whether YouTube had the 'right and ability to control' infringing activity within the meaning of § 512(c)(1)(B)."[16]

The District Court, once again, decided in favor of YouTube, and granted a motion for summary judgment.[17] Viacom could have appealed again and gone all the way to the Supreme Court, but instead a settlement with YouTube was reached. The terms of the agreement were however not disclosed (Stempel 2014). The court's decision might be hard to understand, especially if we take into account the evidence provided by Viacom, including:

- Website surveys conducted by YouTube employees estimating that 75-80% of all YouTube streams contained copyrighted material.[18]
- A report by Credit Suisse acting as financial advisor to Google, estimating "that more than 60% of YouTube's content was "premium" copyrighted content—and that only 10% of the premium content was authorized."[19]
- A 2007 email from Patrick Walker, director of video partnerships for Google and YouTube, requesting "that his colleagues calculate the number of daily searches for the terms 'soccer,' 'football,' and 'Premier League' in preparation for a bid on the global rights to Premier League content."[20]
- A request by Walker for any "clearly infringing, official broadcast footage" from a list of top Premier League clubs—including Liverpool Football Club, Chelsea Football Club, Manchester United Football Club, and Arsenal Football Club—to be taken down in advance of

a meeting with the heads of "several major sports teams and leagues."[21]

- A 2006 report prepared by YouTube founder Jawed Karim which stated that, "As of today[,] episodes and clips of the following well-known shows can still be found [on YouTube]: *Family Guy*, *South Park*, *MTV Cribs*, *Daily Show*, *Reno 911*, [and] *Dave Chapelle* [sic]," and that, "although YouTube is not legally required to monitor content…and complies with DMCA takedown requests, we would benefit from preemptively removing content that is blatantly illegal and likely to attract criticism."[22]

- A 2005 email by YouTube founder Chad Hurley to his cofounders with the subject line "budlight commercials," which stated, "we need to reject these too." Steve Chen responded, "can we please leave these in a bit longer? another week or two can't hurt." Karim also replied, indicating that he "added back in all 28 bud videos."[23]

- Another 2005 email exchange, in which Hurley urged his colleagues "to start being diligent about rejecting copyrighted / inappropriate content," noting that "there is a CNN clip of the shuttle clip on the site today, if the boys from Turner would come to the site, they might be pissed?" Chen replied: "but we should just keep that stuff on the site. I really don't see what will happen. what? someone from CNN sees it? he happens to be someone with power? He happens to want to take it down right away. he gets in touch with CNN legal. 2 weeks later, we get a cease & desist letter. we take the video down." And Karim added that "the CNN space shuttle clip, I like. we can remove it once we're bigger and better known, but for now that clip is fine."[24]

As we can see, Hurley was actually in favor of rejecting copyright protected and inappropriate content. YouTube has indeed adopted measures as regards the second issue, which have been quite effective. In fact, YouTube's Community Guidelines are quite strict and the platform does "not allow pornography, incitement to violence, harassment, or hate

speech. [YouTube relies] on a combination of people and technology to flag inappropriate content and enforce these guidelines" (Google 2018). Google's *Transparency Report on YouTube Community Guidelines Enforcement* indicates the source of first detection of the videos removed: 71.8% of videos were flagged automatically and 28.2% by users and members of the Trusted Flagger program (individual trusted flaggers, NGOs and Government agencies). This shows that YouTube plays an active role in developing technology that detects certain types of content and applies it unilaterally.

Yet, as regards copyright, the approach has been different and YouTube only acts if so required by the copyright holder of specific videos. As discussed above, and although the issue has not been settled by the U.S. Supreme Court, existing jurisprudence seems to indicate that YouTube is not legally required to act—nor prevented from doing so—even if it has generalized knowledge of copyright infringements. Also, under §512(m), it is not required either to "monitor […] its service or affirmatively seek […] facts indicating [copyright] infringing activity." However, there does not seem to be an obligation for YouTube to act unilaterally in the identification of the above-mentioned non-copyright related content and yet it does, which indicates that YouTube has for a long time had the means to adopt a more proactive role in the prevention of copyright infringing activity.

The reason for these different approaches lies in the value of the content for advertisers. This became particularly evident last year when certain companies pulled their ads after they were found to be appearing next to videos promoting extremist views or hate speech (Solon 2017). The situation as regards copyright protected content is, however, quite different. In fact, YouTube's value to advertisers is to a great extent due to the availability of such content, thus the lack of incentive to remove it unless required by law.

History Repeats Itself

As we discussed above, it is not easy to understand how current legislation allows companies that rely on massive copyright infringements to operate. However, if we look back in history we realize that it is not the first time that courts of justice have applied copyright law in a manner that, in retrospect, illogically favors the development of business models that rely on content "free-riding."

Take the arrival of recording technology, for example. Before 1909, only reproductions of sheet music (that could be read) were considered "copies" of musical compositions within the meaning of the law (Gorman, Ginsburg, and Reese 2011, 636). As held by the U.S. Supreme Court in *White-Smith Music Publishing Co. v. Apollo Co.*,[25] piano rolls were excluded and could therefore not be subject to a license of the copyright owner of the musical composition. In its decision, the Supreme Court quotes the Court of Appeals of the District of Columbia in an opinion by Justice Shepard, which by analogy also excluded wax cylinders and phonograph records from the obligation to pay royalties:

> We cannot regard the reproduction, through the agency of a phonograph, of the sounds of musical instruments playing the music composed and published by the appellants, as the copy or publication of the same within the meaning of the act. The ordinary signification of the words "copying," "publishing," etc., cannot be stretched to include it. It is not pretended that the marks upon the wax cylinders can be made out by the eye or that they can be utilized in any other way than as parts of the mechanism of the phonograph. (Stern v. Rosey, 17 App. D. C. 562)

It now seems odd that the law of the time would grant authors a copyright over sheet music, but not over phonorecords. As it is the case with UUC platforms now, the situation generated a growing discontent within the rights holders community. John Philip Sousa was particularly active in defending composers' rights and in demanding a change in the law: "You can take any catalogue of records of any talking machine company in this country and you will find from 20 to 100 of my compositions. I have yet to receive the first penny for the use of them" (Rosenlund 1979).

Following the suggestion of the Supreme Court at the end of its opinion, and the growing discontent of composers like Sousa, the U.S. Congress introduced the mechanical right in the Copyright Act of 1909,[26] albeit subject to compulsory license, a solution that was continued in the Copyright Act of 1976.[27][28]

In most cases, these types of situations, in which the law favored business models based on content free-riding, were generated by the slow adaptation of copyright laws to technological developments. To a certain

extent, however, the internet was an exception at the beginning. Lawmakers in the U.S., the European Union, and other parts of the world were actually surprisingly quick in trying to adapt existing copyright laws to the new internet reality. The DMCA and the E-Commerce Directive are good examples. In fact, one could argue that these lawmakers might have rushed to enact legislation and did so before we could be aware of the true possibilities of this new medium. What is true is that this initial impulse disappeared and no further significant amendments were introduced to update the protection of copyright when new unanticipated online services were brought to the market.

Safe Harbor Provisions and UUC Platforms in the European Union

The application of the E-Commerce safe harbor provisions to YouTube has also been challenged in a number of European jurisdictions. In general, European courts of justice have often found that UUC services are covered by the safe harbor provision for storage providers included in article 14 of the E-Commerce Directive. However, in some cases courts have deemed these platforms to be more than just storage providers. Particularly interesting have been the developments in German speaking countries.

In Germany, YouTube and GEMA, the German collecting society of songwriters and music publishers, had had a long legal battle when in the end of 2016 it decided to settle. At that point, the Higher Regional Court of Munich (Oberlandesgericht or OLG) had ruled in favor of YouTube, arguing that the platform was not liable for the upload of GEMA's repertoire by its users.

The legal battle had generated a great deal of frustration among German YouTube users, which got accustomed to the message, "This video is unfortunately not available in Germany, because it might contain music the rights of which have not been licensed by GEMA."[29] While GEMA got all the blame for the blocking of the videos, the fact of the matter was that it was YouTube, which unilaterally decided to block music videos in Germany, thus de facto confirming that it had the means to block copyright protected content.

YouTube's and GEMA's settlement will, however, not prevent the Federal Court of Justice (Bundesgerichtshof or BGH), the highest judicial instance in Germany apart from the Federal Constitutional Court, from settling case law. In fact, it might in the end be a lawsuit filed by

an individual producer—Hans Peterson—that might provide some clarity as to YouTube's liability status. In a 2015 opinion on this case the OLG Hamburg established that, while YouTube might not be directly liable for copyright infringement, it could be subject to secondary liability.[30] The court confirmed that, following the implementation of the E-Commerce Directive into German Law, providers of storage services did not have an obligation to monitor uploaded content. Having said that, the OLG Hamburg understood that, due to its size and popularity, YouTube is not a storage provider in the classic sense and that to a certain extent it was required to adopt preventive measures, albeit only when notified of the copyright infringements. This translates as an obligation to prevent future uploads of the identified content (Merck 2018). As indicated above, the decision has been appealed before the BGH, which will determine the extent of YouTube's control obligations.

In a more recent case in Austria, however, YouTube was indeed held directly liable for copyright infringements committed by its users. In a decision, which will probably be appealed by YouTube, the Vienna Commercial Court found that the UUC platform could not benefit from the storage provider safe harbor provision because it did not play a neutral role. In particular, the Court held, YouTube sorts, filters, and links content, "in particular by creating tables of contents according to predefined categories," which has a fundamental impact in the way users access content (Rosborough 2018). This was confirmed by Lyor Cohen during his 2018 South by Southwest keynote speech, noting that eighty percent of all watch time on YouTube is recommended by a recommendation engine (Rys 2018), generating doubts as regards YouTube's alleged neutral role.

These are all very recent and, in some cases, yet unsettled cases. However, the most important development as regards YouTube's liability status and obligations vis-à-vis copyright protected content in the European Union will come from the new Directive that was proposed by the European Commission in September 2016.

The Draft EU Directive on Copyright in the Digital Single Market

As indicated above, the draft Directive on Copyright in the Digital Single Market is a bill that addresses many different aspects of copyright in the European Union. One of its goals, and probably the most controver-

sial one, is to bring clarity as regards the role UUC platforms play when their users upload and make available copyright protected content.

As such, this bill is the first attempt in the world to address the above-mentioned value gap and therefore merits a careful analysis. At the moment of writing this paper, the legislative process was still ongoing. The European Parliament had supported the approach taken by the European Commission, albeit somewhat amending the Commission's proposal. The final text was, however, still to be agreed upon between the Commission, the European Parliament and the European Council. In our analysis we take the wording of the Commission's proposal as a reference.

The Problems Identified by the European Commission

In the complex balance of power of the EU institutions, the European Commission is considered the executive branch. As such, it is in charge of proposing legislation. However, before making any proposals, the European Commission has to conduct a thorough analysis of the issues at stake, which involves extensive formal and informal stakeholder consultations, and takes around two years. If the European Commission decides to propose legislation, it has to present an Impact Assessment, which describes the Commission's analysis, including data and the positions of stakeholders, as well as a list of the policy options considered and a justification of the one chosen.

The Impact Assessment of the draft Directive[31] (hereafter the Impact Assessment) describes two problems to be addressed by the proposed legislation:

- The presence of large amounts of user-uploaded copyright protected content in the internet; and
- The fact that legal uncertainty hampers the rights holders' negotiation of agreements with UUC platforms.

Recital 37 of the draft Directive goes along the same lines:

> Over the last years, the functioning of the online content marketplace has gained in complexity. Online services providing access to copyright protected content uploaded by their users without the involvement of right holders have flourished and have become main sources of access to content online. This affects rightholders' possibilities to determine whether, and under which conditions, their

work and other subject-matter are used as well as their possibilities to get an appropriate remuneration for it.

In fact, the Impact Assessment reflects the difficulties that rights holders face "when wanting to negotiate licenses or reach agreements,"[32] indicating that "Rightholders […] [describe] their negotiation relationship with certain of these platforms as a 'take it or leave it' situation: they must either accept the terms offered by the service or continue to send notifications for each individual content which can be infringed thousands of times,"[33] and warns that these problems risk "constraining the sustainable growth of digital content markets and future investment in content creation and production."[34]

The Impact Assessment also includes an analysis of available content recognition technologies, notably watermarking and fingerprinting, describing how these are applied by services like YouTube, SoundCloud, Vimeo, or Dailymotion,[35] and confirms that these technologies are "generally available and deployed"[36] and that "licensing and partnership agreements [are] being struck between rightholders and online services that had so far refused to conclude agreements."[37] However, it also indicates that "Even if major user uploaded content services have put in place measures such as content identification technologies, their deployment remains voluntary and is subject to the conditions set by the services,"[38] and that there might still be situations in which "services operate without the rightholders' agreement and build an audience before agreements are concluded."[39] Note how this pattern seems to reflect YouTube's strategy when it began operating, as described by Jawed Karim in the exchange of emails mentioned above.

In order to address the described issues, the Commission proposes in its Impact Assessment to introduce "[a]n obligation on [UUC services] to put in place appropriate technologies and to increase transparency vis-a-vis rightholders."[40] However, the draft Directive goes a little bit further than that.

The Solutions Proposed by the European Commission

A careful analysis of the draft Directive shows that the proposal of the Commission has in fact three interesting provisions:

- An obligation for UUC services to put in place content recognition technologies;

- An obligation for these technologies to be put in place in cooperation with rights holders, for the latter to provide the necessary data for the content to be identified, and for UUC services to be transparent as regards the functioning of these technologies; and
- An interpretation of the E-Commerce Directive safe harbor provision applicable to providers of storage services.

Article 13.1 of the draft Directive is the key provision and states that UUC services "shall, in cooperation with rightholders, take measures [such as the use of effective content recognition technologies] to ensure the functioning of agreements concluded with rightholders for the use of their works or other subject-matter or to prevent the availability on their services of works or other subject-matter identified by rightholders through the cooperation with the service providers."

Additionally, the same article confirms that these service providers "shall provide rightholders with adequate information on the functioning and the deployment of the measures, as well as, when relevant, adequate reporting on the recognition and use of the works and other subject-matter." Recital 39 further clarifies this obligation, and underlines the importance of rights holder cooperation for content recognition technologies to work:

> Collaboration between information society service providers storing and providing access to the public to large amounts of copyright protected works or other subject-matter uploaded by their users and rightholders is essential for the functioning of technologies, such as content recognition technologies. In such cases, rightholders should provide the necessary data to allow the services to identify their content and the services should be transparent towards rightholders with regard to the deployed technologies, to allow the assessment of their appropriateness. The services should in particular provide rightholders with information on the type of technologies used, the way they are operated and their success rate for the recognition of rightholders' content. Those technologies should

also allow rightholders to get information from the information society service providers on the use of their content covered by an agreement.

Finally, the draft Directive includes a clarification in Recital 38 that is probably as important as the above-mentioned obligations:

> Where information society service providers store and provide access to the public to copyright protected works or other subject-matter uploaded by their users, thereby going beyond the mere provision of physical facilities and performing an act of communication to the public,[41] *they are obliged to conclude licensing agreements with rightholders*, unless they are eligible for the liability exemption [for providers of storage services] provided in Article 14 of [the E-Commerce Directive]. (emphasis added)

In this respect, the same recital clarifies that, in order for any such service to be eligible for the E-Commerce Directive liability exemption, "it is necessary to verify whether the service provider plays an active role, *including by optimising the presentation of the uploaded works or subject-matter or promoting them, irrespective of the nature of the means used therefor*" (emphasis added).

This means that a UUC platform, which sorts, filters, links, and/or recommends content might be considered to have an active role, thus losing safe harbor protection. This, in turn, would force these platforms to acquire licenses like any other content provider. As mentioned above, courts of justice and executives of some services, notably YouTube, have actually confirmed that these kinds of activities do take place. This interpretation of the safe harbor provisions would therefore change their status.[42]

Note also that Recital 38 specifies that the obligation for UUC services to put in place content recognition technologies also applies "when the information society service providers are eligible for the liability exemption provided in Article 14 […]."

Criticism Received of the Draft Directive

As expected, given the magnitude of the changes proposed, the draft Directive has received extensive criticism by different interest groups. In

particular, the lobby by technology companies reached unprecedented levels,[43] invoking very noble goals, namely the need to protect fundamental rights. This is odd, particularly given how reluctant these same companies were in the past to accept legislation that increased privacy protection. As such, the main criticism the proposal has received is that the obligation to put in place content recognition technologies could have a negative impact on the freedoms of expression and information and on the exercise of copyright exceptions and limitations.

This aspect is addressed by the European Commission in the Impact Assessment, indicating that "as content recognition technologies are already applied by the major user uploaded content services, it is likely that this option would not lead to significant increases in unjustified cases of prevented uploads compared to the current situation."[44]

Additionally, it should be pointed out that article 13.1 of the draft Directive imposes the obligation to put in place said technologies only on "[i]nformation society service providers that store and provide to the public access to *large amounts* of works or other subject-matter uploaded by their users (emphasis added)," and that application of such measures, "shall be appropriate and proportionate." A website occasionally posting videos or links would therefore be excluded from the obligation. Therefore, in a way the Commission is just regulating the application of technologies that have already been put in place and which apply, as discussed above, not only to copyright protected, but to a variety of, content. The obligation is thus not really creating a fundamentally new reality.

On the other hand, the extent to which copyright protection may have an impact on freedom of expression is a common subject of discussion. However, oftentimes the relationship between one and the other is misunderstood. Copyright can rarely be an obstacle to freedom of expression for one simple reason: copyright protects a certain expression of ideas, but never the ideas themselves.[45] Therefore, copyright can only prevent freedom of expression if, in order to express our ideas, we use content created before by others, like when a meme is created.

We find a similar situation as regards freedom of information. A conflict with copyright can only appear when content owned by others is used and this is only justified to the extent that the use of said content is necessary to inform adequately about an event. In both cases, however, any potential conflict can be overcome by the application of copyright exceptions and limitations.[46] It is important to point out, however, that the appli-

cation of copyright exceptions is subject to the three-step test included in a number of international copyright treaties,[47] namely that they may only be applied (i) in certain special cases, (ii) which do not conflict with a normal exploitation of a work or other subject matter, and (iii) do not unreasonably prejudice the legitimate interests of the right holder.

A simple look at YouTube or similar services that make available large amounts of works and other subject matter will show that the amount of videos with copyright protected content, the purpose of which is the dissemination of ideas or information, is rather limited compared to those in which said content has a purely entertainment purpose. Therefore, preventing rights holders from enforcing their rights just because their content might have been used for non-entertainment purposes would be totally disproportionate and would deprive them from the benefits of this intellectual property protection.

There is an additional issue to be taken into account. The conflict between copyright enforcement and the freedoms of expression and information in UUC platforms seems to assume that content recognition technology is going to be used to block works and other subject matter. There is little reason for rights holders to adopt such a strategy. As discussed below, rights holders rarely use content recognition technology in that manner.

Taking into account that, as discussed above, YouTube has had no problem in unilaterally blocking certain types of content, the true reason for this level of opposition might actually therefore come from a change in its bargaining situation.

Contrary to what was the case until now, the measures proposed by the European Commission shift the bargaining power in a negotiation between a UUC platform and rights holders and might therefore have important financial consequences for these services. This, and not the protection of fundamental freedoms, seems to be the real reason behind the opposition to the initiative. Note that the entire business model of YouTube so far has been based on the possibility to rely on the safe harbor provisions included in the DMCA and the E-Commerce Directive. Any change in the legal framework would have a fundamental impact on said business model and its bottom line.

YouTube's Content ID

As indicated above, and as confirmed by the European Commission in its Impact Assessment, many UUC platforms already have content rec-

ognition technologies in place. The best known of them all is YouTube's Content ID. Content ID was first introduced by YouTube in 2007 and is a tool that helps rights holders manage their content on the platform. However, Content ID requires active participation of rights holders. As such, in order for a rights holder to claim a certain content, she will have to submit a video containing said content to the Content ID database.

YouTube scans all the past and future videos uploaded by users against the Content ID database. Therefore, rights holders have to indicate what they want YouTube to do if a match is found. YouTube gives rights holders three options:

- *Block* a whole video from being viewed;
- *Monetize* the video by running ads against it, in some cases sharing revenue with the uploader and with other rights holders; or simply
- *Track* the video's viewership statistics (YouTube 2018).

Rights holders may combine different options, for example monetizing copyright protected content available in one video, while blocking any other video with that same content, and they can also have different strategies depending on the territory. Although, there are isolated cases of rights holders that have opted to block videos—Garth Brooks and Prince have been notable examples—in most cases, rights holders choose to monetize. When that happens, the split of a music video is more or less as follows:

- 40% of the revenue goes to the owner of the sound recording;
- 15% goes to the owner of the musical work;
- 5% to 10% goes to the video creator; and
- YouTube keeps the remaining 35% to 40%.

As indicated above, there is some controversy as to how much a video with one thousand views can generate for the owner of both the sound recording and the musical work. In fact, not all one thousand views generate the same. Revenue grows exponentially because the more views a video gets, the more valuable it is for advertisers. As such a video with 100,000 views could generate fifty times more money than one with 10,000.

Drawbacks of Content ID

Although most people agree that Content ID is a very powerful tool, it also has some drawbacks.

- *Content ID is Not Available to Every Rights Holder*

YouTube indicates that only rights holders fulfilling certain criteria can qualify for Content ID. In reality, YouTube can determine who can and who cannot use the tool. For the most part, only record labels and aggregators as regards sound recording, and music publishers and collecting societies as regards musical works get the YouTube certified agent status. Individual rights holders would have to request the services of aggregators or a collecting society to be able to use Content ID. Note also that rights holders can lose their Content ID certified agent status if they do not comply with YouTube's guidelines, for example if they repeatedly make erroneous claims.

- *Content ID has Varying Degrees of Success Rate in Recognizing Content*

A second drawback is Content ID's varying degrees of effectiveness in identifying content. YouTube does not provide information on the technology success rate in recognizing content. Rights holders, on the other hand, have different opinions on the effectiveness of Content ID's technology.

For the most part, Content ID seems to be very effective in identifying sound recordings in music videos because it has a perfect fingerprint to match against. However, the IFPI reported in 2016 that Content ID failed to spot 20% to 40% of sound recordings (Ingham 2016). These could refer to videos in which the sound recording is in the background. Also, YouTube seemed to apply Content ID in a more relaxed way on videos on YouTube channels, although that situation might have changed.

According to Coco Carmona, at the time Director General at the International Confederation of Music Publishers, the situation is somewhat more challenging for music publishers given the amount of live performances and covers available on YouTube. Each version can sound completely different, and music publishers are unable to provide fingerprints on the scale covered by YouTube's user community. "If 10 people sing the same song and upload it, then it is likely that YouTube's technology will identify only 6 of them, at the most" (Carmona 2018). Although it might be true that Content ID is not 100% effective, a question that could be asked is how much money do these unspotted videos really generate compared to the cost of identifying them. Then again, when a video is not identified, YouTube keeps 100% of the revenue it generates.

- *Content ID Management Requires Dedicated Human Resources*

A third drawback is the resources that rights holders have to dedicate to manage Content ID. In a 2016 report, Google indicated:

> Over 98% of copyright issues are resolved via Content ID. Looking at the music industry specifically, 99.5% of reported sound recording copyright claims are automated through Content ID—meaning that Content ID automatically identifies the work and applies the copyright owner's preferred action without the need for intervention by the copyright owner in all but 0.5% of cases. (Google 2016)

Note that this figure does not indicate the success rate of Content ID, just the percentage of claims that need to be resolved manually. Although in relative terms this may look like a low figure, in absolute terms this might amount to thousands or tens of thousands of claims, which requires that rights holders have a dedicated workforce to deal with them. These claims usually come from disputed ownership, for example when two people claim to be the owner of the content. When that happens, the dispute needs to be resolved and in the meantime the money generated by the video is put in escrow. Note that when that happens, YouTube keeps the interest.

The origin of a dispute is not always a fraudulent appropriation of the content by someone who is not the rightful owner. Such a dispute can also come from lack of understanding of how the system works. It is, for example, not unusual that artists entrust the management of their music to two different aggregators, which then claim on their behalf to be the owners of the content. Aggregators therefore need to be particularly vigilant for artists in their roster that wrongfully claim to own rights over a certain content, since, they can be penalized and even have their Content ID access disabled for repeated erroneous claims.

- *YouTube Alone Determines the Functioning of Content ID*

Another drawback of Content ID is the fact that YouTube alone determines its functioning. While YouTube seems to be receptive to requests of rights holders, it needs to strike a careful balance between them, channel owners with high audiences, and advertisers. Although the situation has improved, videos available in certain highly popular channels were

unclaimable for a long time. Having said that, Content ID is described as a very powerful tool that is constantly being improved by YouTube.

Exploring the Option of Blocking Videos With Content ID

If Content ID works relatively well, at least as regards music videos other than live performances and covers by individual users, and if rights holders are not happy with payments made by YouTube, one could argue that they could use the option to block the videos until YouTube agrees to better terms. However, this is not that simple.

A Single Label Blocking its Content on YouTube

YouTube is not only regarded by rights holders as a source of income, but also as a tremendously powerful promotional tool. In 2013, 72% of Americans reported that they learned about new music on AM/FM radio and 77% on YouTube. By 2017, radio had fallen to 50% while YouTube had increased to 80% (different sources cited by Liebowitz 2018).

Even if it is temporary, the decision by an individual label to block the availability of its catalog on YouTube might have a tremendous impact. First, it could face internal and external opposition. While the business and legal affairs department might see the long-term merits of the strategy, the marketing department might see it differently. They will lose one of the most important promotional tools to market albums. This in turn could negatively affect promotional campaigns of individual artists within the label's roster, generating frustration and even anger with the artists and their teams. The pressure from the artists' managers and the label's marketing department not to adopt such a drastic measure could therefore be very strong.

Additionally, one single label acting individually might suffer from a tremendous impact that its competitors might be able to take advantage of. Labels therefore face a dilemma that is not new. In fact, the current relationship of labels with YouTube resembles the one they had with independent promoters in the 70s and MTV in the 80s and 90s.[48]

A Common Approach: Incentives to Break the Ranks

One could argue that the only way labels could exercise some kind of pressure on YouTube would be if they adopted a common approach. This common approach would imply that all labels (and/or publishers) use

Content ID to block their content on YouTube until fair remuneration was agreed upon. However, this, too, creates some problems.

First of all, there would be big incentives to break ranks. It would be very tempting for a label to cheat on its competitors, be the only one to be on YouTube and, thanks to its promotion, increase its market share. In his book *Cowboys and Indies: The Epic History of the Record Industry*, Gareth Murphy explains how in 1980 Warner started a boycott against independent promoters, which were costing WEA $6 million a year. CBS joined the boycott and MCA was considering joining, too. However, Capitol decided not to follow Warner's lead. Even Atlantic Records, part of WEA, was secretly continuing to use independent promoters. Murphy reports how the boycott failed to a great extent due to the pressure exercised by artists and managers (2015). A similar outcome in a potential industry-wide boycott of YouTube would definitely not come as a surprise.

A Common Approach: Antitrust Issues

Another, and probably more difficult problem to overcome, is the fact that such an approach would be tantamount to creating a cartel to fix prices, which would raise concerns from antitrust authorities. Rights holders would have to convince said agencies that such concerted practice would generate economic efficiencies. A case could be built around the following arguments:

- *YouTube Holds an Enormous Buyer Power*

Buyer power is concerned with how downstream firms can affect the terms of trade with upstream suppliers (OECD 2008). The OECD Competition Committee debated monopsony and buyer power in October 2008 and came to a number of conclusions that could be applicable to this case. Note, however, that within the concept of buyer power the OECD report makes the distinction between monopsony and bargaining power, each one with different welfare implications. Bargaining power, which is likely going to be the type of power exercised by YouTube vis-à-vis rights holders, generates a reduction in input prices, which can in fact have pro-competitive effects. It is therefore also necessary to show to what extent the bargaining power of YouTube would have welfare-reducing instead of welfare-enhancing effects.

In the case of YouTube, it is also important to analyze the origin of said bargaining power, which comes from the fact that rights holders

cannot adequately exercise their intellectual property rights due to safe harbor provisions. This situation is tantamount to power being generated by regulation.

Additionally, YouTube took advantage of this situation to grow to a point where it became the leading video streaming platform. In fact, according to the IFPI, YouTube holds a substantial market share, as it makes up 46% of all on-demand streaming time, the rest of the time being shared between other on-demand video streaming platforms (9%), paid audio streaming (23%), and free audio streaming (22%). YouTube's market share would therefore be bigger if our market definition would be limited to free streaming services, and even bigger if we limited to just on-demand video streaming sites (IFPI 2018). YouTube's power is also evident when looking at the differences in payments made by YouTube versus other platforms that were discussed above.

As regards the welfare-reducing effects of YouTube, one could point to the following ones:

- A decrease in the profitability of YouTube's competitors may lead to their exit (or to a lack of entry of newcomers), and a subsequent increase in YouTube's market power, harming final consumers.
- The exercise of buyer power may affect dynamic efficiency by reducing the incentives of rights holders to invest in new content, a natural consequence of reduced copyright protection.

Note also that the OECD report points out that "Bargaining power may be a countervailing factor that mitigates the possibility of an increase in market power from a merger" (OECD 2008, 12). If that is the case, one could argue that the market power acquired through a concerted action by rights holders would be mitigated by YouTube's bargaining power.

- *The Practice Might be the Only Way to Protect Intellectual Property Rights the Way They are Intended to be Protected*

The second argument would come from the concerted practice being crucial to the protection of the copyright of rights holders. As indicated above, the market structure prevents an individual rights holder from being able to enforce its copyright. Therefore a common approach seems the only way to achieve an outcome that guarantees a high level of protection of the rights holder's assets. A reduced level of intellectual property rights

protection would have the anticompetitive effect of reducing incentives for innovation.

The economic rationale would be similar to that applied to justify the collective management of rights by PROs, and which has been cleared by antitrust authorities both in the U.S. and the European Union for the efficiencies it generates in terms of reducing transaction costs—not necessarily applicable in this case—and protecting intellectual property rights—very relevant in this case. In the U.S. the landmark case was *Broadcast Music, Inc. v. CBS, Inc.*:

> The blanket license […] is not a "naked restrain[t] of trade with no purpose except stifling of competition," […], but rather accompanies the integration of sales, monitoring and *enforcement against unauthorized copyright use.* (emphasis added) (*Broadcast Music, Inc. v. CBS, Inc.* - 441 U.S. 1 (1979)

A similar approach was followed in Europe:

> For legal reasons, as far as the royalty in respect of equipment is concerned, and also for practical reasons in the case of claims for payment of royalties in respect of secondary exploitation, *it is practically impossible for artists themselves effectively to assert such rights.* Any attempt to do so is bound to fail because the individual artist is not able to verify and prove in individual cases whether, when, by whom and how often his performance has been broadcast or otherwise made public. *He would, moreover, as an individual in an economically weak position, have to enter into contractual relations with a multitude of economically strong users* (e.g., broadcasting companies), from whom he is entitled to claim only the payment of a reasonable royalty, and *whom he may not prohibit from using his performance.* (emphasis added) (Commission Decision No. 81/1030/EEC (GVL), 1981, O.J. L 370/49)

As we can see, in both jurisdictions the protection of copyright seemed to outweigh the potentially anticompetitive behavior of a collective man-

agement of rights. Having said that, and although a case could in fact be built to justify a common approach, the latter would have to be cleared by antitrust authorities and could, if not, even result in the imposition of fines.

Conclusion

Whether we agree or not that there is a value gap in the music market generated by UUC platforms, it is undeniable that the DMCA and E-Commerce Directive safe harbor provisions create a distortion in the market, rendering the enforcement of copyright extremely difficult for rights holders and unreasonably granting services like YouTube the upper hand in negotiations. The European Commission's proposal to make the use of effective content recognition technologies compulsory is therefore a step in the right direction for copyright to be protected in the way it was intended to be protected. However, as we have seen in this paper, this alone might not be enough.

That is why, regardless of the controversy generated by Article 13 of the draft Directive, probably the most important provision included in the bill is the interpretation it makes of the application of safe harbor provisions to UUC platforms, making sure that whenever their role as storage service providers ceases to be of a purely technical and neutral nature, they need to clear rights for the content they make available.

At the moment of writing this paper the legislative procedure is ongoing and it is unclear what the outcome is going to be, especially taking into account the polarized nature of the debate and how deep-pocketed tech giants like Google might be able to influence it. The European Parliament has already showed support for the Commission's approach. It remains to be seen what position the European Council, in which the different EU member states are represented, takes. What is certain is that the debate alone might already be a victory for rights holders, since it acknowledges that there is a problem in the way UUC platforms operate.

In any case, YouTube was extremely smart in offering rights holders agreements when it was not really required to. By doing so at a moment in time when its bargaining power was at the highest point, it was able to impose the most beneficial terms for its interests, and create a standard for the future. It also allowed YouTube to present itself as a responsible operator before the public opinion and the lawmakers, willing to recognize the need to share the revenues generated thanks to the content owned by others. That alone is an extremely useful card in the lobbying game. One

may be tempted to think that the price paid for a favorable PR position before the American and European administrations might have been too high. However, we should not forget that, as indicated above, YouTube's entire business model depends on safe harbor provisions to be applied in the same way they have been applied until now. YouTube's strategy was forward looking and it might prove critical in maintaining the current status. YouTube's current strategy, notably by launching YouTube Music, a service similar to Spotify and Apple Music, might be equally forward looking. It secures the platform a place in the music streaming market, regardless of any change of its safe harbor status.

Endnotes

1. Note that CISAC, for example, uses the term "transfer of value," whereas the RIAA speaks of the "value grab." We will, however, stick to the term "value gap" throughout this paper to avoid confusion.
2. Proposal for a *Directive of the European Parliament and of the Council on copyright in the Digital Single Market.* COM/2016/0593 final - 2016/0280 (COD).
3. YouTube Music was launched in June 2018. According to the information that we have had access to, it is a fully licensed service similar to Spotify or Deezer.
4. Despite Liebowitz's doubts as to whether this 55% includes payments to composers and publishers, we can confirm that it does.
5. Note, however, that these are worldwide figures. There might be variations by country. For example, in its 2016 report, the British Phonographic Industry confirmed that vinyl sales had generated higher revenue than YouTube (Plunkett 2016).
6. Oddly enough, Cohen admits having been one of the critics of YouTube before joining the company, considering that it did not pay enough for ad-supported streams compared to Spotify or Pandora.
7. Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market (hereafter the E- Commerce).
8. Safe harbor provisions also exist in many other countries.
9. 17 U.S. Code.
10. Art. 14 of the E-Commerce Directive is worded in similar terms.
11. *UMG Recordings, Inc. v. MP3.com, Inc.*, 92 F. Supp. 2d 349 (S.D.N.Y. 2000).
12. Whether there was a demand for online music services at the time is debatable, but Napster's pricing policy (free) was unbeatable.
13. In this case, the defense argued that Napster should benefit from the liability exemption for information location tools included in §512(d).
14. See the *European Union Public Consultation on the Regulatory Environment for Platforms, Online Intermediaries and the Collaborative Economy* (European Commission 2016), as well as the re-

plies of the music community to the U.S. Copyright Office related to the section 512 study (Rosenthal and Metalitz 2015).

15. See *Viacom Int'l, Inc. v. YouTube, Inc.*, 718 F. Supp. 2d 514, 529 (S.D.N.Y. 2010).

16. See *Viacom International, Inc. v. YouTube, Inc.*, 676 F.3d 19 (2d Cir. 2012) at 89.

17. See *Viacom Int'l Inc. v. YouTube, Inc.*, 07 Civ. 2103 (S.D.N.Y. April 18, 2013).

18. See *Viacom*, 676 F.3d at 50.

19. Ibid., 50.

20. Ibid., 51. Note that the Football Association Premier League was part of the plaintiff.

21. Ibid., 51.

22. Ibid., 52. Note that some of the television shows mentioned were owned by Viacom.

23. Ibid., 53.

24. Ibid., 53, 54.

25. See *White-Smith Music Co. v. Apollo Co.*, 209 U.S. 1 (1908).

26. *An Act to Amend and Consolidate the Acts Representing Copyright*.

27. 17 U.S. Code.

28. Internationally, the right was recognized in the 1908 Berlin Revision of the Berne Convention. See Article 13 of the Berlin Act, 1908: Revised Berne Convention for the Protection of Literary and Artistic Works of November 13, 1908: "The authors of musical works shall have the exclusive right of authorizing: (1) the adaptation of those works to instruments which can reproduce them mechanically…"

29. Translation by the author. The original text reads: "Dieses Video ist in Deutschland leider nicht verfügbar, da es möglicherweise Musik enthält, für die die erforderlichen Musikrechte von der GEMA nicht eingeräumt wurden."

30. The German term used is "Störerhaftung", which translates as liability for breach of care of duty, thus similar to a vicarious liability.

31. "Commission Staff Working Document – Impact Assessment on the modernisation of EU copyright rules Accompanying the document Proposal for a Directive of the European Parliament and of the Council on copyright in the Digital Single Market and Proposal

for a Regulation of the European Parliament and of the Council laying down rules on the exercise of copyright and related rights applicable to certain online transmissions of broadcasting organisations and retransmissions of television and radio programmes." SWD/2016/0301 final - 2016/0284 (COD).

32. Ibid., 143.
33. Ibid., 142.
34. Ibid., 144.
35. Ibid., Annex 12A.
36. Ibid., 144.
37. Ibid., 144.
38. Ibid., 142.
39. Ibid., 144.
40. Ibid., 146.
41. Communication to the public is the equivalent to public performance in European copyright law.
42. It is also important to point out that in the above-mentioned German cases, in which YouTube was involved, the OLG Munich and OLG Hamburg ruled that the platform did not carry out acts of communication to the public.
43. UK Music reports that Google has spent €31 million in lobbying to prevent changes in copyright regulation in Europe (Smirke 2018).
44. Ibid., 154.
45. §102(b) of the U.S. Copyright Act (17 U.S. Code).
46. Note that in Europe, there is no fair use. All exceptions and limitations are statutory.
47. See for example Article 13 of the WTO TRIPS Agreement, Article 10 of the WIPO Copyright Treaty (WCT) or Article 16 of the WIPO Performances and Phonograms Treaty.
48. Could playlists be Spotify's leverage in future negotiations?

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Mapping Music Cities: A Case Study of the Musical Landscape of San Antonio

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Abstract

The live music sector represents the core of the activities generating revenue for many musicians, an incubator for assessing audience tastes, and a cultural staple for each community. Because of the significance of this industry's span, many cities around the world have committed resources to conduct studies to reveal the value and impact of their live music sector. Assessing an impact study for the live music economy has been the focus of consulting groups such as Music Canada as well as funding partners, cultural and economic development councils, and guilds in cities, states, or countries. However, mapping the scale and scope of a musical landscape and related businesses is rarely if ever conducted as part of such studies. Thus, the author provides a mapping framework contributing to the academic literature and presents a new option for organizations and focus groups dedicated to assessing the impact of the ever-growing live music sector and industry. Location intelligence, which is also known as geographic information system (GIS) is used here to capture, store, manipulate, analyze, manage, and present music-centric geographic data in a case study mapping the musical landscape of San Antonio.

Keywords: music cities, GIS, mapping music, musical cultural assets, location intelligence, mapping framework, San Antonio, economic impact studies

Introduction

The live music sector represents the core of the activities generating revenue for many musicians, an incubator for assessing audience tastes, and a cultural staple for each community. Because of the significance of this industry's span, many cities around the world have committed resources to conduct studies to reveal the value of their live music sector. The urban studies expert Graeme Evans (2005, 959) explains that cities

are experiencing a "culture-led regeneration" that is manifesting itself in a variety of "projects and landscapes created and imposed on those communities." However, much of the driving force behind cultural district development is the belief that the arts are a primary tool for urban revitalization (Brooks and Kushner 2001, 4). Indeed, cities have been implementing cultural district designations since the 1980s as a means to reshape neighborhoods (Noonan 2013).

But it is only within the past ten years that cities have dedicated means to assess the impact of their art and music economies (Baker 2016). Consulting groups such as Music Canada have been at the forefront of such studies partnering with advocacy groups, cultural committees reporting to city leaders, economic development councils, and guilds in cities, states, or countries. In June 2015, Music Canada commissioned *Mastering of a Music City*, the first global industry report examining twenty-seven music cities.[1] It has since become a reference guide for any group interested in producing an economic impact study for their musical city. In addition, many recent studies have emerged treating the topic of music cities (or regions) and how they profit from their music economies and cultural assets (Raines and Brown 2007; Bendix 2015; Simons 2015; Florida 2015; Baker 2016 and 2017; Raine 2016; Seman and Carroll 2017).

However, mapping the scale and scope of a musical landscape and related businesses is rarely if ever conducted as part of such studies. This article intends to provide a mapping framework in a case study format that accounts for the music-centric landscape of a city. The value of this article is multidisciplinary and has strategic implications in several fields of study including, but not limited to, popular music studies and musicology (Cohen 2012; Wienhold and Robinson 2017), music and urban geography (Krims 2007), urban studies (Markusen 2006; Blessi et al. 2012), cultural geography (Carney 1998; Hudson 2006; Gunderman and Harty 2017), ethnomusicology (Lu 2011; Savage and Brown 2014), tourism (Bahair and Elliott-White 1999), arts management (Brooks and Kushner 2001), music entrepreneurship, music consumption, and marketing. It means to fill a need in the academic literature treating the live music sector with a visualization framework for mapping a musical landscape revealing its insights and challenges.

This case study for the city of San Antonio explains how location intelligence can be useful extracting insightful trends from analyzing layers of data inherent to a city's musical landscape. Location Intelligence,

which is also known as geographic information system (GIS) is used here to capture, store, manipulate, analyze, manage, and present music-centric geographic data for the City of San Antonio (Clark 1999). GIS offers a way to map cultural assets in a dynamic format, thus providing a visualization tool that can be updated easily as well as a powerful mean for processing large sets of data. The reader may access the interactive map application displaying music-related data for this case study at https://arcg.is/0HD5O4.[2]

Mapping Music and the Musical Landscape

The first mention of a "musical landscape" can be found in Richard Crawford's 1993 book *The American Musical Landscape: The Business of Musicianship from Billings to Gershwin*. However, Crawford's idea of a musical landscape did not pertain to a physical manifestation. It is only more recently that studies identified musical landscape with urban geography, although those studies are scarce and scattered across several disciplines. For example, Cohen (2012) explored the relationship between music and material urban environments by drawing on ethnographic research conducted with rock and hip-hop musicians in Liverpool, a port city situated on the northwest coast of England, within the wider Merseyside. In her research, Cohen introduces "conceptual mapping," which are hand-drawn maps as a means of research pertaining to the concept of musical landscape.

Another creative and captivating means of "mapping music" can be seen in an ethnomusicological study bridging the gap between musicology and psychology by Savage and Brown (2014). In this particular work, the authors analyzed 259 traditional group songs from twelve indigenous peoples of Taiwan. Using a mapping methodology, they were able to identify five major "cantogroups", the frequencies of which varied across the twelve groups. Ultimately, from this information, Savage and Brown were able to create musical maps of Taiwan. Going a step further, Gunderman and Harty (2017) focused their study on the memorialization of the Grateful Dead on the cultural landscape of the United States through the naming of businesses. They asked business owners why they chose to reference the band in the naming process and then documented the geographical locations of these businesses on a map of the United States using GIS. But not all studies claiming to be mapping music are doing so on a physical or interactive map. As an example, the report released by the Moshito Music

Conference and Exhibition *Mapping of the South African Live Music Circuit 2010* does not in fact present any visual map per se, at least none that has been published.[3]

It is only most recently that a couple of studies have emerged applying GIS to music-related activities pertaining to city-level asset mapping. The first study is the excellent *Cultural Asset Mapping Project* (CAMP) report released in 2018 and created for the city of Austin's Cultural Division of its Economic Development Department.[4] CAMP visited each of Austin's ten Council Districts asking participants to map places that had cultural and creative value to them. It compiled a directory of over three thousand points depicting cultural assets such as theaters, museums, music venues, recording studios, and local landmarks into an online interactive map. However, the study did not go into a great deal of depth with respect to Austin's music industry. It only identified music/bars/clubs and recording studios leaving out many relevant music-related activities and businesses, such as music production companies, music nonprofits, music schools, and festivals. The second study that was released recently is the fascinating and forward-thinking economic impact study that was produced for the Boston Symphony Orchestra by economist Stephen Sheppard.[5] In his report released March 2018, Sheppard applies GIS to the ticket purchases of the symphony to reveal the source of its audience. By using the home address of each patron, Sheppard was able to consolidate this data and produce a map showing precisely where patrons of the orchestra came from with a further breakdown of attendance to some of the orchestra's staple events (i.e., the Tanglewood Music Festival and the Fourth of July Celebration Concert).

This brief literature review points out how researchers have implemented GIS and mapping techniques to reveal trends and patterns relevant to their studies. However, none of those studies is exclusively dedicated to mapping the musical landscape of a city. This is the aim of the present case study.

Case Study Framework

This section explains how the case study aiming to map the musical landscape of San Antonio is framed. First, a few paragraphs provide the reader with some necessary background information about San Antonio, setting up the context of the case study. Next, the objectives are succinctly

stated. Finally, the mechanics of location intelligence are described, data treatment is explained, and the implementation of the study delineated.

San Antonio

San Antonio, located in the southwestern part of Texas, is the seventh most populous city in the United States with an excess of 1.5 million residents and is one of the top-ten fastest growing cities in the country.[6] It is also the most widely visited city in Texas and the home of the Alamo. San Antonio is known as "Military City" and hosts seven military bases and forts.[7]

The city has a vibrant and eclectic music scene and hosts the largest Tejano Cojunto Music Festival.[8] It also produces a two-week long Fiesta parade each spring[9] and is home to the Texas Music Educators Association (TMEA) Conference, the largest music education conference in the United States.[10] San Antonio is a festive town with alcohol consumption surpassing $611 million in 2017.[11]

The city is divided into ten council districts. Most of the corporations in the city are largely concentrated along its highway system. In addition, parking outside of the downtown area is mostly free. From a socio-economic perspective, the areas experiencing fast-paced growth are the North and Northwest part of San Antonio, mostly within Districts 8 (+33.6%) and 9 (+36.7%) (see Figures 1 and 2). Those two areas of growth also have the highest median household income (Figure 3).

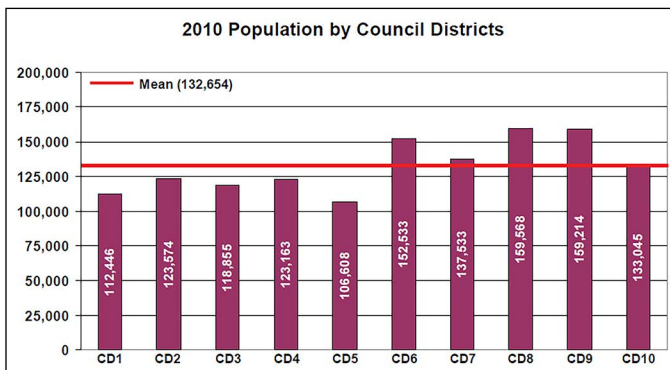Figure 1. San Antonio's population by council districts in 2010 (Source: Department of Planning and Community Development for the City of San Antonio).
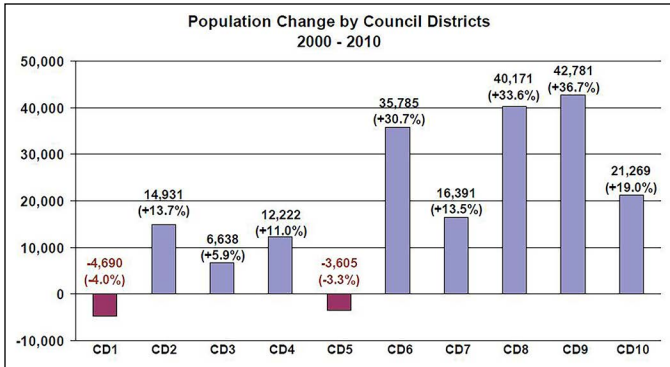
Figure 2. San Antonio's population change by council districts from 2000 to 2010 (Source: Department of Planning and Community Development for the City of San Antonio).
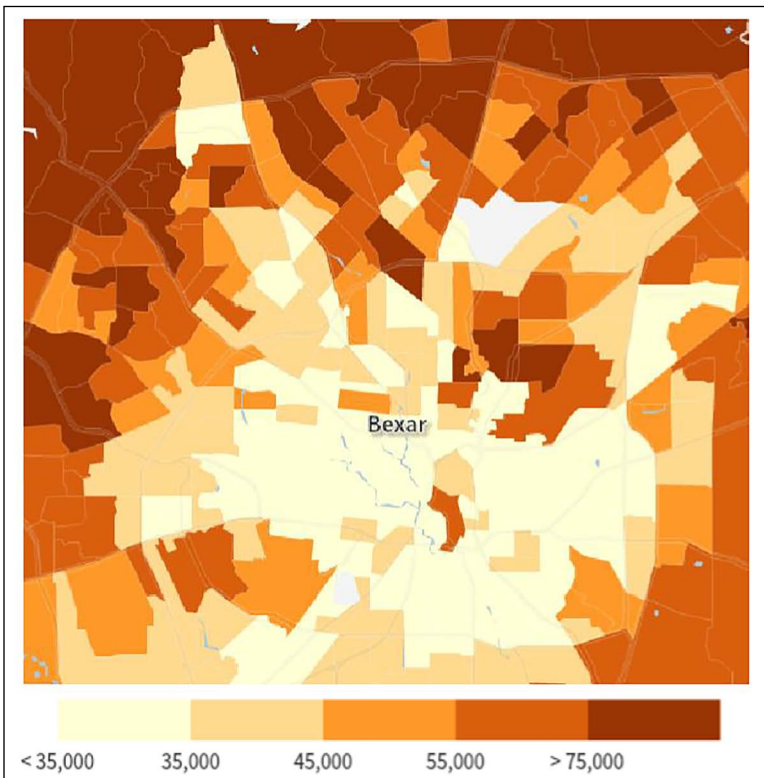

Figure 3. Household income distribution in San Antonio (Source: U.S. Census Bureau).

Objectives

The main objectives of this case study are:

1. To explain how useful location intelligence can be extracting insightful trends from analyzing layers of data inherent in a city's music economy
2. To map the scale and scope of the musical landscape of San Antonio
3. To reveal trends and challenges idiomatic to San Antonio and more specifically:
   a. To assess how and where San Antonio's music economy is growing
   b. To test if alcohol sales correlate with music-related activities in the city
   c. To suggest results that could impact policy and efforts to further grow the music economy of San Antonio
4. To propose a framework for further studies

Location Intelligence

Location intelligence is the tool employed to meet the objectives of this case study. It is an interactive mapping methodology that is based on geographic information system (GIS) that can process location data. In other words, the methodology captures latitudes and longitudes. It is also designed to store, manipulate, analyze, manage, and represent spatial or geographic data. The methodology allows users to create map overlay[12] and projections (see Figure 4). Location intelligence also encompasses specific location data (e.g., the address of a music venue based on a latitude and longitude) or boundary data also known as polygons (e.g., delimit areas such as districts) (see Figure 5).

Data

Data collection was essential in building this case study. Indeed, it encapsulates nine layers and 8,825 fields of data. The data collected include music-related as well as non-music-related data. In most instances, information gathered to generate the geographic data needed to represent the music-related activities of the city included the name, address, zip code, type of activity, as well as the date of incorporation. The data were collected by the author and his research assistants between January 2017 and February 2018. The data collection was intended to be as complete and comprehensive as possible. To help assure that the data collected were
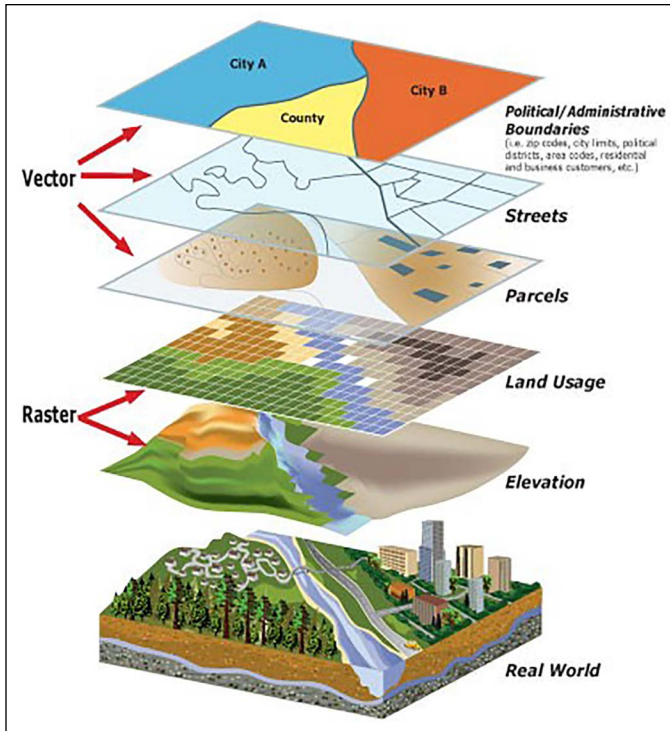
Figure 4. Example of map (Source: http://cms.sbcounty.gov/lus/Planning/ZoningOverlayMaps.aspx).

complete enough for this study, the application was made public to receive feedback from the community. News media helped disseminate it.[13] Please note that the author does not intend to continue updating the application past the writing of this article and there are no current plans to continue this study. This is partly due to 1) the cost of the GIS software license, and 2) the labor cost of research assistants. Also, since the writing of this case study, several new venues, festivals, and music businesses have entered the San Antonio market, while others have divested. Those are not represented in the application at https://arcg.is/0HD5O4.

The music-related data (followed by the number of data points under parenthesis) are comprised of five layers of geographic information:

1. Music Venues/Clubs/Bars (303) (includes both spaces that present music as their primary activity as well as
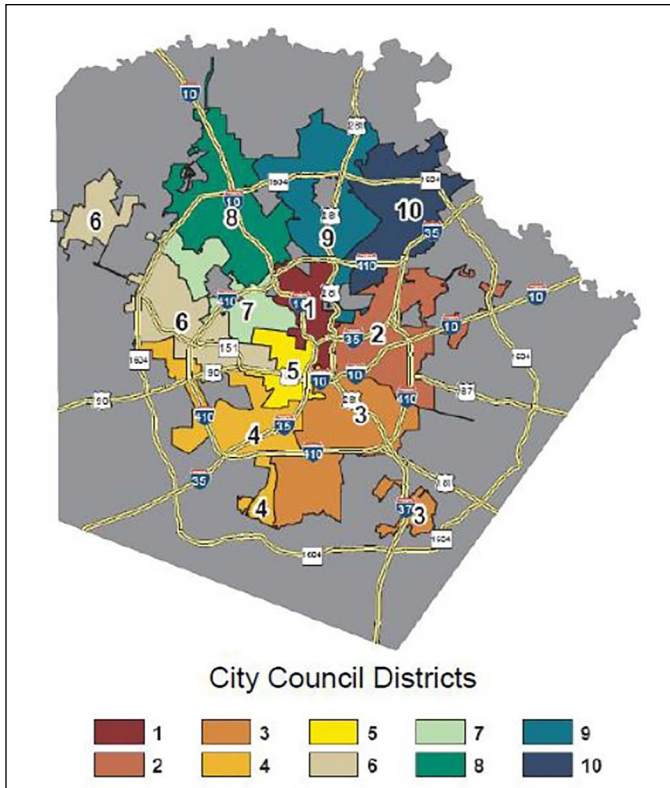
Figure 5. City council districts boundaries (Source: Department of Planning and Community Development for the City of San Antonio).

spaces presenting music as their secondary activity) (see Figure 6)
2. Music Festivals (27) (includes only recurring festivals) (see Figure 7)
3. Music-Related Businesses (272) (i.e., recording studios, music stores, production companies, etc.) (see Figure 8)
4. Music Nonprofits (113) (see Figure 9)
5. Music-centric Educational Organizations (59) (e.g., includes nonprofit and as well as for-profit music schools, after-school programs, music charter schools, and universities with strong music programs) (see Figure 10)

Figure 6. Music venues/bar/clubs.

Figure 7. Music festivals.
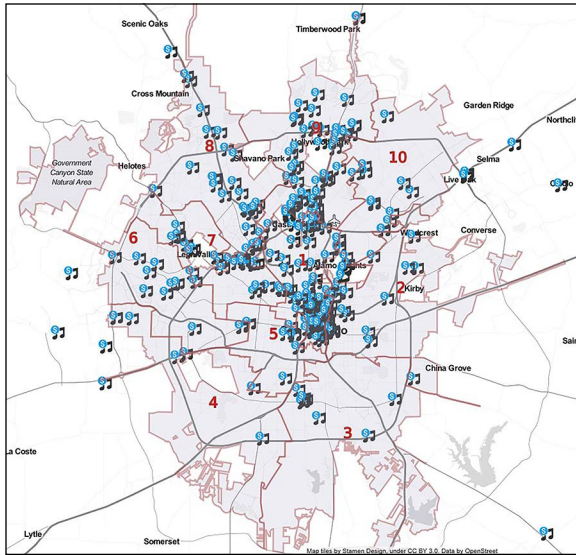
Figure 8. Music-related businesses.
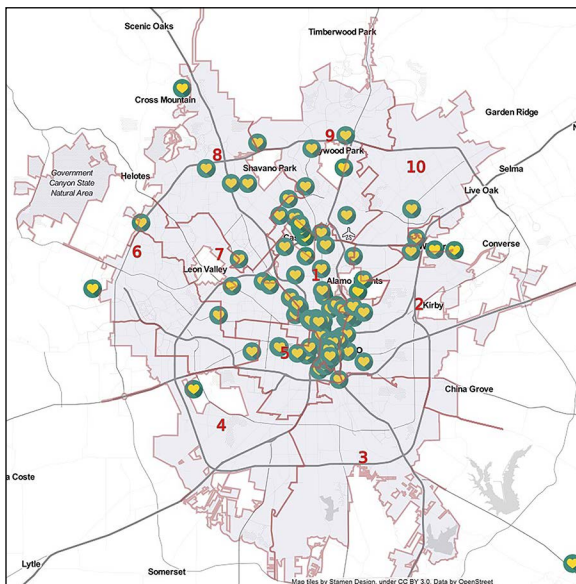
Figure 9. Music nonprofits.
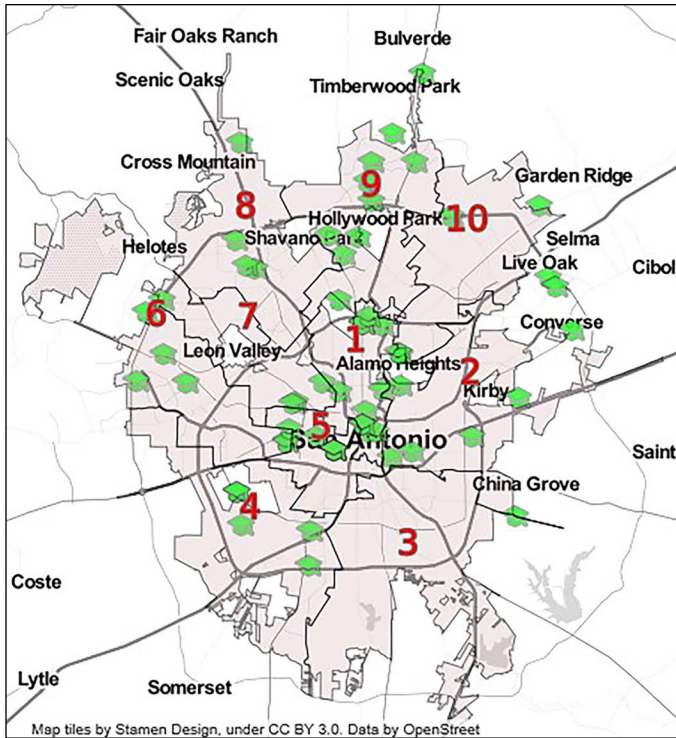
Figure 10. Music-centric educational organizations.

The music-related data used in this case study were collected from the following sources:

- The Texas Music Office[14]
- Local Event Aggregators[15]
- The Texas Music Educators Association[16]
- The City of San Antonio's Department of Arts and Culture[17]
- The San Antonio Sound Garden (SASG) San Antonio Music Industry Study[18]
- Word of Mouth, Referrals, Networking, and Social Media

In addition to music industry specific data, the following data were gathered:

- Boundary Data for the ten districts were imported from the City of San Antonio's Website[19] (see Figures 5)
- Paid Parking Garages and Surface Lots (159) were available from The City of San Antonio's Department of Arts and Culture[20] (see Figure 11)
- Monthly Alcohol Sales Data from July 2016 to August 2017 (7,892) were provided by the Texas Comptroller's Office[21] (see Figure 12)
- Socio-Economic Data were imported from the U.S. Census Bureau's website and the Department of Planning and Community Development for the City of San Antonio Census Study [22] (see Figures 1, 2, and 3)
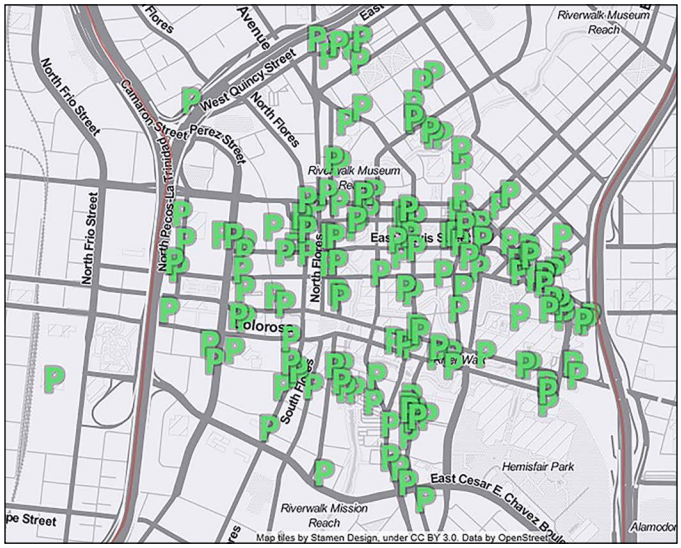
Figure 11. San Antonio downtown parking and surface lots.
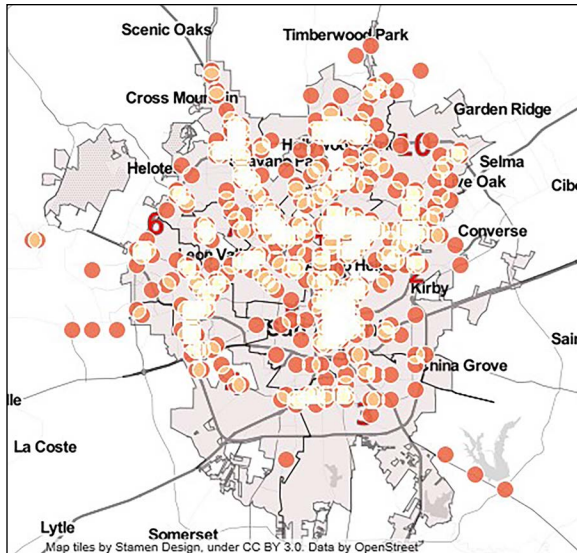
Figure 12. Alcohol sales in February 2017.

Implementation

The initial step in building this case study was to collect data with corresponding geographic information and then use push pins on a physical map to capture the city's music venues, music festivals, music-related businesses, music nonprofits, and downtown parking garages and surface lots (Figure 13). This initial step has been very useful to notice and correct errors due to batch conversions of 774 data points related to music-related activities and 8,051 to non-music-related activities. Converting individual addresses into latitudes and longitudes is laborious work. Fortunately, batch geocoders are applications that can generate coordinates for large sets of addresses. Those geocoder applications often require an application key. That key can be obtained at no cost from the Mapquest or Google Map developers page.

Once the addresses for each layer of data were geocoded, the data were imported one layer at a time into the location intelligence platform. Carto[23] and ArcGIS developed by ESRI[24] are the two leading GIS proprietary software packages. Both platforms were applied in realizing this case study. They offer online interactive base maps that can be shared via email or social media, can function as self-standing web applications, and can be embedded into a website. However, Carto has an animation feature that
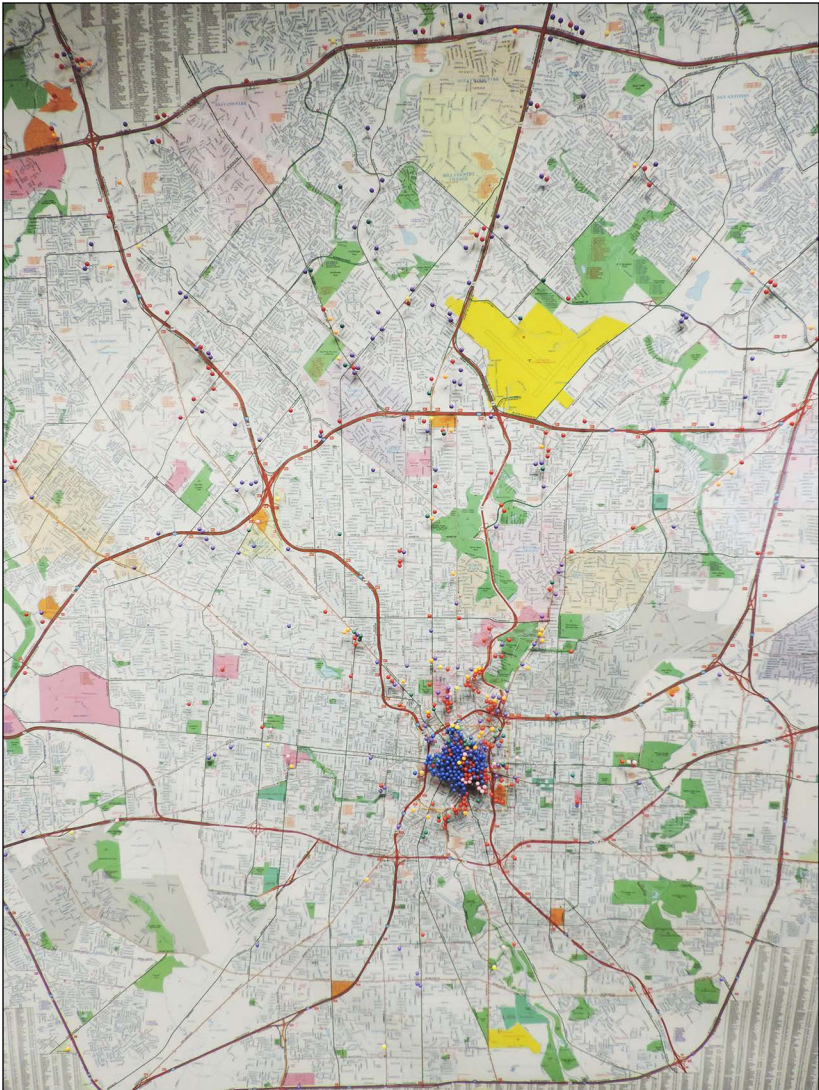
Figure 13. Physical map of San Antonio with push pins indicating the location of music venues, music festivals, music-related businesses, music nonprofits, and downtown parking garages and surface lots.

can plot data based on time series.[25] A temporal (dates) or numerical dimension is needed to animate GIS data. This feature was useful to animate the alcohol sales data (monthly sales for twelve months) while overlaying the other eight layers against it to test for correlation (see Figure 12). The animation feature is not available in the application published with this case study due to the software license cost. However, a GIF animation showing the correlation between alcohol and music-related activities is available here.[26] Also, each layer of data has been isolated (not aggregated with other layers), which facilitates the visualization and analysis process. Indeed, avoiding aggregating layers of data limits the clutter within the visualization output. This allows the user to then overlay different map combinations in real time (see Figure 14).
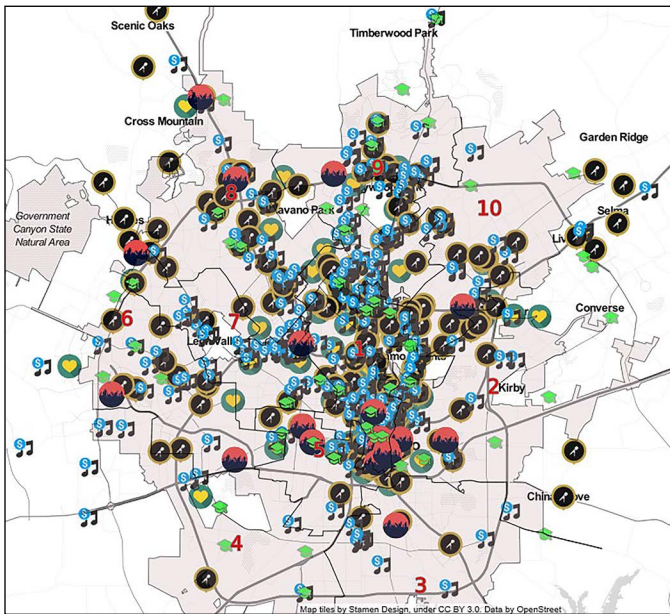
Figure 14. Map overlay of music venues, music festivals, music nonprofits, music-related businesses, music education organizations, and districts. This map shows that the musical landscape of San Antonio is concentrated downtown and along Interstate 10 and U.S. Route 281.

After the data are imported into the GIS software, the layers can be organized and symbols for each layer chosen (e.g., in Figure 8, dollar

signs with musical notes illustrate the music-related business data layer). Also, as mentioned, temporal data can be animated at this point with the intention to illustrate trends (e.g., monthly alcohol sales as seen in Figure 12 and incorporation dates for any of the music-related cultural assets illustrated in Figures 6 through 10). In addition, many optional features are available within the GIS platforms such as heat maps as well as aggregate and transparency options. Finally, pop-ups can be configured for each specific location within the application (see Figure 15).
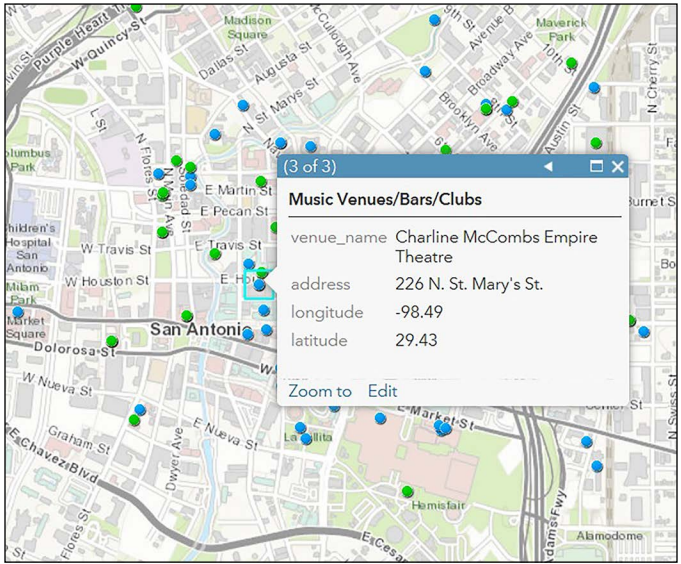
Figure 15. Example of a pop-up menu tied to geocoded data.

Case Study Analysis

Up to this point, we have covered the objectives of the case study, some background on San Antonio, and an explanation on how to implement the data. Next, a detailed analysis of the case study is proposed. First, the analysis starts with an interpretation of the visual output:

1. The GIS data inform us that San Antonio's music-related activities are mostly concentrated downtown within District 1 and along highways, especially Interstate 10 and U.S. Route 281 (see Figure 14). When zooming within the application, one can see that most

of the downtown venues are located on St. Mary's Street also known as the St. Mary's Strip. San Antonio does not currently hold a cultural district designation. This stretch of music venues would make the St. Mary's Strip a perfect candidate for such designation.

2. The largest concentration of paid parking is located in District 1 (see Figure 7). Parking in most instances is free in other districts. That is especially significant in Districts 6, 7, 8, 9, and 10. These are the most populous districts in San Antonio that have experienced the most growth in the past twenty years (see Figures 1 and 2) and are also the wealthiest (Figure 3). In those districts, abundance of parking, rapid growth, and wealth have certainly shown strong correlation. These three variables have also been essential in driving the proliferation of music venues and other entertainment options to the north and northwest part of the city.

3. In addition, music assets are disproportionately distributed across San Antonio (see Figure 14). Many fewer venues, festivals, and music-business related activities are represented in the southern and eastern part of the city in Districts 2, 3, and 4. Those are the poorest districts in the city. According to the data, the most negative implication is the lack of music education offered in those areas (see Figure 10). Thus, we can see that the lack of music education strongly correlates with lower numbers of overall music assets (Figure 14). Also, coming as a surprise, music nonprofits in those same areas are mostly nonexistent (Figure 9). This does not imply that music organizations are not highly engaged in the poorest part of the city—as they certainly are—but rather that their offices tend to be located in more affluent areas.

4. Music festivals are not as concentrated as the other music-related activities in San Antonio (see Figure 7). With many large open and enclosed spaces and free parking outside of District 1, festival promoters are pushing their ventures towards the outskirts of town. However, the southern and eastern portions of the city are still largely left out.

5. All music-related activities in San Antonio are very much correlated with each other, which portrays a highly interdependent music economy.

Next, the data were animated and revealed several dynamic trends:

1. Using incorporation dates as a mean to animate the GIS data, we learn that the music-centric cultural assets of San Antonio are growing towards the northwest part of town along I-10 towards

the La Cantera shopping outlet and the University of Texas at San Antonio's (UTSA) Main Campus (District 8), and north along U.S. Route 281 towards and past Loop 1604 and the wealthy Stone Oak area (District 9). Also, some initial growth is captured spurring along I-35, the highway that leads towards Austin in the south corridor of district 10 (see Figure 16). Please note: using incorporation dates has its limitation and is a rather crude measure considering that each location can have its ups and downs, new owners or investment. However, it has been a helpful tool to assess where more recent establishments have been appearing in the city. The red arrows in Figure 16 indicate where the newest music-centric cultural assets are proliferating.
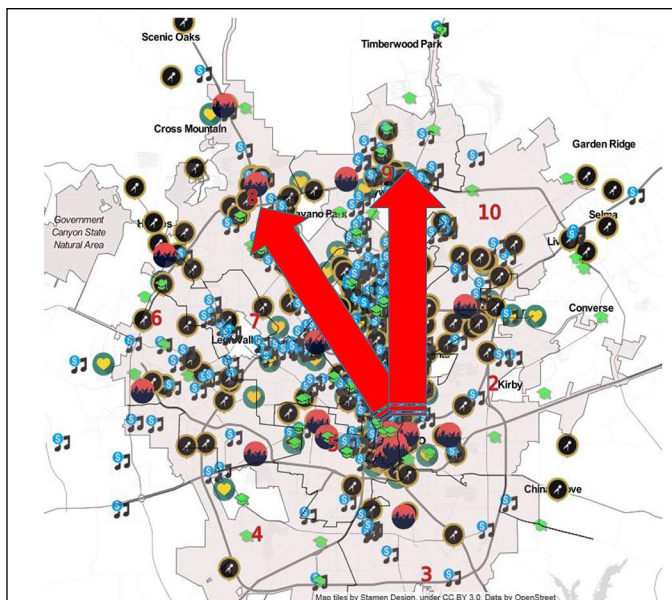
Figure 16. Map illustrating the growth trajectory of San Antonio's musical landscape.

2. Moreover, the analysis shows a strong correlation between the industry growth direction and the higher income areas in Districts 8 and 9. Indeed, both areas of growth are some of the wealthier in San Antonio and include some of the largest employers in the city including the energy company Valero, the military bank and insurance company USAA, UTSA, the broadcasting and

outdoor advertisement company Clear Channel, and the Medical Center, which is a medical hub of hospitals and medical research facilities.[27]

3. In addition, the GIS data display a strong interdependence between music-centric educational organizations and other music-related activities in the city (Figure 15).

4. Finally, alcohol sales correlate significantly with music-related activities in San Antonio. This supports the argument that the beverage industry largely fuels the live music economy of the city (Figure 12).[28]

Discussion and Conclusion

The main objectives of this case study have been met thanks to the use of location intelligence. Indeed, mapping the scale and scope of the musical landscape of San Antonio was accomplished and an interactive application was created. Nine layers and 8,825 fields of data were collected, manipulated, and analyzed successfully. The GIS analysis of this data informed us that the music-centric cultural assets of San Antonio are growing towards the north and northwest part of the city. Also, some growth has been captured spurring northeast of the city along the highway leading towards Austin. The analysis also revealed that musical assets are disproportionately distributed across the city largely omitting the south and east parts of town. Finally, a strong correlation is revealed between alcohol sales and music-related activities across the city implying that alcohol sales largely fund the live music economy of San Antonio. Thus, the study provides several impactful trends that can be used to inform policy makers.

Reproducing a similar study could benefit departments of arts and culture, tourism bureaus, and music programs. Some of the main goals and benefits of such a study mapping cultural assets are:

1. To identify creative ecosystems and cultural concentrations that exist, are emerging, or have potential to emerge.

2. To inform strategic investment in cities' cultural and creative infrastructure.

3. To encourage cultural district planning and guide conversations on cultural district designation and formation.

4. To help guide the development of place-based strategies and partnerships that preserve, cultivate, and grow creative ecosystems.

5. To expand on creative placemaking goals to support thriving in place to ensure future community-driven efforts to support local

arts and culture, allow communities to avoid displacement.

6. To build community capacity and empower community organizing efforts to understand and articulate the needs of their cultural landscape as they pursue place-based solutions.

7. To complement music economic impact studies with a spatial and dynamic element.

(Adapted from the *CAMP Report* 2018)[29]

In addition, this study has implications across many disciplines and hopefully can serve as reference for studies ranging from urban geography to music consumption. Thus, location intelligence is a fascinating methodology that has many potential applications in the entertainment industries.

However, there are several limitations to using location intelligence. Because it is based on location data and latitudes and longitudes, many online businesses and music companies operated from a home office are not captured by this methodology. Another significant drawback is that GIS does not show causality. Indeed, GIS does not imply cause and effect, but only correlation, which is the interdependence of various qualities (and data sets). Thus, for example, answering whether there is any evidence that the diversification of entertainment options contributes to urban development is not possible if using GIS by itself. However, it is possible to infer causality using GIS in conjunction with Agent-Based Modeling (ABM).[30] ABM models the causality of individuals or objects in time and space. Thus, a synergy exists between ABM and GIS. However, as of this writing, there is no such study related to music or music cities combining the two methodologies. In an interview by Artz (2013), Kevin Johnson, an expert spatial analyst, explains how ABM works:

> Conceptually, in ABM you give instructions to virtual agents that allow the agents to interact with each other and their environment. Agents can be people, wildlife, tanks, cars, or any discrete object. From the resulting decisions and actions of the agents, patterns are created in time and space. Unlike many other modeling techniques that quantify and then re-create the patterns, agent-based models explore the causes of the patterns. (Artz 2013)

Johnson is also the editor of the book *Agent Analyst: Agent-Based Modeling in ArcGIS*, which gives detailed instructions on how to best integrate GIS and ABM using the open source software Agent Analyst.[31] But, it is beyond the scope of the present study to combine both methodologies. Despite the lack of causality and limitations related to geographic data, GIS can be a powerful tool that can identify the source of an audience based on its tickets sales, animate music consumption showing trends, inform entrepreneurs of potential opportunities, and enhance music impact studies by adding a strong visual and interactive element.

Location intelligence offers a powerful visualization tool and a means to treat large sets of specific and boundary data alike that can be applied to the music industry. It informs researchers of areas of density and can infer correlation. In addition, layers of data can be used to create interactive map overlays and projections that can be shared online. Location intelligence provides an additional dynamic tool for those interested in crafting studies with a location data component. There is especially much potential for future research applying GIS to music consumption, ticket sales, and music marketing.

Endnotes

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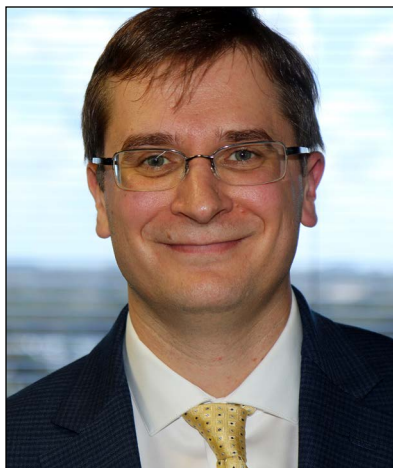
Local Minimum Content Requirements on Commercial Radio: An Australian Case Study

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Abstract

In Australia, commercial radio stations are required to play a minimum percentage of Australian content, set by the Australian Communications and Media Authority. The percentage differs depending on the category of station and the style of music played. This paper considers four major commercial radio stations in Melbourne, Australia, focusing on support within the sector for Australian content. The research examines if the stations are filling the required local content quota and if they are doing so within peak times of 6:00 a.m. to 6:00 p.m. or stacking Australian music in off-peak periods.

Currently, there is no up to date academic research available on commercial radio stations across Australia and the self-regulating practices designed to ensure that a suitable amount of local content is being played on air, in particular within peak airtime. This research aims to understand if there is a connection between the local content quotas and actual airplay by accessing radio station playlists available through the Radio Monitors database. The purpose of this data collection is to understand better the exact amount of support given to Australian content by commercial radio, which will help create a discourse around what should be the obligations of stations with regard to local content quotas.

Keywords: local content quotas, Australian music, commercial radio, radio airplay, CRA, Commercial Radio Australia, Australian music industry

Introduction – Background on Local Content Quotas

This research examines Australian radio focusing on support within the commercial radio sector for Australian local content and looks at the overarching effects of airplay on local artists and the Australian music industry. By doing a comparative analysis with the Canadian CANCON local content quota system and looking into how New Zealand handled deregulation of its local content quotas, the paper strives to find a better and

more efficient way of balancing a market-based approach with the need to support the local music industry.

Australian commercial radio stations, are required under the Australian Music Code of Practice Guidelines, "to promote the role of broadcasting services in developing and reflecting a sense of Australian identity, character and cultural diversity, by prescribing minimum content levels of Australian music" (AMPCOM 2016, 5). Australian government-funded national radio stations such as ABC and national youth broadcaster Triple J do not fall under the above code, however, as a comparison, the research will look at the playlist of Triple J during the same period. Triple J is required to play a minimum of 40% Australian content, which is well above the 25% mandatory quota set for commercial radio.

Here, local content and Australian music is defined as work that is written, created, and performed by Australian artists, either in Australia or overseas. The Australian local content standard was introduced in 1942 by the Australian government as a component of the Broadcasting Act to build and maintain local music as part of the Australian culture. In the years following, the local content quota was raised from the initial token amount of 2.5% to 5% in 1956 and was increased to 20% in 1976. In 1987, a compliance period was put into place from 24 hours a day to between 6:00 a.m. and midnight, these amendments remained standard until 1992 when the new Broadcasting Services Act increased the local content quotas to 25% and made them part of a self-regulatory code for commercial and community broadcasters. In 2004, due to the Australia-United States Free Trade Agreement, caps on music quotas were set at 25%, and deregulation of the quota system was adopted. "In the event the quotas are lowered, they cannot again be increased. In the event the quotas are removed, they cannot be reintroduced" (Gailey 2012).

From 2004 to 2016, commercial radio's self regulatory compliance of local content was overseen by Commercial Radio Australia and the music industry committee AMPCOM that represented the Australian Recording Industry Association (ARIA), the Phonographic Performance Company of Australia (PPCA), The Australian Music Publishers' Association Ltd. (AMPAL), music rights organization APRA AMCOS, the Musicians' Union of Australia, and the Media Entertainment and Arts Alliance (MEAA). However, the industry committee AMPCOM was disbanded and since March 2017 Commercial Radio Australia has had sole stewardship of overseeing the minimal content requirements, reporting annually

to ARIA with the Australian Communication & Media Authority supervising the compliance of the code.

The Australian music content quota requirements, which apply to commercial radio licenses are currently reflected in the Commercial Radio Codes of Practice (see Appendix 1). This code commits commercial radio broadcasters to quotas of Australian music depending upon the individual station's predominant format (see Appendix 2). The maximum quota requires Category A stations, which predominately play top 40, mainstream rock, album orientated rock, contemporary hits, alternative, and pop music to transmit 25% Australian music. Also, one-quarter of the music played must be new Australian music as stated in the Code of Practice, and:

> Radio stations whose format is within categories A, B or C of sub-clause 5.2 (a) must play a percentage of New Australian performances as a proportion of total Australian Performances prescribed by this provision, shall be in accordance with the following table, when calculated across all Australian Performance Periods occurring in a financial year, subject to 5.5 – the provision does not apply to a licensee that does not include New Releases in its weekly play lists, having regard to its format. (Commercial Radio Code of Practice 2018, 9)

AMPCOM and the CRA state that the quotas depend upon whether or not there are sufficient new Australian releases available that are suitable to each station's format. In the case that there is limited supply or a "substantial decrease of Australian performances released, CRA may revise the percentage required of New Australian Performances as a proportion of total Australian performances" (AMPCOM 2016, 7).

By examining the online source, Radio Monitors, and compiling data over a one-week period on four commercial radio stations in Melbourne, the research aims to understand the exact amount of Australian content played on commercial radio. This data may then open the debate into how the Australian music industry can encourage compliance of the mandatory 25% minimum requirement of Australian content and what incentives the government could develop to maintain and support Australian content on commercial radio. The paper also looks at the difference commercial airplay makes for those artists lucky enough to secure it by using the ex-

ample of Melbourne band The Teskey Brothers, whose career trajectory was boosted by two spins during peak time on one commercial radio station in Melbourne.

According to the Statistical Snapshot report prepared by Music Australia for a music industry partnership developing a National Contemporary Music Plan, it states, the "Australian Contemporary music industry [is a] multi-billion dollar contributor to Australia's economy and culture," the industry currently contributes an estimated "$4 to $6 billion [annually] to the Australian economy" (Music Australia 2017). With these figures in mind, it is important to nurture and continue to develop the Australian music industry for its continued growth within the economy. Adhering to the minimum requirement of content quotas will ensure that the Australian music industry thrives into the future. There is a clear role for both state and federal governments along with industry stakeholders to monitor and encourage cultural uptake by multinational broadcasting companies that might overlook their responsibilities.

Literature Review

There have been several studies in the last decade that include research on local content quotas and key stakeholders in the music industry. In these studies, including a research paper prepared for the Music Council of Australia, we find support for local content and learn that the Australian music culture is strong and plays a key role in developing local music production. Paul Mason suggests that "these quotas are vigorously defended by the music community as being critical to the preservation of a local musical culture and industry" (Mason 2003, 1).

In the book, *Changing Stations: The Story of Commercial Radio* by Bridget Griffen-Foley, (p. 259) the history of local content quotas is traced back to 1942 when the first quota was introduced with 2.5 percent of radio time to be devoted to the work of Australian composers. *Changing Stations* gives a comprehensive insight into the introduction of the local content quota and details the changes in the Copyright Act, the Broadcasting Act, and the establishment of the many incarnations of Australian broadcasting bodies including the Federation of Australian Radio Broadcasters (established in 1930), the Australian Broadcasting Control Board (est. 1948), Australian Broadcasting Authority (est. 1992), Commercial Radio Australia (est. 2002), and the Australian Communications and Media Authority (est. 2005).

Since the Australian Music Performance code was put in place in 2001, a gap in the literature has been identified with regard to recent data on whether the commercial radio sector is meeting the local content requirements. The most up-to-date report on Australian Music content on commercial radio is by Hans Hoegh-Guldberg from 2011-2012 for Music In Australia/The Music Trust, Knowledge Base. The report concludes that AMPCOM, as the overseer of the elaborate system for the monitoring of commercial radio stations in Australia, believes that "compliance with the Australian Code of Practice is generally high in the five codes set up for different program formats, with nearly 100% for all except Category A which sets the highest quota, a minimum of 25%, for the most popular formats. Seven of the 49 stations under Category A fell short of the minimum quota in 2011-12" (Hoegh-Guldberg 2013).

In a report commissioned by Music Council of Australia, titled *Music and the Media: Government Regulation in Australia and Abroad*, Lyn Gailey states that the "compliance results reported to AMPCOM by Commercial Radio Australia are not subjected to independent scrutiny. It is a self-reporting exercise taken at face value," and concludes that, "it is possible that in the absence of quotas, those reporting Australian music compliance at or marginally above the required quota may not deliver the same outcome" (Gailey 2012, 13).

It is hypothesized that increased support and selection of Australian music on commercial radio would have a positive effect on the entire Australian music industry. With more Australian artists receiving commercial airplay, the artists' music sales will increase, income from live shows would also increase, and the sector as a whole would benefit from follow-on effects of a much healthier industry. As Paul Mason states, "Airplay drives sales, which drives local signings; and quotas ensure that commercial stations look at the independent sector" (Mason 2003, 6).

In the research paper commissioned by the Australian Government and Australia Council and written by Associate Professor Shane Homan titled, *The Music Recording Sector in Australia: Strategic Initiatives*, maintaining local content is an important factor in ensuring a healthy local music industry. Homan states that:

> There was a consensus of opinion that the local content quotas for commercial radio broadcasters required investigation; if content rates could not be raised, then obliga-

tions could be tightened in relation to the times and spaces when Australian material was played. This has been a source of considerable tension between the music recording and copyright companies and Commercial Radio Australia. (Homan 2012, 13)

In the paper "From Coombes to Crean: Popular Music and Cultural Policy in Australia," Homan examines several areas of contention with regard to minimum local content requirements on radio including the review into quotas on both analog and digital commercial radio devices in the *Convergence Review* in 2012. Submissions for the removal of the quotas and the maintenance of them were noted from both sides, however, in the final report dated March 2012, the *Convergence Review* recommended keeping the existing quotas and suggested extending them to "digital broadcasting landscapes and soundscapes" (Homan 2013, 391). The *Review* found that the quota system is generally effective, however, due to the developing nature of internet-delivered audio services, the report recommended it would be problematic and futile to apply quotas of local content to such services at this time.

The *Convergence Review* has been a fundamental tool in an ongoing trend by the state and federal governments who are continually struggling with the intertwining issues of increasing divergence of production and consumption. *The Review* has found that the quota question is still relevant especially with the decline of direct enforcement of the minimum requirement of local content and the multifaceted issue of fostering local production. *The Review* recommended that new media and the continued development and strengthening of the Australian cultural landscape needs to be reinforced and protected.

To summarize, it is concluded that while there has been academic discourse on the minimum requirements of Australian local content on both commercial radio and television, there is no current research that specifically aims to delve into the exact amount of local content played. The literature focused around this discourse is typically very encouraging of maintaining the minimum requirements on commercial radio. Support for upholding local content focuses around Australian music and the creative industries continuing to be an important cultural asset for Australia. In order for Australia to uphold its cultural identity, it is imperative that

Australian music continues to be broadcast and easily available to the entire population.

Opposing the Quotas

As mentioned previously, there has been research on local content quotas with regard to its effect on the Australian culture, society and reflecting a sense of Australian identity, with authors vigorously defending the need for content quotas. However, there are no examples of research on the exact amount of Australian content played on commercial radio as it is assumed that the commercial radio sector in Australia continues to act in accordance with the self-regulatory rules set out by the Australian Government with regard to the minimum requirement of local content. Some leaders within the Australian music industry hypothesize that the local quotas are not being maintained and that this is presented by the lack of Australian artists on the ARIA charts and meager percentage of Australian artists reaching a certain level of achievement in Australia and internationally.

The debate on local content requirements on commercial radio has been taking place for over three decades. In 1982 the Australian Broadcasting Tribunal in consultation with Commercial Radio Australia believed that most stations were playing more Australian-produced music than they needed to and highlighted the preference by CRA to remove the then 20% quota. "Over 100 submissions were made to the inquiry into Australian music on the radio with only three in favour of abolishing the quota" (Griffen-Foley, 277). At this review, Midnight Oil's lead singer Peter Garrett appeared and issued an open letter supporting the local content requirements stating that his band "wouldn't have stayed alive if we hadn't got the airplay we did" (Griffen-Foley, 277). This argument has resurfaced many times over the past decades and continues to be a matter of concern for those within the Australian music industry who feel that for Australian artists to survive and carve out a career, they need the support of Australian broadcasters.

Commercial Radio Australia opposes local content quotas and supports the removal of the Australian music content quota requirement. CRA believes that "greater effort needs to be expended at the production level to ensure that a wide range of quality Australian music content continues to remain both available and attractive to music consumers" (Commercial Radio Australia Ltd 2011). In a submission to the Contemporary Com-

munity Safeguards Inquiry, July 29, 2013 by Commercial Radio Australia Ltd., the report put forth an argument for continued self-regulatory status by commercial radio stations across Australia, contending that the sector is well suited to the self-regulatory model. While determinedly defending self-regulation, they believe that the "current industry culture, combined with strong commercial incentives to comply with audience expectations and provide valued local content and a diversity of views, strongly implies that self-regulation would work as successfully as would coercive regulation, except with significantly less regulatory burden." As the CRA considers the continuation of the local content quota system and its effect on the Australian cultural landscape as a burden, this is a detrimental position for them. In arguing for continued self-regulation, Commercial Radio Australia also states that "pure self-regulatory models without any form of government or statutory involvement are rare, the application of such a model to the commercial radio sector is not without precedent" (Commercial Radio Australia Ltd. 2013).

The removal of AMPCOM from the compliance process was spearheaded by CRA in late 2016 with the revision of the Code of Practice completely excising AMPCOM's role from monitoring Australian content. The Australian Communications Media Authority (ACMA) then opted not to replace AMPCOM with any overseeing reviewing process. Since the exclusion of the overseeing body AMPCOM in March 2017, and the introduction of the current co-regulatory regime under the Broadcasting Service Act, CRA is reporting compliance annually to ARIA, with the ACMA overseeing compliance of the Code. For this research, a request was put forward to APRA for access to the broadcast reports from the selected commercial radio stations; however, this request was denied with APRA's representative saying that this information was strictly confidential. With this in mind, we ask ourselves, what do APRA and the radio stations have to hide, and if radio content is broadcast publically, why is this information confidential?

Comparing International Quota Systems

When comparing similar research from Canada on local content quotas, the quota system CANCON and how the regulations and enforcement of CANCON help maintain a clear Canadian cultural identity, we see how the Canadian Government, by enforcing the minimum requirement of local content on Canadian radio, has assisted in building a robust and vibrant

local music industry. Four different research papers on the Canadian music industry were chosen for comparative analysis, with a focus on the local content quota system CANCON. The methodologies behind the research papers are varied using quantitative, qualitative, and mixed method approaches, and give a comprehensive view of the overall success of the Canadian quota system.

Since the introduction of CANCON in 1971 on AM radio and 1976 on FM radio, the local content quota was set at 35% Canadian domestic releases. Domestic or local releases are determined by a system called MAPL (Music, Artist, Production, Lyrics) and require two of the four criteria be met for a song to qualify (through citizenship and location) as Canadian content. In the years following the introduction of CANCON we see a marked increase of Canadian music being played on Canadian radio—jumping from the average of 4% to 7% to the required 35% (Skinner, Lorimer, and Gasher, 174-175).

There are pervasive opinions that foreign content broadcast on domestic radio without limitation stifles the creation and access to local music, a critical part of a nation's culture and commerce, and that local music is displaced by foreign music (Stein-Sacks 2012, 1).

The research also examines New Zealand, which deregulated its content quotas also due to its Free Trade Agreement with the U.S.A., removing their quota system completely in return for governmental financial support initiatives to help develop the New Zealand music industry. However, the mechanisms that have been put in place to support the local industry and the deregulated free market approach have affected New Zealand's creative industries significantly in the past decade. As New Zealand has more radio stations per capita than anywhere else in the world, NZ On Air was established to administer funds collected by the broadcasting fee with a brief that included the provision for subsidizing and supporting local music. The NZ On Air music schemes such as New Tracks, which promote New Zealand songs to radio, and music programs that sponsor radio and television music programs that showcase New Zealand music and artists are in effect the alternative to local content quota and has helped to improve the proportion of New Zealand acts played on radio. The local content percentage is currently sitting at approximately ten percent. NZ On Air is aware of the significance of commercial radio support stating its focus on getting more local music played on air, agreeing that "commercial radio remains important because it's still the way the majority of

people connect with music" (NZ On Air 2017). To support New Zealand artists, NZ On Air has funding for the production of airplay-ready material and the promotion of the songs to help market them to radio. In 2017 alone, NZ On Air also funded other initiatives to promote New Zealand Music by supporting commercial radio stations with financial benefits with a total of NZD $935,000 going to eight commercial radio stations around the country.

Materials and Methods

Primary data for this research was sourced directly from Radio Monitor's website. The guideline for the methodology is to extract data systematically from the independent Radio Monitor website over a period of one week from June 5 to June 11, 2017. As a comparison, information from The Album of the Year and ARIA websites was gathered to assess the number of Australian artists released during the twelve months prior to the June 2017 research period. The aforementioned will indicate the appropriate availability of broadcast-worthy material in the lead-up to the period of investigation.

This research notes not only the number of Australian acts broadcast during that period but also lists the percentage of music from international territories played with a comparison to the Australian content played. A comparative analysis is presented regarding the amount of Australian content released in the twelve months prior to the survey. The data collected is displayed in several bar graphs with a positivism philosophy to the research, relying on facts and the quantitative data obtained. The research approach for this study is a deductive approach, allowing the data collection to evaluate propositions or hypotheses related to the theory of the support of local content on Australian commercial radio. Advantages include the relatively inexpensive ability to research the readily accessible radio airplay data.

The content validity and reliability of this study, although a new design, measures the exact airplay of commercial radio stations by carefully monitoring every song played over each 24-hour period over a one-week period. While this study aims to identify the amount of local content played on commercial radio, additional studies might attempt to further research the effect of airplay for local artists on their careers.

Results

Only by studying the effectiveness of the current system and the actual amount of local content played on commercial radio can we understand the support of Australian artists and their relevance in today's market. The research objective is to define the exact amount of content played and put an end to the counter-arguments where 1) the CRA claims compliance and 2) industry stakeholders claim that radio falls well short of its obligations. This researcher's motivation is to compel improvements to the uptake of local content. This research shows that the self-regulatory approach is not working and without an overseeing body monitoring compliance, some commercial radio stations are not maintaining the minimum content requirements.

Research conducted across one week in June 2017 shows that of the three Category A and one Category C commercial radio stations in Melbourne, two of the three stations do not come close to the 25% Australian content quota allocation and the Category C station is also well below its 15% minimum requirement. The statistics show that out of the three radio stations not reaching the quotas, Nova Melbourne played the lowest percentage of Australian music. In addition, the local content played is largely delegated to the final hour of the day between 11:00 p.m. and midnight when the audience is significantly smaller than during the peak times of 6:00 a.m. to 6:00 p.m. The graphs below show that of the music played on each of the commercial radio stations, acts from the U.S. get the most airplay, followed by artists from the U.K., with Australian artists receiving a small percentage of airplay. The ABC's national youth network, Triple J, is upholding its minimum requirements and doing its best to cultivate and promote Australian local content, playing a diverse range of music (see Tables 1 to 10).

NOVA 100 Melbourne

Nova Melbourne played from 2.5% to 5.3% of Australian music between 6:00 a.m. and 6:00 p.m. on Monday to Friday, upping the percentage on the weekend to 7.8% to 9.5% between 6:00 a.m. and 6:00 p.m., which is significantly below the 25% required. However, the percentage for Australian music played within a 24-hour period are slightly higher ranging from 5.9% to 8.9% Monday to Friday and from 5.8% to 9.1% on Saturday and Sunday. This research shows that out of approximately 280 songs played per day, Australian artists were represented with a minimum

of 14 songs and the maximum of 32 songs played, and American artists were represented by a minimum of 106 songs and a maximum of up to 136 songs played during the 24-hour period (see Table 1). Overall, during the week of June 5 to June 11, 2017 between 6:00 a.m. and 6:00 p.m., Nova Melbourne played a total of 68 Australian songs compared to a staggering

NOVA 100 – Melbourne Songs Played From 6 a.m. - 6 p.m., June 5 - 11, 2017							
Nova 100 Melbourne	Australian songs played	American songs played	British songs played	European Union songs played	Canadian songs played	New Zealand songs played	Other
5 Jun 2017	7	49	37	14	8	1	6
6 Jun 2017	3	50	33	11	11	2	6
7 Jun 2017	3	46	36	16	9	1	6
8 Jun 2017	7	52	30	11	9	2	6
9 Jun 2017	6	42	36	13	8	2	7
10 Jun 2017	13	62	42	24	9	5	10
11 Jun 2017	16	64	44	25	10	3	6
Total Songs 6 a.m. - 6 p.m.	55	365	258	114	64	16	47
Songs Played Across 24 Hours, June 5 - 11 2017							
Nova 100 Melbourne	Australian songs played	American songs played	British songs played	European Union songs played	Canadian songs played	New Zealand songs played	Other
5 Jun 2017	26	116	87	31	16	2	12
6 Jun 2017	14	114	75	34	24	6	13
7 Jun 2017	16	118	75	36	22	5	13
8 Jun 2017	21	120	69	34	19	3	13
9 Jun 2017	23	106	75	34	17	6	16
10 Jun 2017	19	123	87	53	19	8	16
11 Jun 2017	32	136	88	49	23	5	15
Total Songs 24 Hours	151	833	556	271	140	35	98

Table 1. NOVA 100, June 5 - June 11, 2017.

437 American, 297 U.K., 134 songs by artists from the European Union, 77 songs by Canadian acts, and 20 from artists from New Zealand.

Ten Australian acts were given airplay on NOVA 100—some of those acts received only one play across the week. Artists with the highest airplay were Sia, receiving a total of 25 plays across 3 songs, PNAU receiving a total of 23 plays of the one song, Amy Shark received 18 plays of her current single, Bliss n Eso featuring Gavin James received 14 plays, Dean Lewis received 10 plays of his current single, Illy had a total of 12 plays, 6 of the song featuring Vera Blue and 6 plays of the track featuring McDougall. The artist receiving the most spins across two singles was Peking Duk, with the single featuring Elliphant receiving 23 plays and the single featuring Aluna George receiving 18 plays across the week, giving the artist a solid 41 plays across the week. This airplay, however, did not guarantee Peking Duk chart positions on the ARIA singles chart, week commencing June 5, 2017.

FOX 101.9 Melbourne

Of the total of 184 Australian tracks played across the week, Australian singer/songwriter Sia had 29 plays of her most recent single *Reaper* closely followed by Dean Lewis's track *Waves* with 27 spins. Starley's *Call On Me* followed with 16 plays, Peking Duk featuring Aluna George with 11 spins and Peking Duk featuring Elliphant *Stranger* with 10 plays, and The Veronicas' *The Only High* with 7 spins across the week. Of the 42 Australian acts receiving airplay, the remaining artists received from 1 play up to 4 plays during that week (see Table 2).

KIIS 101 Melbourne

In the 2015-2016 *Australian Music Performance Committee Annual Report*, KIISFM is listed as a Category C format, which encompasses soft adult contemporary/hits and memories/gold - classic hits, and news and sports talk radio. Category C stations are required to play not less than 15% Australian content, with not less than 15% of new Australian performances as a proportion of the total Australian performances. During the week of June 5 to June 11 between the hours of 6:00 a.m. and 6:00 p.m., KIIS played 0.75% Australian content on Monday, June 5 and up to 8.8% on Friday, June 9. Airplay on Saturday and Sunday made up a large percentage of the minimum requirements of local content from 14.4% to 21.7%. However, the majority of Australian songs were played from 6:00

FOX 101.9 – Melbourne Songs Played From 6 a.m. - 6 p.m., June 5 - 11, 2017							
FOX 101.9 Melbourne	Aus-tralian songs played	Ameri-can songs played	British songs played	Euro-pean Union songs played	Cana-dian songs played	New Zea-land songs played	Other
5 Jun 2017	7	49	26	19	4	2	5
6 Jun 2017	7	55	24	20	5	1	3
7 Jun 2017	9	49	23	17	9	1	6
8 Jun 2017	5	53	25	13	10	3	5
9 Jun 2017	0	79	12	3	2	0	4
10 Jun 2017	19	52	31	20	8	2	12
11 Jun 2017	23	54	36	19	9	3	8
Total Songs 6 a.m. - 6 p.m.	**70**	**391**	**177**	**111**	**47**	**12**	**43**
Songs Played Across 24 Hours, June 5 - 11 2017							
FOX 101.9 Melbourne	Aus-tralian songs played	Ameri-can songs played	British songs played	Euro-pean Union songs played	Cana-dian songs played	New Zea-land songs played	Other
5 Jun 2017	27	100	50	35	10	5	9
6 Jun 2017	19	109	51	34	11	4	7
7 Jun 2017	28	91	45	32	13	4	11
8 Jun 2017	25	94	45	28	17	6	8
9 Jun 2017	7	142	37	17	10	2	8
10 Jun 2017	31	121	63	46	14	4	18
11 Jun 2017	49	114	70	32	17	5	16
Total Songs 24 Hours	**186**	**771**	**361**	**224**	**92**	**30**	**77**

Table 2. FOXFM, June 5 - June 11, 2017.

a.m. to 8:00 a.m. and from 10:00 p.m. until midnight on Sunday June 11. On Saturday, June 10, of the 325 tracks played, only 37 of them were by Australian artists compared to 157 by Americans and 61 by acts from the U.K. (see Table 3).

Across the week, although KIISFM was not meeting its minimum requirement, it did play a substantially higher number of Australian artists compared to NOVA. NOVA played from a selection of 10 Australian acts while KIISFM drew from a total of 53. This variety in the number of Australian artists receiving airplay, albeit some just one or two plays

KIIS 101 – Melbourne Songs Played From 6 a.m. - 6 p.m., June 5 - 11, 2017						
KIIS 101 Melbourne	Australian songs played	American songs played	British songs played	European Union songs played	Canadian songs played	New Zealand songs played	Other
5 Jun 2017	1	53	32	14	12	2	7
6 Jun 2017	5	60	24	13	7	3	5
7 Jun 2017	9	49	24	14	6	4	6
8 Jun 2017	4	59	29	13	10	2	7
9 Jun 2017	11	59	24	17	3	3	7
10 Jun 2017	25	69	38	21	9	3	8
11 Jun 2017	39	72	38	15	8	2	5
Total Songs 6 a.m. - 6 p.m.	**94**	**421**	**209**	**107**	**55**	**19**	**45**
Songs Played Across 24 Hours, June 5 - 11 2017						
KIIS 101 Melbourne	Australian songs played	American songs played	British songs played	European Union songs played	Canadian songs played	New Zealand songs played	Other
5 Jun 2017	20	107	55	28	21	5	13
6 Jun 2017	24	104	61	22	14	6	10
7 Jun 2017	45	89	52	23	11	6	11
8 Jun 2017	30	121	46	23	13	4	12
9 Jun 2017	23	104	47	32	13	5	13
10 Jun 2017	37	157	61	36	17	4	13
11 Jun 2017	72	129	65	30	17	4	14
Total Songs 24 Hours	**251**	**811**	**387**	**194**	**106**	**34**	**86**

Table 3. KIISFM, June 5 - June 11, 2017.

in the week, is evidence that there is a plethora of good Australian music available.

TRIPLE M Melbourne

On the other end of the spectrum is Triple M, Southern Cross Austereo's rock station that is by all accounts doing its part in supporting Australian content, although this is not understood as support for new Australian music. During the survey week, Triple M's local content support ranged from 15.8% to 27.8% between 6:00 a.m. and 6:00 p.m. Monday to Friday, with overall Australian content played over a 24-hour period ranging from 20.7% to 33.3%. The statistics for Triple M differ from other stations as the local content played is spread across the board and not stacked in off-peak time slots between 10:00 p.m. and 6:00 a.m. However, the research shows that Triple M plays much less music than the other stations surveyed ranging from a total of 105 to 142 tracks played across the day. When comparing the number of Australian artists played to the number of American artists played across the week, the percentage is approximately half with the maximum 50 Australian songs played compared to 81 songs by American artists and 45 by acts from the U.K.

Of the Australian artists played on Triple M Melbourne there were a total of 55 different acts, however only 14 of those acts had released new material within the period from June 2016 to May 2017. This shows that although Triple M is very supportive of Australian music, playing the most variety of local acts, it is playing a substantial number of Australian artists from the 1980s and 1990s (see Table 4).

TRIPLE J National Youth Network

Over the week researched, Triple J played from 47.7% up to 50% Australian content between the hours of 6:00 a.m. and 6:00 p.m. Monday to Friday, reaching up to 53.9% Australian content within a 24-hour period. The maximum songs played throughout a single day totaled 249 tracks made up of 131 Australian songs compared to 56 tracks by American artists and 40 by U.K. artists. This shows that Triple J is effortlessly making the 40% minimum requirement of local content and also proves that there is sufficient Australian content available and worthy of airtime. Across the week from June 5 to June 11, Triple J played 824 songs by Australian artists compared to 381 by American acts and 290 by British artists (Table 5).

TRIPLE M Melbourne Songs Played From 6 a.m. - 6 p.m., June 5 - 11, 2017							
TRIPLE M Melbourne	Aus-tralian songs played	Ameri-can songs played	British songs played	Euro-pean Union songs played	Cana-dian songs played	New Zea-land songs played	Other
5 Jun 2017	13	48	12	3	2	0	0
6 Jun 2017	19	38	16	2	0	0	1
7 Jun 2017	22	43	13	2	0	0	1
8 Jun 2017	22	44	13	1	0	0	1
9 Jun 2017	22	36	17	3	0	0	1
10 Jun 2017	8	20	7	0	0	0	0
11 Jun 2017	7	22	8	0	0	0	1
Total Songs 6 a.m. - 6 p.m.	**113**	**251**	**86**	**11**	**2**	**0**	**5**
Songs Played Across 24 Hours, June 5 - 11 2017							
TRIPLE M Melbourne	Aus-tralian songs played	Ameri-can songs played	British songs played	Euro-pean Union songs played	Cana-dian songs played	New Zea-land songs played	Other
5 Jun 2017	27	74	25	4	2	0	0
6 Jun 2017	33	68	36	2	0	0	2
7 Jun 2017	35	70	29	3	0	0	1
8 Jun 2017	33	59	22	2	0	0	1
9 Jun 2017	26	50	24	4	0	0	1
10 Jun 2017	30	66	25	2	0	0	0
11 Jun 2017	48	81	45	2	1	0	1
Total Songs 24 Hours	**232**	**468**	**206**	**19**	**3**	**0**	**6**

Table 4. TRIPLE M, June 5 - June 11, 2017.

Research was also conducted to establish the amount of new Australian releases available using data from The Music Network and Album of The Year websites for the period June 2016 to May 2017. It is estimated that there were 290 registered Australian releases during this time, and in

TRIPLE J — Songs Played From 6 a.m. - 6 p.m., June 5 - 11, 2017							
TRIPLE J	Australian songs played	American songs played	British songs played	European Union songs played	Canadian songs played	New Zealand songs played	Other
5 Jun 2017	65	30	16	7	1	4	3
6 Jun 2017	65	29	25	4	3	2	2
7 Jun 2017	57	25	30	6	2	1	0
8 Jun 2017	68	22	23	8	4	2	0
9 Jun 2017	53	26	17	6	4	3	1
10 Jun 2017	70	38	24	5	5	2	2
11 Jun 2017	75	34	24	10	6	4	2
Total Songs 6 a.m. - 6 p.m.	**453**	**204**	**159**	**46**	**25**	**18**	**10**
Songs Played Across 24 Hours, June 5 - 11 2017							
TRIPLE J	Australian songs played	American songs played	British songs played	European Union songs played	Canadian songs played	New Zealand songs played	Other
5 Jun 2017	129	53	32	11	4	5	5
6 Jun 2017	131	56	40	12	3	3	4
7 Jun 2017	117	58	45	12	5	4	2
8 Jun 2017	130	42	40	11	11	5	2
9 Jun 2017	109	56	41	22	7	4	2
10 Jun 2017	108	65	43	11	8	3	5
11 Jun 2017	100	51	49	11	8	4	4
Total Songs 24 Hours	**824**	**381**	**290**	**90**	**46**	**28**	**24**

Table 5. TRIPLE J, June 5 - June 11, 2017.

the eight weeks prior to the radio research, from April 3 to May 26, there were 44 total Australian releases from both major label and independent artists. Of artists released within the twelve months up to June 2017, the following acts were the only ones receiving significant airplay on com-

mercial radio: Amy Shark, Illy, Sia, Peking Duk (with various artists), Dean Lewis, and Bliss n Eso all with substantial airplay on NOVA, KIIS, and FOXFM, followed by Birds of Tokyo, Samantha Jade, The Veronicas, Starley, and Sheppard all getting from ten to sixteen plays within a week. Table 6 shows the number of releases within the twelve months leading up to the research. The artists and releases receiving significant airplay on commercial radio are predominantly new releases, defined as a sound recording which has been on sale for a period not exceeding 12 months from the date recorded in *The ARIA Report* as the initial release.

Australian Album Releases June 2016 to May 2017	
June 2016	24
July 2016	24
August 2016	42
September 2016	37
October 2016	34
November 2016	23
December 2016	5
January 2017	8
February 2017	26
March 2017	23
April 2017	18
May 2017	26
TOTAL	290

Table 6. Number of Australian new releases from June 2016 - May 2017.

Discussion

The results of the desktop research were compelling, showing a small percentage of Australian music being played on commercial radio. Of the artists that were played, there were only six acts receiving frequent airplay, sufficient enough to translate to actual chart positions and sales. In the ARIA Singles chart for the week commencing June 5, 2017 there were a total of three Australian acts in the Top 50: #22 Dean Lewis *Waves*,

#33 Bliss N Eso featuring Gavin James *Moments*, and #49 Starley *Call On Me – Ryan Riback Remix*.

One limitation of this research is that only one week was examined in one capital city in Australia. Melbourne has a population of over 4.8 million people, accounting for 19.05% of the national population, ranking as the second most populated city in Australia after Sydney, in New South Wales. Taking the population of Melbourne into account, and also looking at the percentage of the total listeners for each of the stations, it is estimated that the limited data represents 30.7% of Melbourne listeners as per radio ratings as of April 24, 2018. This week was chosen at random during the Australian Performance period of 126 hours occurring in each week between the hours of 6:00 a.m. and 12:00 a.m. With this period in mind, we have found that with the small amount of local content being played it is dubious whether these stations would come close to the minimum requirements, in particular playing Australian music within peak airtime.

Commercial radio has a greater reach, especially with the mainstream audience, than community radio which suggests that the culture of listening to the radio and using it as the underlying foundation to discover new music is alive and well in the twenty-first century, regardless of the ability to access all types of music from internet resources. The power of commercial radio was seen when a local Melbourne band called The Teskey Brothers, who were virtually unknown to commercial radio, were featured on a segment on Melbourne radio station Triple M's breakfast show *Live From Eddie's Desk* with Eddie McGuire.

The Teskey Brothers formed in 2008 and up until twelve months ago, the band was playing its regular three sets on a Sunday afternoon to a loyal, local audience at the St. Andrews Hotel in the Yarra Valley to a maximum of fifty people each week. With the independent release of their album *Half Mile Harvest* in early 2017, the band's popularity had risen—not due to a large marketing budget or social media campaign—but from word of mouth and support from specialty community radio shows. However, the act went from selling out smaller venues in Melbourne in early 2017 to four sold-out shows at the Corner Hotel in July, with a capacity of 800 per night due to a single act of commercial radio support during peak time. The airplay and live performance on Triple M's *Hot Breakfast* led to a significant amount of ticket sales for the band's Melbourne shows. The marketing manager at the Corner Hotel, Sally Mather, explained by email, "The Triple M spot had a massive impact on ticket sales. We had maybe

sold a couple of hundred tickets over a three-week period before the performance on the *Breakfast* show and then sold out three shows in a couple of days after that, and then a fourth show sold out over the next week" (Mather 2017). The Teskey Brother's manager, Jeremy Furze, concludes that the appearance on commercial radio unquestionably made a difference to ticket sales and provided daily ticket sales numbers and recording sales figures to support this hypothesis (see Figures 1 and 2).
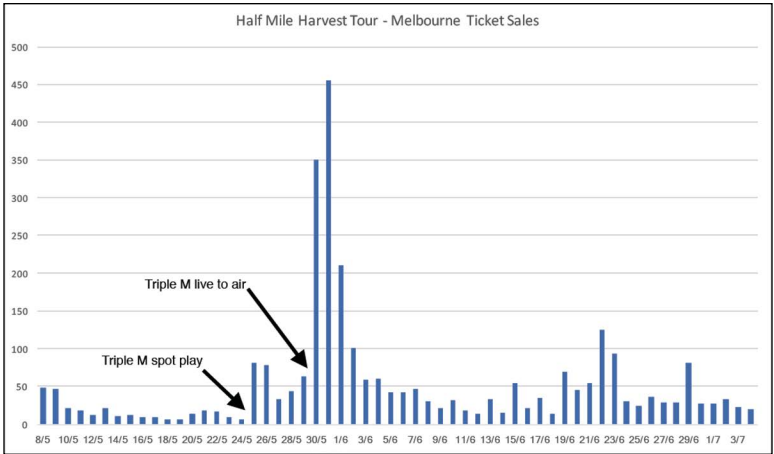

Figure 1. The Teskey Brothers: Half Mile Harvest Tour – Melbourne ticket sales.
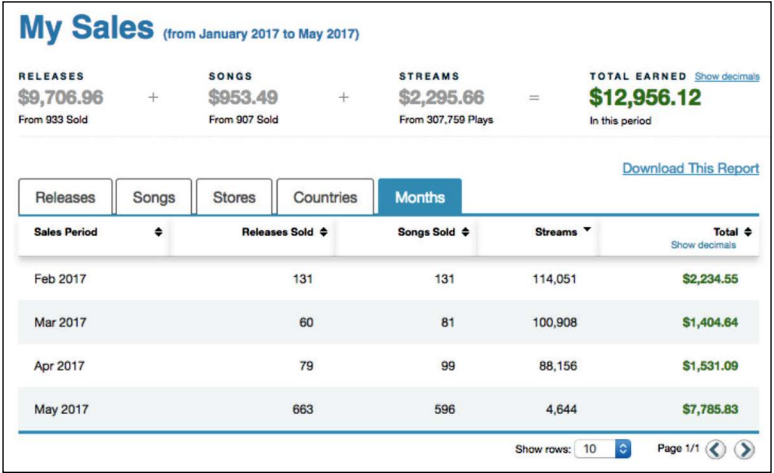

Figure 2. The Teskey Brothers: Sales – February-May 2017.

Conclusion

Currently there are more artists across all disciplines generating creative outcomes and stimulating the cultural industries in ways never seen before—this is evident in the number of Australian artists releasing material. However, an insignificant percentage of the musical acts released each year benefit from commercial radio airplay. As the research results demonstrate, out of an estimated fifty Australian artists receiving airplay over a one-week period, only six of these acts received a significant enough amount of airplay to benefit their careers, with only three acts receiving enough airplay to chart in the Top 50 singles charts.

To compete on a global level with online streaming and digital services, commercial radio stations in Australia need to distinguish themselves from the world market by supporting and playing more local content. Playing Australian artists will give commercial radio more content and would differentiate themselves from the global stations and content service providers, allowing Australians to hear Australian music on Australian commercial radio stations. CRA should focus on localizing its programming to be competitive globally.

A collaborative approach by each sector within the music business is required to effect change. The music industry must seek ways to support commercial radio and enable it to take up more local content. For a long time, there has been a combative approach from both the music industry and commercial radio. Mechanisms need to be found in order to change the attitudes of commercial radio station program directors around the country. Commercial radio has fallen short of the quotas because it has failed to see the cultural and commercial benefits of supporting Australian content. A healthy local music industry can only enhance commercial radios listenership. It is important that Australia continues to cultivate a healthy, thriving music community and in turn, a music industry that is economically viable for years to come. This can only be done with support across all sectors of the industry for local musicians, songwriters and artists.

Since the completion of this research paper in March 2018, as of April 1 ARIA, APRA, and CRA have begun working together on an agreed monitoring framework to look at what the commercial radio stations are doing and how they're meeting the required quotas. They are currently using the same Radio Monitor database to scan playlists and monitor compliance. There has also recently been an Australian Federal Government

Senate Inquiry on the Local Content Quotas on both radio and television in May 2018. A submission to the inquiry using this research was submitted, the results of the Senate Inquiry are still to be announced. In September 2018, the Australian Government also called for a Parliamentary Inquiry into the Australian music industry—this research will be used in a submission to this inquiry with regard to growth and sustainability of the music industry. Stay tuned.

Appendix 1

Commercial Radio Australia Limited ACN 059 731 467
15 March 2017

CODE OF PRACTICE

1. Australian Music

5.1. A Licensee must ensure that during the Australian Performance Period, either:
5.1.1. the applicable proportion of the total time occupied by the broadcasting of Music by the radio service consists of Music performed by Australians; or

5.1.2. in the case of a Licensee which broadcasts Musical Items of a reasonably similar duration, the applicable proportion of the total number of Musical Items broadcast by the radio service consists of Musical Items performed by Australians.

5.2. For the purposes of 5.1, the applicable proportion of total time or total number of Musical Items (as the case may be) in respect of a radio service, must be determined based upon the predominant format of the service in accordance with the following scale:

Category	Format of Service	Applicable Proportion
A	• Mainstream Rock • Album Oriented Rock • Contemporary Hits • Top 40 • Alternative	Not less than 25%
B	• Hot/Mainstream/Adult Contemporary • Country • Classic Rock	Not less than 20%
C	• Soft Adult Contemporary • Hits & Memories • Gold – encompassing Classic Hits • Hip Hop	Not less than 15%

D	• Oldies • Easy Listening • Easy Gold • Country Gold	Not less than 10%
E	• Nostalgia • Jazz • NAC (Smooth Jazz)	Not less than 5%
F	All other formats of service (including, without limitation, programs which are predominately comprised of open-line, news, talk and sport content)	N/A

5.3. In the case of a radio service whose format is within categories A, B or C of 5.2, the broadcast of New Australian Performances as a proportion of total Australian Performances prescribed by this provision, shall be in accordance with the following table, when calculated across all Australian Performance Periods occurring in any financial year, subject to 5.5.

Category	New Australian Performances as a Proportion of Total Australian Performances
A	Not less than 25%
B	Not less than 20%
C	Not less than 15%

5.4. The commitment on the part of a Licensee to play a minimum level of New Australian Performances in accordance with 5.3, is subject to the release of such Performances by the Australian record industry in numbers that are substantially the same as those released in the financial year ending June 1998. If, in any financial year, there is a substantial decrease in the release of New Australian Performances, CRA may revise the proportions of New Australian Performances as a proportion of total Australian Performances, contained at 5.3, provided that any change that may eventuate will not affect the Licensee's obligations under 5.1.

5.5. The provision at 5.3 does not apply to a Licensee that does not include New Releases in its weekly play lists, having regard to its format.

5.6. For the purposes of 5.3, the category into which a radio service falls must be nominated by the Licensee.

5.7. For the purposes of 5.2 and 5.3, where more than one performer is involved in a musical performance, the Musical Items concerned shall be regarded as being performed by an Australian if the performance is predominantly by one or more Australians.

5.8. A Licensee must notify CRA by written notice of any material change to the format of a radio service operated by it, having regard to the tables in 5.2, no later than 7 days after the change is made.

5.9. CRA will provide regular yearly reports to ARIA on the performance by Licensees in relation to this section 5.

5.10. This section 5 does not apply to Digital-Only services. This exemption will be reviewed in conjunction with the next material review of this Code.

Appendix 2

Total number of Commercial Radio Stations in Australia	260
Total Number of Category A Stations	44
Total Number of Category B Stations	73
Total Number of Category C Stations	112
Total Number of Category D Stations	19
Total Number of Category E Stations	3

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CHRISSIE VINCENT started her career in the music industry in 1981 at Festival Records in Sydney, Australia. With over thirty-seven years experience in the music and entertainment industry, Vincent has worked with some of the biggest names in music, both in Australia and internationally (based in Los Angeles for five years at Virgin Records Worldwide) working with acts including the Rolling Stones, Lenny Kravitz, David Bowie, Sex Pistols, Smashing Pumpkins, and Australian artists and bands including The Living End, Pete Murray, Don Walker, Jeff Lang, Tim Rogers, Tex Perkins—the list is endless. She has worked in various capacities including publicity, artist management, TV production, record promotion, radio promotion and music television at MTV in Australia and the U.S.

In 1999 she branched out as an independent publicist establishing Chrissie Vincent Publicity & Management, working on successful publicity campaigns for events such as Falls Festival, St. Kilda Festival, St. Kilda Film Festival, Pyramid Rock Festival, Boogie Festival, the Australasian Worldwide Music Expo, and CD and national tour campaigns for both local and international touring artists. In January 2015, Vincent accepted the position of Head of Entertainment Management at Collarts (Australian Collage of the Arts) where she oversees the Bachelor of Applied Business degree and lecturing in Entertainment Management.

In November 2017 Vincent was the first person to complete a Masters Degree in International Music Business at the Box Hill Institute, and in March 2018 she released her thesis on local content quotas on Australian commercial radio. The research results have already made changes in airplay. Her interests lie in music and cultural policy where she is using her passion and deep understanding of the business to ensure a sustainable music industry for her students well into the future.

Reviews

The "Red Elvis" at 80: The Fantastical Career of Dean Reed

Will Roberts (Producer/Director). *American Rebel: The Dean Reed Story* **(DVD). United Documentary Films, 1985.** www.deanreed.de

Reggie Nadelson. *Comrade Rockstar: The Life and Mystery of Dean Reed***. New York: Walker & Company, 1991.** www.walkerbooks.com

Chuck Laszewski. *Rock 'n' Roll Radical: The Life and Mysterious Death of Dean Reed***. Edina, Minnesota: Beaver's Pond Press, 2005.** www.beaverspondpress.com

His story is relatively contemporary but could have only happened during a specific political climate. His contemporaries included the likes of Evel Knievel, Jane Fonda, and Eddie Cochran. Elvis Presley was just three years older and Phil Everly was one of his closest friends. He performed in thirty-two countries, made eighteen movies, released fourteen albums (singing in four different languages), and performed for crowds as large as 70,000. Though he did perform his own songs, he sang mostly covers, including songs by Elvis, the Beatles, Bob Dylan, Little Richard, Bill Haley…whoever had the hits. He was even featured on the news show *60 Minutes*. Author Tim Sommer of the *Observer* wrote that he was "the biggest pop star you've never heard of" (June 13, 2016). He further wrote, "Rarely can we accurately say that someone was as big as the Beatles, but Dean Reed was"…behind the Iron Curtain.

Dean Reed (1938-1986) was an all-American boy. Born in Colorado, he was athletic, intelligent, musical, handsome, and charismatic. The attention he received for these characteristics propelled him to try his luck in Hollywood. In the summer of 1957, at the age of 20, he forfeited his studies in meteorology at the University of Colorado (Boulder) and pursued his show business dream. Within three years, he secured a recording contract with Capital Records, and appeared on national television shows like *American Bandstand* and *Bachelor Father*. However, try as he might, his career didn't gain much traction and began to stall.

In the midst of contemplating his next career moves, his 1960 single, "Our Summer Romance," unexpectedly became the best selling English language song in South America. Faced with lessening professional options in the States, he packed his bags and followed his new-found fame, first to Chile, and eventually settled in Buenos Aires, Argentina. Once in South America, in addition to his creative endeavors, he was exposed to, and embraced, different philosophies of politics and government. He also found his calling as a self-appointed champion and advocate for oppressed people. During these formative years, few, if anybody, could have predicted the trajectory of his life.

Emboldened by his ever-growing fame and status, he became so politically active in Argentina that in 1966 he was expelled and decided to relocate to Spain. He had been in Spain only a short time when he was asked by the Soviet Peace Committee to tour the Soviet Union and perform in eleven cities. According to author Chuck Laszewski, Reed was the first American rock singer to perform in the Soviet Union (94). After many short stints in Spain and Italy, and return trips to Argentina and Chile, by 1972 Reed settled in East Berlin. There he declared himself a socialist, married an East German movie star (his third marriage), and publicly criticized the United States government.

He rubbed shoulders with the likes of Daniel Ortega and Yasser Arafat, as well as political leaders from East Germany, Italy, and the U.S.S.R. The communist and socialist countries of Central and Eastern Europe relished the propaganda generated by Reed, and he was rewarded with pinnacles of success that few entertainers achieved. However, as the political climate of the 1980s changed—the Berlin Wall was soon to come down—Reed found himself at a crossroad. With ideals from the West flowing more freely, he found his popularity waning. Could he maintain a career in East Berlin? Could he go home to America—*ever*? He felt trapped in a lifestyle he once advocated. Faced with changes in popular trends and decreasing opportunities, he ended his life.

Though still remembered in Central and Eastern Europe, his career is not well-known in the United States. As early as 1985, a domestically-produced documentary about Reed's life was presented to American audiences. Since then, two biographies have also been released relaying the fantastical story of Dean Reed.

In 1979, film maker Will Roberts was attending the Moscow International Film Festival. As he and his interpreter walked through Red Square

they noticed a crowd had gathered with much commotion. The interpreter blurted out, "It's Dean Reed! He's the most famous American in the whole world!" Roberts had no idea who Reed was, but in short time realized he had found the subject of his next film.

Roberts' film begins with Reed's childhood. In 1982 he was able to interview Reed's mother, Anna Ruth, and father, Cyril, and gather stories about their son's early escapades. Among the accounts was the time seventeen-year-old Dean raced a mule 110 miles for a twenty-five cent bet. Forty-seven hours later, Reed crossed the finish line first and collected his quarter. The story was even reported in *Newsweek*. The documentary also includes one-on-one interviews with Reed. The filmmaker was able to meet Reed and his third wife, East German actress Renate Blume, in Moscow as well as spend time with them in their East Berlin home. In these interviews, Reed espoused his philosophies about entertainment, religion, social injustice, and politics.

Other interviews included a 1984 meeting with Reed's friend from their Hollywood days, singer Phil Everly. He relayed how they bonded and how they remained friends over so much distance and despite differing politics. A most revealing interview was from a 1981 meeting with Reed's mentor, actor/director/teacher Paton Price. They also met during Reed's time in Hollywood. Price shared how he strove to instill in Reed that everyone must find their own truth, as well as their own voice to proclaim it. Reed came to believe that his truth was exposing injustice and promoting—even provoking—change, and his ability to entertain was his voice.

Also included in the film are many performance clips of Reed from various movies, live performances, and television variety shows—including an appearance on GDR (East German) television with Phil Everly. Ranging from singing around campfires to stadiums full of thousands of people, a montage of live performance clips highlighted performances from a variety of locales, including Chile, Nicaragua, Lebanon, U.S.S.R., Siberia, and Czechoslovakia—to list a few.

Robert's film was completed in 1985 and shown late that year at the Denver International Film festival. Expecting positive reception to the film, Reed came excitedly to the United States and attended. However, he was disheartened when the film did virtually nothing for his career in his homeland. At that time, Roberts had no idea what was percolating inside Reed, nor what was to come. By the time the film was shown, Reed's fa-

ther had died from a self-inflicted gunshot and Reed's mentor succumbed to cancer. In addition, he was practically denounced in the States for his April 1986 *60 Minutes* segment and his career in East Berlin was floundering. Wrestling with pangs to return to his native country, Reed would be dead within six months.

The first domestically released book regarding Reed—*Comrade Rockstar: the Life and Mystery of Dean Reed*—was written by writer/journalist/documentary filmmaker, Reggie Nadelson. A resident of New York City, she also spent time in the U.K. working for the BBC. She first became aware of Dean Reed when she was half-watching a 1986 segment called "The Defector" on the news show *60 Minutes.* As Mike Wallace interviewed Reed, Nadelson became intrigued by what she saw and heard. She realized this was a tale of the Cold War.

She began to use her contacts in New York City and the BBC to see if she, too, could do a story, perhaps a drama-documentary. She committed a year-and-a-half to research, which included visits to countries behind the Iron Curtain. Published in 1991, the result was a 333-page biography, though, as she stated, "not a conventional biography; it isn't really a biography at all. I think of it as a kind of travel book through a now half-lost time and place" (xiii). She's very much a part of this telling. To that end, Nadelson wrote in first person. Her book is like a memoir or personal journey of her search for Dean Reed.

Through her research, she managed to find many people who worked with, or otherwise knew, Reed and collected insightful accounts. Significant participants included Reed's mother, Ruth Anna (his father was at this time deceased), as well as Reed's second and third wives. His first wife was barely mentioned, let alone interviewed.

As Nadelson conveyed information in her "travel book," a composite of Reed emerged. She describes a person so well-known you could "write Dean Reed, East Berlin on a post card and it would get to him" (6). However, the composite is somewhat incomplete, as much of his time spent in South America was not detailed. Nadelson even stated, "I pieced most of the story of Dean in South America together from scraps. I never made it to South America…the obsession, for me, was with the East" (46). In a related sense of incompleteness, it's difficult to confirm or cross-reference the book's contents, as there is no index or chapter notes.

Released in 2005, the second domestic book about Reed, Chuck Laszewski's *Rock 'n' Roll Radical: The Life and Mysterious Death of*

Dean Reed, delves deeper into Reed's time in South America, as well as other areas (specifically, Reed's death). Laszewski first heard of Reed in 1978 when Reed came to the University of Minnesota Film Society in Minneapolis to show a film he produced in East Germany. In a personal email (May 29, 2018), Laszewski explained:

> One of my fellow reporters at the school paper, the *Minnesota Daily*, interviewed him and as I read the story I thought he was a little nutty but interesting. A few days later, he was arrested in a protest just west of the Twin Cities and turned it into an international incident. I upgraded my opinion to nutty, but *very* interesting, and spent the next eight years keeping an eye out for anything reported about Reed.

After college, Laszewski worked as a reporter for the *St. Paul Pioneer Press*. The seed for Laszewski's only published book to date started out as a newspaper article about Reed. Once the article appeared in July of 1996, a friend encouraged him to pursue the subject as a book. The author embraced the suggestion and spent the better part of fourteen years researching and writing.

At 245 pages (260 with the chapter notes), Laszewski's approach was different from Nadelson's. Whereas Nadelson seemed to make numerous trips abroad to gather stories and included herself in the narrative, Laszewski began his search with the paper trails. He not only filed requests under the Freedom of Information Act, he also requested files from the Ministry for State Security (known as the Stasi) of the former German Democratic Republic (G.D.R.), which eventually sent four volumes of information.

From the Stasi files, Laszewski found documents that showed Reed was being spied on almost from the moment he arrived in East Germany and was "played" by the government. A German friend observed, "He had this very distinct need to be loved and this led him to a kind of addiction for applause" (217). The G.D.R. fed the somewhat naïve performer's addiction in exchange for information.

Laszewski's book also provides much detail about Reed's time in South America. Chronicled are stories about Reed with President Daniel Ortega, General Augusto Pinochet, Che Guevara, as well as attending ral-

lies for oppressed workers, and others who were economically and socially oppressed. Specifically recounted was the 1970 episode in Santiago, Chile where Reed washed the American flag in front of the U.S. Embassy because it was "dirty with the blood of Vietnamese…the Negro Race… American Indians…and the millions of people who are forced to lie in misery and injustice because the U.S. Government supports the dictatorships which keep these people in bondage" (122).

Practically a footnote in Nadelson's book, Reed's first wife's contribution was vital to Laszewski's book. Patricia Reed Wilson talked with Laszewski on five separate occasions and provided much information about Reed's career from 1964 until they divorced in 1973. Laszewski also relayed information about Reed's mentor, Paton Price. Laszewski described him as a pacifist and conscientious objector who encouraged Reed to come to meetings of the Society of Friends.

The last three chapters of Laszewski's book deal with Reed's death. The Stasi files provided documentation confirming the manner of Reed's death—suicide. Laszewski's last chapter includes Reed's final letter. In a bit of irony, or perhaps poetic twist, within four years of Reed's death the Berlin Wall fell, and East and West Germany reunified. Had Reed lived, more than likely he would have been lost in the wash of democratic changes and the novelty of his career would have dissipated. In 1991, Reed's mother brought his remains back to Colorado and had them buried at the Green Mountain Cemetery in Boulder, Colorado. Carved in his headstone is the moniker, "American Rebel."

Could Dean Reed have had a successful entertainment career in the United States? Paton Price was convinced he could have, but noted Reed chose to pursue tangible opportunities out of the country. Others who knew him had more pragmatic comments. Reed's first wife, Patricia, said of him, "The voice went beautifully with the looks. If you listen to the record, it wasn't that good. He didn't have the salesmanship on a record. He didn't have a specialty. He copied others: [like] Elvis. In person, he had his personality" (Laszewski, 10). A friend of Reed's said of him, "He was naïve. But he had enormous charm. Whatever his talent as a musician, his talent for charm was never in any doubt at all" (Nadelson, 223). Reggie Nadelson concluded in her book, "Dean became an official superstar in the Soviet Union because he was American and because of his looks, because he seemed forbidden. Towards the end of his life his music seemed dated; he was yesterday's man" (241). Chuck Laszewski reflected, "His genius

was to exploit untapped markets: Chile, Argentina, USSR, East Germany and then move beyond the music into television and movies. That enormous popularity gave him the ability to learn about the world outside of the United States and to take stands for peace and justice, often at great personal risk, in many of those same countries. You don't have to agree with him to admire his courage" (personal email, May 29, 2018).

Perhaps Dean's brother, Dale, provided the best summary, "I think it was Churchill who said that people who are not liberal when they are young have no heart but those who are not conservative when they are old have no brain. Dean was just beginning to learn how the real world works before he died. I am confident if he had lived as long as I have he would have realized the terrible results of collectivism" (retrieved from internet, posted June 24, 2008).

Mark Crawford

Mark Crawford, a native of Decatur, Illinois, is an Associate Professor of Music at Tennessee State University where he serves as the Coordinator of Commercial Music. He has been in this position since the fall of 1998. In this position he serves as the advisor for Commercial Music majors, places interns, maintains a rapport with the music industry, and teaches within the Commercial Music core. Dr. Crawford's completed degrees include the Master of Music from Austin Peay University, the Doctorate of Education and Master of Education degrees from Vanderbilt University, and the Bachelor of Science in Instrumental Music Education (K-12) and an Associate of Science degrees from Freed-Hardeman University. His musical experiences include writing and co-producing six independent music projects, performing at Opryland, and Fiesta, Texas theme parks, three appearances on TNN's *You Can Be A Star*, three-time first place winner for the West Tennessee Songwriters' Association songwriting contest, past member of the Nashville Community Orchestra, the Jackson, Tennessee Community Band, and the Jackson Community Jazz Band, road work and vendor support for various artists, multiple "garage" bands, numerous demos, story line and music composer for a children's musical, director of the Chester County Community Band, interim band director for Nashville Christian School, and guest conductor.

Rob Sheffield. *Dreaming the Beatles: The Love Story of One Band and the Whole World*. **New York: Harper Collins, 2017. harpercollins.com**

Toward the beginning of *Dreaming the Beatles, Rolling Stone* contributing editor Rob Sheffield indirectly concedes to how most would respond to word of yet another book on the Beatles. Indeed, there are many, from so many perspectives (former associates, musicians, musicologists, fans, etc.). But hand it to Mr. Sheffield for at least taking a different approach—one that works very well.

The balance of wit and fact is one quality that sets it apart. The information is very well researched and interpreted more as a fan than a historian or analyst. The influence of drugs on the writing and recordings of the Beatles, for instance, is expertly documented. But Mr. Sheffield relates his own experiences and reactions to the music of the time as well. His coverage of the breakup of the Beatles, always a conversation starter among fans, is a brilliant balance of fact versus personal observation.

More than just another "how the Beatles changed my life" text, *Dreaming the Beatles* is an expert's walk through the mythology of the Fab Four, with commentary and critique interspersed, suggesting (in some cases arguing) a re-interpretation of what various events and songs might have meant to their body of work.

Mr. Sheffield does indeed offer some personal remembrances. But they are more for context than an emotional sharing. For the most part, the various essays and chapters are laid out chronologically. Spread throughout the book, though, there are what feel like pauses in the story to more closely examine particularly pertinent topics. For example, Sheffield takes turns at various points to examine each of the Beatles individually (see the "Paul Is a Concept By Which We Measure Our Pain" chapter). Some of these digressions may seem a little mundane, or added for humor, though. We learn, for instance, of the deep disdain the author has for one particular solo McCartney song and an interesting comparison to a George Harrison-penned Beatles hit in the "Something (1969) vs. My Love (1971)" chapter.

Still, *Dreaming the Beatles* follows a straight enough timeline to label it a history book of sorts, with proper referencing and evidence along the way to support some oftentimes unique perspectives on what happened to the Beatles as a group and as individuals as they developed, exploded,

imploded, and then went on with their separate lives. It's very well-written, enjoyable, and useful. There are fascinating observations and thought-provoking suggestions. All in all, it's quite a worthy addition to that row full of Beatles books on the shelf.

<div align="right">Storm Gloor</div>

Andrew Blauner (Editor). *In Their Lives: Great Writers on Great Beatles Songs. New York:* **Blue Rider Press, 2017. penguin.com/publishers/blueriderpress/**

In Their Lives: Great Writers On Great Beatles Songs is a collection of essays by prominent writers about particular Beatles songs they identify with for various reasons. Many elaborate on particular memories, inspirations, or "where I was when…" moments. Some critique their selection, identify why it is their favorite, or provide analysis of it. All in all, it's an interesting approach, with the essays gathered by Andrew Blauner, who has already edited similar treatments on coaches who inspired, favorite bible verses, and brotherly relations, among other topics.

It can be risky and surely a challenge to combine the opinions of so many folks on a common theme. They could go a variety of directions using different styles and approaches, leading to inconsistency for the reader. In his praise for the song "Dear Prudence," actor David Duchovny admits that he's not even sure if he's remembering the song correctly, and was working simply off his memory of it. On the other hand, musician Rosanne Cash explores the construction of "No Reply" in detail, from a songwriting perspective. Though the diversity of approaches is a positive quality of the text, it could also be a downside to some.

The composition of the professional backgrounds represented here is interesting. The contributing writers are almost entirely literary types: authors, critics, and journalists. Essays from a blogger, a cartoonist, and a linguist, whose fields are certainly related, are also included. But there are also contributions from the aforementioned Duchovny and Cash, as well as musician Shawn Colvin, all of whom have certainly written as part of their film and music careers but are more known as performers in those entertainment media, while the other twenty-five might not be. It's not problematic—simply an interesting ratio.

Nevertheless, the beauty of this collection is the diversity of the stories and observations, and the variety of songs that are featured. That combination makes it interesting. David Hajdu recounts the history of the throwaway b-side "You Know My Name (Look Up the Number)" a fascinating background for a song that probably garners little ink compared to the more popular Beatles hits. Ben Zimmer draws some noteworthy parallels between the works of Lewis Carroll and the lyrics of "I Am the Walrus." Amy Bloom eloquently relates the song "Norwegian Wood," and the Beatles in general, to her various childhood rites of passage quite well.

Andrew Blauner reminds us at the outset that "the Beatles provide more common ground with almost anyone, no matter their age, gender, race, background…" And whether one is only slightly familiar with the Fab Four or entirely fanatical about them, *In Their Lives* is an enjoyable read.

<div align="right">Storm Gloor</div>

John Pring and Rob Thomas. *Visualizing the Beatles: A Complete Graphic History of the World's Favorite Band*. New York: Harper Collins, 2018. harpercollins.com

It might be true that these days there is a greater desire among many for information to be *visualized* rather than having to read it. That's the idea behind *Visualizing the Beatles*. It's the same information found in other sources, but in those other sources it is generally presented in text format. John Pring (who on his website identifies himself as an information designer) and Rob Thomas put their design skills to work on tons of information about a band for which there is plenty available.

For the newly-converted fan, this is a good place to start. It could be a "Cliffs Notes" of sorts, an efficient means of digesting much of what there is to know. For the average fan it's possibly more of the same, but with more detail. And for the Beatle geek, this is a gem, at least in that it is indeed designed very well and the illustrations are in themselves simply another way of presenting what is already known, sometimes even having fun with it.

While there are plenty of biographically-based infograms (a modern day family tree, a map that pinpoints significant historical locations in Liv-

erpool, etc.), the authors focus mostly on each Beatles album as the marker of time, and delve deeply into those albums graphically. With each album, for example, charts represent instruments played on each song, covers vs. originals, authorship, and even the song keys. Quotes and timelines from the era of each album are creatively presented as well. It's all very well done.

If there are any shortcomings of the book, overkill might be among them. It could be argued that some of the data topics might border on unnecessary. There are charts of song lengths for each track on each album, for instance. It might be difficult to garner anything interesting from that. On the other hand, in only two pages, the authors list every artist who has covered a Beatles song, a list that is barely legible. But it's a visual statement, simply meant to remind the reader of the enormity of it; so it works. The chart of hairstyles might seem a little over the top too, but surely it's for fun.

Visualizing the Beatles is a compendium of a lot of Beatles info you want to, need to, or already, know. It's the *way* it's presented that makes this text as informative as it is entertaining.

Storm Gloor

Storm Gloor, MBA, is an associate professor in the department of Music and Entertainment Industry Studies in the College of Arts & Media at the University of Colorado Denver. He teaches courses in music marketing, the future of the music business, and other subjects. He has present- ed instructional sessions at numerous events and programs, including the education-focused portion of South By Southwest (SXSW. edu), South By Southwest Music, the Denver Music Summit, and the Underground Music Showcase. He is the current president of MEIEA.

Paul Saintilan and David Schreiber. *Managing Organizations in the Creative Economy: Organizational Behaviour for the Cultural Sector*. **New York and London: Routledge, 2018. routledge.com**

Managing Organizations in the Creative Economy is a unique text that straddles both theoretical behavioral theory and pragmatic application of theory applied to great sets of case studies and illustrations within the creative environment. Building upon current and foundational research, the book addresses management within the creative industries, presenting well-cited theory with practical examples from the industry as well as linked companion videos.

This book is of particular benefit to anyone who might attempt to work in the creative industry, as well as professionals and students in arts management, organization studies, music business, and the broader study of the entertainment industries. The illustrations and case study examples provide fuel for a broader perspective that can lead to better decision making and day-to-day advancement in one's professional career.

The book progresses in an organized fashion starting with foundational behavioral theory that is common in traditional business management classes (Maslow's Hierarchy, McGregor's Theory X and Theory Y, McClelland's Theory of Needs, etc.) but differs in how these theories are then folded into entertainment areas applicable to creative personalities and cultures. Also discussed are current trends such as the inevitability of change and the implications this has for the creative industries—inarguably a need within today's swiftly changing environment. Formally the text usually addresses the individual aspects of expectation for behavior, then moves on to group, team management, and culture.

While many books involving organizational theory can be overly dry, this book presents well-researched chapters with concepts presented clearly and diagrams or discussions that illustrate the typologies presented. Additionally, each chapter typically ends with pragmatic steps to address these same issues—great for practitioners. Each chapter also includes case studies, videos, or industry-provided illustrations. Some meatier theoretical concepts such as semiotic codes, preservation, transformation, recreation, and ideation are discussed in a progressive fashion for theory novices—but as an academe in the field, concepts were not too simplistic—a great middle ground. As well, broader external drivers affecting change

such as technology shifts, legal shifts, and social cultural case are also presented in a thorough manner. Individual and cultural reaction to change are discussed (active resistance, passive resistance, compliance, and enthusiastic support)—along with why we resist change and how we might overcome such resistance to change.

Of note are the chapters on creative personality types. Some traditional tools such as the Myers-Briggs inventory are applied and also bring definition to the creative typology. But again, the use of strong illustrations within and at the end of each chapter which frame the theory presented are excellent and contribute ammunition worthy of significant discussion in a classroom. One of the most interesting to me is the case study "Crisis in the Opera House," an illustration of difficult diva personality types and management decisions dealing with these types. If that was not enough, each chapter closes with follow-up questions for class discussion—great for any educator.

Pragmatically, techniques on how to address conflict, as well as the process of negotiation are also presented in a concise and understandable fashion and grounded in firm research and theory. All in all, every chapter ends with enough citations to satisfy the most pedantic academe, but these citations are always preceded by a firm application and clear illustrations which tie each chapter together in a way that illustrates the concepts and ideas presented.

Who can benefit from this book? Every college level entertainment instructor or industry professional can benefit and gain insight from this text. You can pick and choose applicable chapters to meet your needs. Certainly, any course that addresses change, artist management, operation, publishing, or other creative typologies can benefit from these analytical frameworks by allowing readers to identify the motivators and disruptors of change and creativity around themselves. At the very least, the more you know, the better decisions you can motivate. As you identify the issues presented in your workplace or career, you can certainly advance up the food chain at a swifter pace. In summation, anyone who manages or deals with creative types can benefit from this interesting book that somehow merges solid theory with applicable illustration. Highly recommended.

David Herrera

DAVID HERRERA is an Assistant Professor at the Mike Curb College of Music Business and Entertainment at Belmont University. He has earned a B.B.A., an M.B.A., and a Ph.D. in management and organization (none of his colleges has a football team). Dr. Herrera was a full-time musician for over fifteen years before returning to university studies. He has worked professionally in the concert business, as well as management and publishing. At Belmont University he directed Acklen Records and developed indieband-hub.com, an online student-centered label. He has taught Entertainment Distribution and Promotion, Managing Organizations in the Creative Industries, Record Company Operations, Survey of Music Business, and Concert Promotions. Dr. Herrera is very interested in online engagement models and the behavioral motivators for parasocial online engagement.
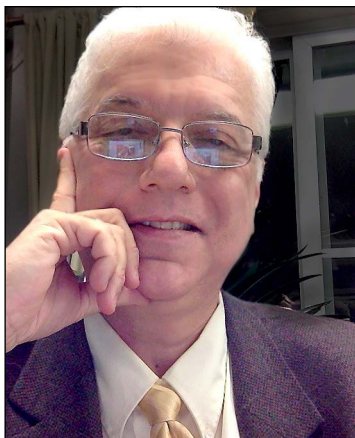
Guy Morrow. *Artist Management: Agility in the Creative and Cultural Industries*. **New York and London: Routledge, 2018. routledge.com**

Guy Morrow draws on a well-credentialed academic career as well as hands-on experience as an artist manager in contemporary music to write this concise examination of the role of the artist manager in the modern creative industries. While Morrow would have experienced a number of relevant scenarios while co-managing Australian band Boy & Bear, he does not offer any anecdotal material from that experience, rather, avoiding "participant observation" as a method and in so doing "maintained the independence of my role as an academic researcher."

The book draws on eighteen interviews done in Australia, London, Toronto, and New York in 2009 and 2010 and those interviews are attributed to artist managers bearing fictitious first names only. Such is the difficulty of writing and publishing a book in a rapidly evolving industry— there is a risk that some of the very frank views of the interview subjects may well have changed through the passage of time and in the changed context of the role of the artist manager. The identity of the speakers and an understanding of their backgrounds would certainly have added further depth to their insightful comments.

With those small reservations this book is a very useful investigation. Morrow focuses on the role of Agile Project Management (APM) and its very clear applicability to artist management. It provides a framework for the truism often stated by artist managers that they "make it up as we go" and indeed Morrow suggests that artist management is "agile" by default. Several times while reading the book I felt that Morrow was validating the feelings that many artist managers have instinctively, by explaining that there was a theoretical construct that gave structure to those experiential responses to their work.

In some areas the book is surprisingly specific—for example when Morrow discusses the operation of bank accounts and the contractual issues of "double-dipping" and "artist poaching" and I particularly enjoyed his consideration of story building and its relationship to the ethics of artist management.

Morrow's book could be a valuable source of discussion for any academic subjects dealing in artist management, and it should be essen-

tial reading for artist managers, if only they could drag themselves away from the challenges of implementing agile management techniques long enough to spend a few hours recognizing what it is they are doing!

Andrew Watt

Andrew Watt (B.Ec, LLB, MA) is an entertainment lawyer, music industry educator, artist management consultant, and author. In previous lives he has been the long-time publisher of Melbourne Street Press publication *InPress*, an artist manager of high profile major label and independent label artists in Australia and America, a venue operator, and a media production executive.

Watt lectures in the music business at Australian College of the Arts (Collarts), Melbourne University, and Victoria University and practices law at a leading national firm Mills Oakley. He offers consulting services through his company Ravens Nest Consulting and operates an online music business course at https://musicbusinesseducation.com.au/. He is the author of four editions of the music business textbook *Welcome To The Jungle – Navigating the Music Business In Australia* and is a recent holder of a Performing Arts Fellowship with the State Library of Victoria.