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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

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In January 2015, Chrissie accepted the position of Head of Entertainment Management at Collarts (Australian College of the Arts) where she is overseeing the Bachelor of Applied Business degree in Entertainment Management. In November 2017, Chrissie was the first person to complete and be awarded a Masters Degree in International Music Business and submitted her thesis on Local Content Quotas on Australian Commercial Radio. In November 2018, Chrissie presented her recommendations for change with regard to Local Content on Commercial radio to the Federal Parliament at the inquiry into the Australian Music Business. In April 2019, the Parliamentary Inquiry findings were released with 3 of the 16 findings focusing on local content quotas, taken directly from Chrissie's research and presentation. She is passionate about the industry and continues to push for changes to guarantee the music industry is sustainable into the future.



“You’re Tearing Me Apart”: Deconstructing Mise-en-Scène in *Rebel Without A Cause*

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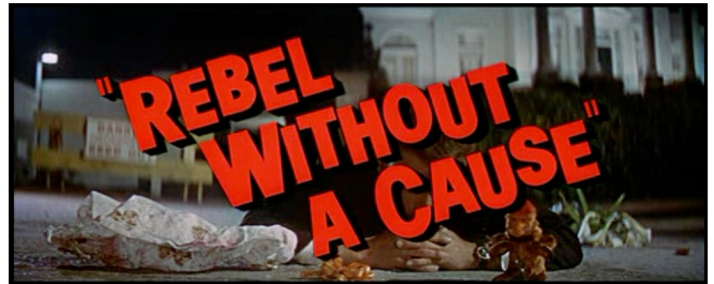
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Abstract

Mise-en-scène describes the placement of all characters and objects within the scope of the camera’s lens. Stylistically, it can be used to describe the director’s “eye,” all that they choose to reveal, or conceal, within a shot. It refers to such specific elements as props, position, posture, point-of-view, camera angle, color, and lighting. When skillfully employed the effect can be dramatic, intensely emotional, captivating, and even iconic. Director Nicholas Ray’s *Rebel Without A Cause* (1955) is considered to be a preeminent example of exceptional mise-en-scène. As one of the truly iconic American films of its era, *Rebel* relies heavily on character development, superb acting, and storytelling to further its plot. Much of the storytelling is done through the use of mise-en-scène. A deconstruction of this technique is useful for both theoretical and pedagogical applications in the study of film.

Keywords: film studies, mise-en-scène, auteur studies, cinema studies, *Rebel Without A Cause*, Nicholas Ray



Mise-en-scène, French for “setting in the scene,” is a term used to describe the placement of all characters and objects within the scope of the camera’s lens (Prunes 2002). Stylistically, it can be used to describe the director’s “eye,” all that they choose to reveal, or conceal, within a shot. It refers to such specific elements as props, position, posture, point-of-view, camera angle, color, and lighting. Mise-en-scène describes the “language of film;” everything that the film medium has at its disposal, and that it uses to tell a story (Considine 1996). When skillfully employed the effect can be dramatic, intensely emotional, captivating, and even iconic.

Director Nicholas Ray’s *Rebel Without A Cause* (1955) is widely considered to be a preeminent example of exceptional mise-en-scène. As one of the truly iconic American films of its era, *Rebel* relies heavily on character development, superb acting, and storytelling to further its plot. Much of the storytelling is done through the use of mise-en-scène. The film follows a day in the life of Jim Stark, masterfully portrayed by James Dean. Stark is a troubled teen, regularly in trouble with the law, and is constantly moved from town to town by his parents. The film opens with Jim getting taken to the police station, where we are introduced to the two other principal characters, Judy (Natalie Wood) and Plato (Sal Mineo).

Rebel goes on to chronicle Jim’s first day at a new school. A trip to the Planetarium finds Jim already at odds with his new classmates, and he is challenged to a knife fight by Buzz (Corey Allen), the leader of a local gang. The knife fight ends, but Buzz challenges Jim further, culminating in

Behind the Scenes: James Dean



One of the most promising actors of the 1950s, James Dean died tragically in a car accident only three days before his most memorable film, “Rebel Without A Cause,” was released (Slocum 2005. p. 12). Although it was a terrible blow to the artistic community in Hollywood, there is no doubt that it contributed greatly to the original, and continued, interest in the film. James Dean played major roles in two other films, “East of Eden” (1955) and “Giant” (1956), before he died at the age of 24.

a “chickie-run”. The challenge is to race two cars towards the end of a cliff, and the first to jump out of the vehicle is considered “chicken”. Tragedy strikes when Buzz finds his sleeve caught on the handle of the door, and is not able to get out in time, plummeting to his death. Jim drives a distraught Judy and Plato back to his home and confronts his parents with what has happened. They disagree on the way to handle the situation, and Jim storms out. After finding Judy, he takes her to an abandoned mansion, where Plato joins them. Members of Buzz’s gang, who believe that Jim has told the police about Buzz’s death, follow them. A scuffle occurs, Plato draws a gun, and eventually takes refuge back in the nearby Planetarium. Officers arrive on the scene while Jim and Judy go in after Plato and convince him to come out. The film ends as Plato is hastily shot by one of the Policeman, and a weeping Jim hunches over his body. In a final, hopeful note, the events of the day bring a measure of reconciliation between Jim and his parents as his father places his coat on Jim in a sign of love, protection, and acceptance.

To study mise-en-scène in this movie, it is helpful to focus

on a few key scenes and analyze both how the director employs technique within these scenes and how they relate to the film as a whole. This study will consider the film’s introduction, the opening scene at Police Headquarters, the knife fight scene, the scene of an argument between Jim and his parents, and the final scene that takes place in an abandoned mansion and the Planetarium. While mise-en-scène is employed throughout this movie, these scenes are especially illustrative of the technique, and this justifies their inclusion at the expense of other scenes that could have been chosen.

Scene 1: Introduction

Director Nicholas Ray has written of film that it is “...a medium in which the image and not the word has the final impact” (Slocum 2005, 27). Certainly this is true in his work on *Rebel Without A Cause*. From the very beginning, we are introduced to the movie’s star, Jim Stark, and signaled that he will be an interesting and peculiar character. As an intoxicated Jim lies down in the street to play with a toy monkey, the camera “lies down” as well. We are on his level; we are invited to enter into his world.

Essayist Susan White writes, “Ray’s mise-en-scène and cinematography, particularly...in the film’s early scenes, prime the viewer...to sympathize with Jim...” (Slocum 2005, 59). We are also introduced to a character that is no longer a boy, but not yet a man. The particular choice of

Behind the Scenes: Introduction



At the outset, “Rebel Without A Cause” was not high on the Warner Bros. priority list, and it was scheduled to be filmed in black and white. When several scenes had to be redone in color, some budget cuts had to be made, including dramatically shortening the introduction. Originally, it featured Buzz and the gang senselessly beating a man carrying home Christmas gifts. The toy monkey was one of these gifts, and only after the gang had moved on were we introduced to Jim Stark. The gang violence scene was cut, but the monkey remained, and it is adapted cleverly into the film. (Baer 1999)

using a toy monkey as a prop has somewhat of a Hollywood history, but its inclusion in the final edit signals that ultimately the director felt it carried some meaning, and it is used here to symbolize the coming of age struggle that Jim is experiencing.



As the title and opening credits roll, the text color is bright red, a color that will become a motif in this film. A “motif,” according to Merriam-Webster, is “(1) a usually recurring salient thematic element (as in the arts); especially: a dominant idea or central theme. 2) a single or repeated design or color.” Motifs are common in *Rebel*, and the director frequently uses *mise-en-scène* to highlight them. The screen-covering dominance of the opening text (such as in the picture at the beginning of this article) is obvious. Yet, there are numerous times that motif is reiterated in the film through a slow zoom, a lingering pause, or by choice of props. We see this here in the introduction as the red hat of the toy monkey matches the text color. This motif will continue into the next scene, where we will also be introduced to other creative ways in which the director employs the language of film.

Scene 2: Juvenile Delinquents

In these early moments, Jim has been picked up for public drunkenness and taken to the Police Station. Here, he will meet the film’s two other principal characters for the first time. We are first signaled that Judy will be a significant part of the film by her full-length red jacket, a continuation



of the red motif. Even though they do not speak, on-camera time, camera placement, and inventive shots let the viewer know there will be a certain tension in the relationship between Jim and Judy. This is particularly highlighted by the way the shots are filmed through the large glass windows that surround the offices in the station. *Rebel* Writer Stewart Stern conducted his research for the film at the precinct that is featured in the movie. Speaking of Nicholas Ray he says, “Nick loved the way that the reception part of the juvenile office was laid out—with the booths and glass windows—so you could see the other people through the windows, and he wanted me to exploit that setting to develop the relationships of the characters” (Baer 1999). The effect is executed beautifully in the final version of the film as evidenced by these two photographs (see above).

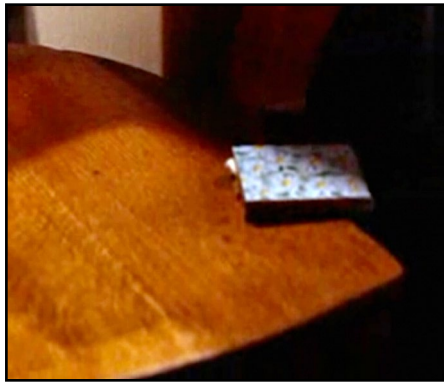
Another signature that this film, and indeed its director’s work in general, are known for are close, cluttered scenes. Several times the camera zooms in, almost uncomfortably close, and every frame is packed with visual information. Essayist George M. Wilson writes, “The cinematic style... of *Rebel* emphasizes the severe constriction and oppressive clutter...these people move within. Although this is a motif that runs through...several scenes later on, it defines structure that...the opening scene at the police station is used to diagram” (Slocum 2005, 113). This scene sets the stage for the rest of the film, and it will be alluded to often in subsequent sequences.

“You’re tearing me apart!” A classic line, and a classic example of close framing in *Rebel Without a Cause*.



Props come into play here in a heavy, yet tender, way. After her conversation with the officer, Judy leaves her compact behind on the chair. The slow zoom of the camera upon it as she leaves signals that it is meant to be an important symbol. When Jim is brought in, he finds it and sheepishly hides it in his coat. The prop is intended to carry meaning, judging from the camera focus it is given, but the interpretation can be open ended. This particular compact is flowery and girlish, perhaps a last vestige of Judy’s carefree child-

hood. Later, during the “Blade Game,” Judy checks her make-up in the mirror of another compact, and does not seem to like the way she looks. It is only after Jim returns her favorite treasure that she is able to be comfort-



able again in her own skin. One possible reading is that this signifies a lack of self-confidence that is bolstered in her by seeing herself “the way Jim does”. It is a small touch, but many times that is what mise-en-scène is all about, and its use here adds depth and meaning to the film in an inventive way.

Scene 3: The Blade Game

Besides the “chickie-run,” the knife fight scene is perhaps one of *Rebel’s* most memorable. Jim has just finished



a field trip to the Planetarium on the first day of school, and he is already in trouble with Buzz, the

leader of a local gang. Buzz decides to antagonize Jim by letting the air out of his tires with a knife. Though Jim tries to resist, he is eventually forced into the fight by the constant goading of Buzz and the gang. James Dean’s use of posture here is remarkable— he literally looks like a caged animal backed into a corner. This creates believability and sympathy with the viewer. On the other hand, Buzz’s posture is nonchalant; he is obviously just in this for kicks. Buzz’s toying with Jim eventually leads to Jim being the reluctant winner of the game, and the stark differences in their posture underscore the differences in their personalities.

The film and its director do an excellent job of conveying action and suspense in this scene in a time when they had significantly fewer tools at their disposal to do so than modern filmmakers. With the advent of non-linear editing systems, the quick cuts and multiple camera angles in this scene would be rather easy, but it was certainly a complicated piece in its time. It took an entire crew a full day of filming for this five- minute sequence (Rathgeb 2004). The camera switches back and forth often, and from many different angles. Especially in the extreme low angles, the viewer

is given the distinct feeling that they are “in the action”. The scene’s end effect is rather absorbing, and its enthralling quality is primarily due to point-of-view and mise-en-scène.

Judy is a mysterious, if not mythic, figure in this film. Just as this was reiterated by her first appearance in red and the peculiar prop placement of her compact, so too her status is emphasized by her placement within several frames of this scene. As Buzz’s gang surrounds Jim’s car, the camera pauses on her, and she seductively sidles along the vehicle, even posing for Jim briefly against his open window. She situates herself atop the car’s hood, all the time maintaining eye contact with him. She checks the aforementioned compact and talks with the other girls, but she is always the center of attention, the center of the camera’s eye.

As the knife fight begins, she is shown briefly climbing up the ledge, and in the most panoramic of the shots, she is perched behind and above the others as she looks on anxiously. This is another example of a scene with intended, albeit ambiguous, meaning. Is she Juno or Aphrodite, peering from Olympus to see what the fate of these two mortal combatants will be? In many ways, they are fighting for her affection. Is it meant to emphasize her singularity or aloofness and, if so, why is she right back in the thick of the crowd at the end of the scene? This is one of mysteries in *Rebel Without A Cause* that are largely left to the viewer to interpret. One of the beauties of mise-en-scène technique comes from the way that it so closely mirrors painting. Just as many paintings are intended to be subject to viewer interpretation, mise-en-scène allows a skillful director to let the audience both find the story within a film, and to find their own story within it as well.



Scene 4: Mother’s Milk and Father’s Failures

There are several scenes that feature strife between Jim and his parents, but perhaps none more poignantly than the one that ensues upon his late night return from the “chickie-run”. For the second time, he is shown thirstily gulping from a carafe of milk, and holding its cool bottle against



his head. This is intended to be a child-like metaphor, harkening back to infancy and breast-feeding. The milk bottle as prop continues into the next part of the scene as Jim, in his signature red windbreaker, hopelessly lies down on the family's red couch. The red motif is nearly overstated here, and as the camera zooms in, nearly the entire screen is full of "Warner-Color" red. The viewer is signaled this will be a truly climactic scene, and they will soon find out why.

There is some wonderful camera work throughout this scene. As the camera has fully zoomed on Jim's upside-down face, the point-of-view changes, and we, quite literally, see things from his perspective. In a Hitchcockesque move, we see the camera upside down and turning with the mother as she comes down the stairs and rushes over to Jim. It skillfully mirrors the upside-down feeling of Jim's world, and his desperate attempt to grab a hold of something firm and unchangeable. It also serves to set the viewer, ever so slightly on edge, an effect that will be magnified in the final part of this sequence.



In this masterfully worked portrayal, *Rebel Without a Cause* conveys all the tension, drama, and agony that are tearing this family apart. As Jim talks of going to the Police with what has happened, the underlying tensions between his parents surface. The mother is quick to assume the "high ground" at the top of the stairs. Jim parks at the foot, torn between her and his father, who is some distance back in the lowest position of the three. The camera tilts, ever so slightly, and it seems as if Jim's Mother actually has to crouch to stay within the frame. The viewer is set on edge

Behind the Scenes: Visual Irony



Here, we see Jim's Father (Jim Backus) dressed in a feminine apron, as Jim asks him, "Do you know what it means to be a man?" The irony of this statement is portrayed visually, an excellent example of mise-en-scène.

by the intermittent repetition of this slightly off-balance shot. Without this framing, the scene might turn into a rather long and boorish argument that is a mere prelude to the final act. However, with this inventive staging, it becomes a centerpiece of the movie, and certainly of any discussion of mise-en-scène within it.



Scene 5: Home Sweet Home/Conclusion

The final scene takes place over several different landscapes, and includes cutaways to both Buzz's gang and Jim's parents in cars on the way to meet them. Here, many of the motifs that have spun their thread throughout the fabric of this film are tied together and introduced to new ones. Jim still dons the red windbreaker, his signature color. Plato, we will come to find out, peculiarly wears one red and one blue sock. We are also introduced to a three-pronged candlestick, a prop that figures heavily into the final sequence. It is lit, and first carried, by Plato. He eventually lays it down and, as Jim and Judy sneak away, they each take one of the candles, further emphasizing their symbolic nature. The viewer understands unquestionably that these are the three "lights" of the film.



**The three
“lights”**

takes cover in the nearby woods. Jim, and then Judy, chase after him. The two are shown several times in passionate embraces against the backdrop of nature. This is a continuation of an earlier motif, in which a strong symbolic portrayal can be drawn between Jim and Judy to Adam and Eve. In “The Blind Run,” an early story line developed by Ray for the film, the female lead was named “Eve” (Rathgeb, 2004).



A particularly artistic aspect of the use of the candlestick is the way the director uses lighting techniques to highlight it. When Plato first lights it and stands up, Jim and Judy are spotlighted in a beautiful way. In reality, threecandles could not have quite such a profound effect on the lighting, but hyperbole is part of the language of film as well. Several times in ensuing shots, poetic license is taken with the lighting, and the viewer understands these as effects of the candlelight. This creates the sense of illusion and suspension of reality that many viewers seek in the experience of movie watching, and the way the director uses the movie frame to tell this story is the way this effect is created.

A major theme of this film is the makeshift family that Jim, Judy, and Plato create as a way to both escape and substitute for their own lack of familial intimacy. This thread is displayed in many shots in this scene. Jim chronically has his head cradled in Judy’s lap, and they are both affectionate towards Plato. Jim, the Father, and Judy, the Mother, look down on their surrogate son with parental love and pity. In the beginning of the film, as Jim meets Plato for the first time, Plato is cold and Jim offers him his jacket. Stewart Stern describes the jacket as, “...a talisman of protection” (Baer 1999). Jim lays it over him, just as he and Judy leave to be alone. The motif and symbolism of the jacket will be further brought home in the final moments of the film.

As the scene continues, Buzz’s Gang intrudes, and attempt to bully Plato. Plato turns desperate and eventually draws a gun, wounding one of the gang, and in his desperation even shoots at Jim. The Police arrive on the scene, and Plato

They are intended to be viewed as the archetypal couple, and the director taps into symbolic language going deep into the collective human subconscious to portray it. There is a sharp distinction drawn between the security and intimacy Jim and Judy experience here in nature and the cold, stark reality of the Planetarium in which Plato seeks refuge. In many ways, this can be seen as a commentary on the human condition that these post-WWII teens find themselves in. Ever increasing knowledge and information has, for the first time, supplanted the “garden” of cultural and religious heritage that has been man’s comfort since pre-history. Yet the only true intimacy, togetherness, and love to be found is still in that garden. The scientific fortress to which Plato runs to hide is no security at all, a point which the viewer will tragically soon find out.

Jim and Judy make a mad and daring dash to go in after Plato as more officers arrive on the scene. Jim eventually coaxes Plato out, in part by offering him his jacket. Plato asks “Can I keep it?” and Jim agrees. Further emphasizing the “jacket as protection” motif, it is the confidence he finds in this trade that gives Plato the strength to come out “into the light”. Jim brokers a deal with the Police, and he instructs them to turn off their floodlights because it is “too bright”. As morning awakens over the Planetarium scene, the lighting used in the film serves to depict one of its central themes: the struggle between right and wrong, good and evil, light and dark. In a final comment on this theme, a policeman notices Plato’s gun and turns the floodlights on full as Jim yells, “too much light!” Plato is tragically shot and killed, and the implication is obvious.

Behind the Scenes: The “Auteur”



The term *Auteur*, French for “Author,” comes from the same cinematic school of thought that gives us the idea of *mise-en-scène* (Prunes 2002). Nicholas Ray was highly regarded as one of the greatest American Auteurs, and this is certainly evident in *Rebel Without A Cause*. A trademark of many European Auteurs was to appear briefly in their own films. As *Rebel* closes, a mysterious figure with a briefcase walks toward the Planetarium, and the actor is actually Ray himself (Baer 1999).

The three “lights” in this film are constantly looking to their parents to learn what it means to “live in the light,” to be a part of the light and the good. Jim voices it plainly once when he asks his Father, “What does it mean to be a man?” Too much light too quickly, though, is dangerous; harsh light kills. Children cannot grow and thrive in only the harsh light of rebuke and discipline, they need the warm glow of candlelit intimacy to be nourished and nurtured. It is a deep, symbolic reference, and one that would not be nearly as an effective part of this film left to aural interpretation alone. Through the cumulative use of props, lighting, and point-of-view, Director Nicholas Ray employs the full vanguard of *mise-en-scène* techniques to convey his meaning. Skillful perhaps to the point of genius, this is the stuff that mythology is made of, and the masterful use of film language in *Rebel Without A Cause* is one of the reasons this film has become the mythic classic that it is.

Conclusion

The symbolism of the jacket is concluded poignantly as Jim zips up his own red jacket, now worn by the deceased Plato, in a motion similar to the closing of a body bag. His Father—no longer distant, absent, and ineffectual—has told



Jim that he will “...try to be as strong as you want me to be”. He demonstrates this by placing his own jacket over Jim, thus symbolizing his acceptance and the promise of future commitment to his son.

In a last ambiguous iteration of the red motif, Plato is featured wearing one red and one blue sock. Perhaps this is meant to symbolize his presence in two different worlds. The red motif figures heavily in this film, and certainly one valid interpretation is that it is the color of life, the color of youth, and the color of passion. In the original film, it served a practical purpose by highlighting the star, James Dean, and other key elements by covering them in the brightest hue of the Warner-Color spectrum. However, red as a color has been charged with meaning throughout human history, and it certainly invites the viewers to apply their own religious, cultural, and philosophical pretexts. There is no doubt that its continued and featured presence is a conscious choice by the film’s director, whether there is an absolute meaning or not.



A seminal film that defined a generation, a genre, and a director, *Rebel* towers like a giant out of Hollywood’s past, and has exerted a vast and rich influence on the industry today. Time, taste, and techniques have changed, but the timeless principles upon which films such as these were made have not. The use of language unique to the medium of film is a major part of *Rebel’s* ability to affect, change, and entertain us. *Mise-en-scène* is the art of the use of this language, and its stunning employment in *Rebel Without A Cause* makes the film a true work of art.



**The final poignant moments
of *Rebel Without A Cause*.**

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Experiential Learning: Music Industry Simulation as a Pedagogical Approach

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Abstract

Preparing students to work in the music industry has many challenges. Among them is providing opportunity to gaining experience and apply what they have learned in real world circumstance. Simulation exercises have been a method of training in a variety of industries since the early 1900s. For educators attempting to offer students practical learning opportunities working on music industry scenarios and cases, simulation exercises or gaming can offer valuable experiences.

Simulation applied to management programs can provide students situations that tie multiple components of curricula together as building blocks for practical experiences. These experiences can be guided by faculty and allow students to navigate real world problems and dilemmas in a controlled environment. An exploration of simulation background is examined and an example of a current simulation game as a pedagogical approach to teaching music business is presented. Further inquiry into simulation and learning cycles is described and used to illustrate a method to assess learning outcomes of simulated experiences. An evaluation of student learning from assessment of simulation activities in course offerings provides some insight into the validity of this pedagogical approach and its usefulness in higher education.

This study builds on a previous co-published work titled “Implementing Game Pedagogy into Music Business Curriculum: The Music Industry Immersion” and provides a more detailed investigation of learning cycles and their connection to simulation as a development tool. Simulation assessment methods are introduced and a discussion of simulation feasibility are argued.

This paper will be of particular interest to music and entertainment industry instructors and program directors looking to incorporate “real-world” examples, alternative pedagogical approaches, and multimodal learning environments into curricula.

Keywords: experiential learning, simulation, gaming pedagogy, learning cycles, scenarios development, music business, learning outcomes, assessment, higher education, Columbia College Chicago, Jerry Brindisi

Introduction

Simulation exercises have been used in many industries since the early 1900s and studied significantly. The literature is extensive. As a learning tool and assessment tool a well-developed simulation can provide participants an accurate experience that mirrors professional practice. The focus of this paper is to consider assessment of a simulation exercise used within a music industry curriculum and how to capture the overall experience on students in a meaningful way. The development of simulated experiences is explored and a detailed example of a music business simulation exercise is presented. Additional considerations include emerging themes noted by participants and the broader impact on those involved are explored.

What is Simulation?

According to Dr. Richard Gran, member of the Apollo lunar module digital autopilot design team, “simulation is the creation of a model that can be manipulated logically to decide how the physical world works” (Gran 2012). This allows conclusions to be made and to answer questions in a way that may not otherwise be possible. Additionally, simulation is the construct of a model or process meant to emulate real-life scenarios.

They are useful in solving problems by testing theory without the commitment of a true active engagement and potentially unwanted results. Simulations are also a practical way for participants to train for professional practice. Simulations have been used extensively in science applications (control systems for example) and healthcare (role play) as well as for corporate training in order to model business functions (scenario based/number manipulation).

Why Use Simulations?

There are a number of benefits to using simulated exercises in higher education. As a common practice in many fields simulations allow students a hands-on learning opportunity within a safe environment. In this way, “safe” meaning that the ramifications of participants actions within the simulation will not have undesired consequences but mainly serve as a learning opportunity.

Simulations have the potential to bridge theory and practice in a meaningful way for participants. Theories may be questioned, tested, and implemented. At the same time students may gain knowledge of theory and practice through their interactions with faculty and other participants in the simulation. Not only can students learn from their instructors but also from each other if given the opportunity within the simulation.

From a pedagogical perspective, students should be active participants making their participation more engaging and impactful as multiple learning styles can be accommodated. Shute and Glaser contend that simulations allow participants to learn concepts in less time (Shute 1989). Additionally, infrequently engaged skills can be honed by participants who may not otherwise have the opportunity to practice and develop these skills.

As an assessment tool, simulation can provide a robust opportunity to assess a participant’s ability to successfully navigate an activity, scenario, and/or application of theoretical concepts, principles and practices. According to Quinn: “...any practice activity is inherently a performance opportunity and can serve as an assessment opportunity. In fact, the very contextualized practice, the close simulation of the actual performance situations, makes it a rich assessment tool, particularly compared to most knowledge assessments typically used (e.g., a test)” (Quinn 2007).

Fatimah Lateef argues a broad range of skills that can be developed using simulation including: technical and functional expertise training, problem-solving and decision-making skills, as well as interpersonal and communications skills or team-based competencies (Lateef 2010). This perspective ties simulation exercises to experiential learning.

As a pedagogical approach, simulation exercises may be a form of experiential learning. “In its simplest form, experiential learning means learning from experience or learning by doing. Experiential education first immerses learners in an experience and then encourages reflection about the experience to develop new skills, new attitudes, or new ways of thinking” (Lewis and Williams 1994).

A number of characteristics should be present in order to identify an activity as experiential. Chapman et al. have identified nine characteristics:

1. Mixture of content and process: There must be a balance between the experiential activities and the underlying content or theory.
2. Absence of excessive judgment: The instructor must create a safe space for students to work through their own process of self-discovery.
3. Engagement in purposeful endeavors: In experiential learning, the learner is the self-teacher, therefore there must be “meaning for the student in the learning.” The learning activities must be personally relevant to the student.
4. Encouraging the big picture perspective: Experiential activities must allow the students to make connections between the learning they are doing and the world. Activities should build in students the ability to see relationships in complex systems and find a way to work within them.
5. The role of reflection: Students should be able to reflect on their own learning, bringing “the theory to life” and gaining insight into themselves and their interactions with the world.
6. Creating emotional investment: Students must be fully immersed in the experience, not merely doing what they feel is required of them. The “process needs to engage the learner to a point where what is being learned and experienced strikes a critical, central chord within the learner.”
7. The re-examination of values: By working within a space that has been made safe for self- exploration, students can begin to analyze and even alter their own values.
8. The presence of meaningful relationships: One part of getting students to see their learning in the context of the whole world is to start by showing the relationships between “learner to self, learner to teacher, and learner to learning environment.”
9. Learning outside one’s perceived comfort zones: “Learning is enhanced when students are given the opportunity to operate outside of their own perceived comfort zones.”

(As cited by Schwartz)

These characteristics set the stage for a model of development and assessment of simulation exercises in higher education. Considering these characteristics in development of simulation exercises may result in a more robust experience

for participants. Additionally, using these characteristics to assess a simulation may provide insight into the validity of the simulation as an activity that truly reflects real-world experience.

When Should Simulation Not Be Used?

According to Prensky, "...it does not transfer particularly well to highly complex, highly indeterminate situations, such as economics, business, and human behavior." This statement is subject to criticism since simulation seems to be used effectively in a number of corporate training circumstances. It may refer however to the model of the simulation activity itself to be effective as its construct must take into account indeterminate situations as a key aspect of developing decision-making skills (Prensky 2002).

Cost and commitment are additional factors that must be considered in the decision to develop simulation-oriented curricula. Depending on the type of simulation created and the impact that it may have on participants, significant attention to the budgetary implications, time commitment of faculty and sheer amount of manpower must be explored. "Developing a simulation and getting students involved can be taxing, both on a professor's time and energy" (Strasser 2006).

Simulation in Music Business Programs

Simulation within music business curricula is not a new concept. Richard Strasser from Northeastern University published an article in the 2006 Edition of the *MEIEA Journal* (volume 6) titled "Simulation and Role Playing in Music Industry Education: An Assessment of the Effectiveness of an In-Class Simulation on Music Marketing Students' Perceptions and Learning Outcomes." This study is an analysis of multiple interconnected simulation exercises used in a music marketing and promotions course over a fifteen-week period. The findings of this study indicated a strong impact on learning and on meeting course objectives. It was noted that students were more active in the learning process than via using traditional evaluation methods, students had greater retention of material, but also it gave them what many consider to be lifelong skills beyond the area of marketing, such as time and organizational management and leadership skills (Strasser 2006). These findings are encouraging but the study also identifies its limitations and recognizes mixed research on simulation effectiveness.

The International Band and Business Camp or IBBC (formerly known as MuZone Partnership) is held annually in Germany and involves faculty members and students from institutions across Europe as well as Columbia College Chicago. This five-day camp includes a "Business Game" component involving music business students from partner institutions. This simulation runs students through an accelerated three years in seventy-two hours creating their

own record labels, pitching investors, and navigating the experience in continued role-play scenarios that include business management and strategy, contract negotiations, marketing plan development, tour management, music publishing, sponsorship development, brand partnerships, and a number of other scenarios that develop organically during the development of each edition of the "game." The IBBC has taken place since 2005. Though its viability and commitment from partner institutions over this length of time is a testament to its effectiveness, formal student feedback forms have been limited to assessing only leadership/collaboration skills, creativity/flexibility/problem solving skills, and knowledge/professional skills. Unfortunately records of this information have not been maintained.

Developing A Simulation

The design of a simulation and its use in practice is critical to its success as a pedagogical approach. A clearly defined purpose must be established before considering the development of a simulation. The developers must understand precisely what they want the participants to learn and experience in the simulation. As with any course and/or learning opportunity, clearly identified learning outcomes must be established and in alignment with the learning needs of the participants. The simulation must also be feasible. While an elaborate simulation exercise may be conceptualized, implementation may prove to be impractical and potentially offer students an experience that is unintended, unrealistic, and not useful as a learning opportunity. Simulations must be realistic and garner buy-in from the participants. The inventiveness of the simulation and the commitment to it by all participants, including the faculty is essential to its success.

Strasser suggests the use of grading strategies and non-grade strategies to improve involvement. Finally a simulation exercise should include a feedback loop that allows faculty members to gather information from participants and additionally allows participants to reflect on their own experiences. This idea of reflection in and of itself is a significant contributor to the learning process of a simulation exercise giving participants the opportunity to process the information they've received including new concepts as well as allowing them to consider a self assessment of their performance.

Simulation activities should be student-centered and take a constructivist approach to their design. According to Hoover, "Two important notions orbit around the simple idea of constructed knowledge. The first is that learners construct new understandings using what they already know. There is no *tabula rasa* on which new knowledge is etched. Rather, learners come to learning situations with knowledge gained from previous experience, and that prior knowledge

influences what new or modified knowledge they will construct from new learning experiences. The second notion is that learning is active rather than passive. Learners confront their understanding in light of what they encounter in the new learning situation” (Hoover 1996).

A simulation should be constructed to mimic a system or practice. The instructor should develop scenarios to:

- allow students to apply knowledge and practice relevant skills
- analyze, identify issues, solve problems and formulate strategies
- learn by completed learning activities which resemble the real world challenges they are likely to face.

(Scivally, 2013)

The instructor sets parameters, rules, and assumptions to create a simulated environment. The environment or “world” created by the instructor is the “reality” students work within.

Simulation and Assessment

Simulation exercises have been used as an assessment tool in many fields. But what are the best ways to complete an assessment of learning that occurs via the simulation? According to Bray et al., “There is an urgent need to develop valid, reliable assessment instruments related to simulation-based learning” (2011). While the article focuses on pharmacy curricula, it identifies the fact that simulation assessment often focuses on pre- and post-simulation knowledge testing. This type of assessment is necessary to accurately determine what students are learning in addition to individualized learning that takes place in the periphery of the intended outcomes.

A good first step in considering simulation assessment is by exploring learning cycles. For the purpose of this article, the five learning cycles, or 5Es, developed by Bybee et al. are presented. The 5Es as presented by Tanner include:

- Engage: sparks students’ interest and gets them thinking about the desired concept or skill. Engagements can elicit students’ prior knowledge about the subject and collect information on what students know, which can be used to guide instruction.
- Explore: students attempt to understand the material on their own or in groups. This phase can generate students’ “need to know,” and thus motivate them to find information on their own.
- Explain: students become more familiar with new ideas, terms, or ways thinking. The aim is not just for instructors to explain, but for students to explain (or display) their understanding of a concept.

- Elaborate: students apply what they have learned to novel problems or contexts. Students need to try out their new knowledge.
- Evaluate: students reflect on and demonstrate their understanding or mastery of concepts and skills, and instructors have opportunities to evaluate student progress toward achieving learning objectives.

(Tanner, 2010)

Using these learning cycles as test criteria to examine student experience during a simulation exercise can aid in the development of simulation scenarios to modify and adapt the environment and/or requirements of participants to better understand if learning objectives are being met while the simulation is occurring. Due to the comprehensive nature and form that a simulation may take, accurate assessment of learning during the simulation can be difficult. Building on the constructivist approach and the notions of Hoover presented here, individualized learning of students via simulation will likely vary. Assessment of these varied outcomes is essential to fully understand the impact and possibilities that a simulation activity may present.

The following section of this paper outlines the Music Business Workshop simulation experience launched at Columbia College Chicago. This excerpt was first published in *College Music Symposium*, Volume 56, 2016, “Implementing Game Pedagogy into Music Business Curriculum: The Music Industry Immersion,” by Jerry Brindisi and Justin Sinkovich, and reprinted with permission of the authors.

The Music Industry Immersion and The Music Business Workshop

Inspired by the International Band and Business Camp offered by Popakademie University, Mannheim Germany and the MuZone Partners, the Music Industry Immersion (MII) is a set of three classes offered at Columbia College Chicago during the J-Term session (January session between fall and spring semesters). The MII includes three courses offered simultaneously: the Music Business Workshop, The Music Workshop, and The Recording Workshop. Columbia College’s departments of Business and Entrepreneurship, Music and Audio Arts, and Acoustics offer these courses respectively. They are offered in the same timeframe to allow for collaboration of students across projects.

Students in the Music Workshop are formed into bands or ensembles to write original music and

prepare an original performance of their music. The Audio Arts and Acoustics students record the original material and work with producers to create professional quality recordings and engineer a professional sounding live showcase of the music. Students in the Music Business Workshop are engaged in a simulation game of the music industry and are also required to prepare for the release of the original recordings created in addition to marketing and promoting the final live showcase. These courses are completed over five days with students meeting for twelve hours each day and earning three (3) credits for the course in which they are enrolled. For the purpose of this paper, the focus will be on the simulation portion of the Music Business Workshop (MBW), which takes place over 36 hours of the course.

The Music Business Workshop Simulation Overview

The MBW involves a situational simulation and includes role-playing to allow students to consider different options and make decisions (Lunce 2006). The simulation is a true collaborative experience with students attempting to reach common goals while sharing tools and activities (Leemkuil 2003).

For the simulation portion the Music Business Workshop, students are divided into teams that must prepare a plan to launch a new music business venture. All ventures must start out as some form of record company with a goal to sign artist to record deals and to release music in some form. Students are presented with an imaginary pool of money controlled by investors (faculty) for which they are competing. They must prepare a formal business plan that includes details of their proposed organization. This plan includes organizational structure, business activities, value proposition, target customer segments, sources of income, planned partnerships, explanation of costs, sources of revenue, and methods of distribution. This business plan is then presented to faculty who take on the role of investors listening to the prepared pitches of each team. This “kick-off” assignment or initial challenge allows students to begin working closely with their team and to establish the basis for which they will operate as a music business throughout the simulation. Students are free to create a business of their choice with only the constraint of initially

functioning as a record company that must sign recording artists with whom they believe to be viable and that fit the strategy of their company. This caveat is a significant structure within the simulation, their company.

Creating the Simulation Environment

A base set of assumptions is introduced into the simulation to establish the environment within which the students and faculty will be working. These assumptions provide some constraints that help to frame the simulation for the students. For example, students are presented with established expenditures for items they will likely require to start and run their businesses. As an illustration, a common practice in the music industry is for companies to hire an independent promoter. For this reason the simulation assumptions include tiered costs for hiring an outside promoter based on the level and duration of service of the promoter. The students, however, must decide to use an outside promoter for their business activities and at what level. Additionally, students will have a clear understanding of the amounts of revenue they can generate from certain activities, such as the sale of a physical album. Because the scope of activities within the simulation may change and develop, new assumptions are often introduced by the faculty as activities progress.

To facilitate efficient transactions and increase the number of opportunities for students to learn, templates are used throughout the simulation for deal-making and reporting purposes. These provide further constraints for students. They will have access to a recording contract template, for example, in order to establish clear terms for the deal they will have to negotiate with a faculty member who will be in the role of an artist’s manager. Other examples of templates used in the simulation are revenue reporting, accounting, and tour itineraries to name a few. Students are not limited to deals that exist within the provided templates. If students desire to engage in a business activity that will go beyond the scope of an existing template format, they will work with faculty to develop a new agreement or contract. This however will place the faculty member into the role of an attorney who will then charge the student a fee for his or her services. Because there are many transactional opportunities for students throughout the simulation and many

are often repeated, students and faculty become aware of student learning and growth as the simulation progresses. It is not uncommon for a student company in the simulation to sign agreements for many artists which means they will have to negotiate the terms repeatedly. Of course, the objective is that hopefully they improve their position with each one.

The simulation is driven by two key components, the time clock and faculty engagement. The simulation timeframe within which students are working is accelerated. Every hour is a month during the simulation meaning every twelve hours is one year. This accelerated time adds stress and urgency and requires students to be conscious of their time when working, meeting deadlines, making appointments, and fulfilling contractual obligations. We will now turn our focus to the engagement of faculty.

The Role of Faculty

Faculty members in the Music Business Workshop perform a number of roles to engage students and to help guide them through the simulation. They initially function in the role of investors who will ultimately be majority shareholders of each company. They also take on roles as determined by the needs of the simulation as it progresses. For example, faculty members may be attorneys, artists, artist managers or a banker, sponsor, fan, producer, government official, etc. Faculty will also mentor each team and will regularly step out of their role within the simulation to guide students or answer questions. Because faculty members act within these different roles, students are made aware that they must confirm what role they may be assuming should it is not apparent. Also, students can ask to “speak with a faculty member” at any time if they need guidance.

Significant faculty engagement is required to establish and maintain progression in the simulation. A key task for faculty is to manage the simulation to ensure buy-in from the students, facilitate learning through feedback, promote continued engagement, and challenge students to be creative with their business endeavor. Working from a central office the faculty are also the ones who provide the students with evolving storylines and scenarios to present new challenges, force students to work out-

side their comfort zone, and to create increasingly complex interaction. This is done primarily by presenting students with information that may or may not have an impact on the operation of their business. Students regularly receive information from faculty as shareholders, other persons, or business entities. To reward and challenge students and to facilitate progression through the simulation, information is passed on to them in forms identified by Kienda Hoji as good news, bad news, or dilemmas. They will then have to make decisions on the information presented and navigate to better their company’s position (Hoji 2014).

In the Music Business Workshop faculty also produce an online publication called *Pitchspork News* where information is distributed about all companies’ successes or failures, new opportunities, changes in industry environment, new assumptions, information about artists, or any news that may be useful to the student companies and progress within the simulation. In the most recent offering of this simulation class, one of the students who headed her team organization as CEO was fired by the majority shareholders for allowing the company to go an entire year without releasing any product. This meant that the company had zero revenue for the year. It was a very profound learning moment for the student and her team; one they will not likely forget, and one better learned in the classroom than out in the real world. Without all of the details of the situation, information about the firing was published in *Pitchspork News*. Once the tears from the experience dried, the student was quickly picked up by another student company and soon managed to find herself in a leadership role in that new company.

Student teams have regularly scheduled meetings with shareholders annually (or each day) to report their progress as a company and present the faculty shareholders with a plan for the upcoming year. This established a nice narrative for the students who can easily understand how their activities and engagement in the simulation connect and make sense as an experience for them. Additionally, at the end of the simulation, there is a reflection and debriefing (Leemkuil 2003) meeting with the faculty.

Motivating Students

Extrinsic motivators such as status, access, and power are implemented throughout the Music Business Workshop. Students achieve status via the successes of their companies. These companies are often competing with others to sign recording agreements with particular artists perceived to be high profile within the simulation. A successful deal with one of these artists is a measure of status within the simulation. Faculty members also provide a daily leaderboard that ranks companies by a particular form of assessment. The criteria are not revealed to students until the leaderboard is posted. For example, a ranking might be for the most engaged company or the most music released within a simulation year. Access is represented by the relationships students develop through the course of the simulation with various entities within the simulation. As an example, students have the opportunity to build relationships with sponsor companies, booking agents, and just about any entity they can envision having a business opportunity for their company. Acting in these roles, faculty members have the ability to reward or allow these relationships to translate into positive results for the student companies or for individual players. Students have several opportunities to gain power within the simulation. Students take on different leadership roles within their organizations, will have access to important information they can leverage to increase their company's success, and can take actions that can result in increased revenue for their organizations.

Surprisingly, the grade that a student receives for their participation in the MBW seems to be of little importance to them as they progress through the simulation portion of the class. Students rarely bring up the question of a grade for performance during the simulation as they are extremely focused on the content of the simulation and are aware of the learning that is taking place.

Learning Outcomes

The Music Business Workshop provides students with the opportunity to learn to apply basic, intermediate, and advanced concepts previously learned in more traditional courses. Students examine music industry challenges and strategically develop solutions. Students plan and build a music business,

and then implement a marketing campaign for hypothetical music releases and live performances.

Students are caused to react to unknown situations and improvise responses. Students practice leadership, innovation, and creativity through unforeseen challenges. The arts, entertainment, and media industries are rapidly evolving particularly due to technologies impact in content production, distribution, and communication. Succeeding as managers and entrepreneurs in these industries requires good leadership by properly managing the reaction of oneself, and empathetically reacting to opinions of others (Gleeson 2014).

The simulation portion of the Music Business Workshop provides opportunities for students to be challenged as leaders and team members. The simulation plunges students into a variety of situations that requires them to recall information they have learned, seek out unknown information, and react in a manner that will strategically better their position within the simulation. The use of their collective knowledge and experience along with the choices they make in applying that knowledge determines their success or failure. As an example, faculty will take on the role of artist management or attorney to negotiate a contractual agreement between the student company and an artist.

Scenarios Contributing to Learning Outcomes

The most common agreement in this simulation is a recording deal. Students will need to recall their knowledge of entertainment law, music publishing, and traditional terms of these types of agreements. They will need to consider the position of their company and the status of the artist with whom they are trying to enter into the agreement. The terms to which students agree will ultimately determine their success or failure in that venture. If they agree to pay the artist an advance of funds that cannot be recouped from music sales, they will realize a loss for their company. If they agree to a short-term agreement without appropriate options to renew, they could lose a successful artist or an artist in whom they have invested to another company. This new company may realize the benefits of the artist's development. Conversely, a strong agreement could result in a successful and profitable relationship with an artist.

The simulation requires students to work closely in teams under intense conditions over long periods of time, which can sometimes be stressful and fatiguing. The pace at which they work, required decision making, and the competitive nature of the simulation provide students the opportunity to experience changes in their emotional state and gain an understanding of the ways in which they deal with pressure and fatigue. They also witness fellow students experience with these challenges and are often required to react to these situations. The manner in which students manage success, failure, and uncertain situations all becomes apparent in the course of the simulation.

Music Business Workshop Assessment

Assessment of learning outcomes involves a pre-simulation interview and review of students' coursework and industry experience as well as a post-simulation reflective argument paper assignment. The pre-simulation interview allows faculty to understand students' interests, abilities and needs as related to the content that will be covered.

Additionally, this interview allows faculty to initially place students within teams where individual's knowledge, experience, personalities, temperaments, and interests will complement one another. The post-simulation paper assignment gives students the opportunity to reflect on their experience and provide feedback to faculty indicating their perception of learning and meeting the simulation learning outcomes.

Assessment of learning takes place throughout the simulation in many forms. Students are required to complete/sign record deals with artists as noted previously, develop marketing plans for music releases, and plan artist tours among other tasks they must navigate. Marketing plans are graded but rather than a letter grade students receive revenue back to their company within the simulation. A particularly strong marketing plan will result in profit for the company. A poor marketing plan would result in a loss of revenue, as budgets must be utilized when developing and implementing the plan within the simulation. Along with the revenue report provided students for each marketing plan submitted faculty give feedback and suggestions. This allows students to review and make improvements for subsequent marketing plans they develop. The repetition of similar assignments including this feedback loop promotes improvement and practical application as well as a means to assess student learning. A similar process is followed for tour planning.

A Deeper Dive Into Assessment

Understanding the varied broader impact this simulation has on individual students is a more challenging endeavor. Anecdotal feedback from students suggests a significant and powerful experience during the simulation. Comments such as "It changed my life" or "I've learned more in this class than any other class" are difficult to measure accurately from a learning assessment perspective. In an attempt to quantify the broader impact of this simulation on each student a comprehensive review of students' post-simulation assignments has been done to identify recurring learning themes. Themes identified include:

- Trusting Instincts
- Self Discovery
- Clarifying Miscommunication
- Using Knowledge/Materials from Previous Courses
- Adaptability
- Problem Solving
- Learning From Peers
- Delegating
- Inquiry
- Teamwork
- Time Management
- Resilience
- Attention to Detail

Conclusion

Having a better understanding of the wider affect of simulation experience on students is useful for the development of simulation exercises as well as offering a solution to achieve particular learning objectives educators may have for their students. The learning themes analysis for the music business workshop is a recent endeavor having only been implemented as an assessment model for the most recent offering of this simulation course. Continued analysis of learning themes as they emerge from continued offering of the Music Business Workshop will provide a statistically relevant sample size and a more reliable indication of the benefits of this simulated music business exercise.

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Jerry Brindisi's passion for the music industry evolved from his great love of popular music. His interest and experience has progressed from a desire to perform, write songs, record, and ultimately create music product. Mr. Brindisi is an Associate Professor and Program Coordinator for the Music Business BA program at Columbia College Chicago. He oversees all music business courses offered by the Department and enjoys serving as a faculty advisor and mentor to music business students. He is currently serving as the Associate Chair of the Business and Entrepreneurship Department and is involved in program administration, curriculum development, teaching music business, and coordinating interdisciplinary ventures, including AEMMP Practicum courses (student run record label, artist management, music publishing).

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Drinking from Olivia Pope's Wine Glass: Fan Communities and the Impact of Parasocial Relationships on Consumption Behaviors

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Abstract

When I reach my Olivia Pope status I'm going to buy giant wine glasses to celebrate #Scandal #OliviaPope #BossLady

Product placement, often referred to as brand placement, is an orchestrated product message designed to influence audiences through the unobtrusive inclusion of a branded product in entertainment content (Balasubramanian 1994, 31). Orchestration may take various forms ranging from loaning the product to charging a fee. As a type of hybrid message (Balasubramanian 1994), product placements benefit from their non-commercial character due to the lack of sponsor identification. Interestingly, products may appear prominently whether or not an agreement is in place. For example, Hershey's Reese's Pieces candy was notably integrated into the plot of the film *E.T. the Extra-Terrestrial* playing a key role in E.T. finding his way home (Babin and Carder 1996). Similarly, Polaroid was repeated in the hook of Outkast's hit song "Hey Ya!" and used in the accompanying music video (Thompson 2004). Despite their mutual prominence, unlike Hershey's, Polaroid did not orchestrate or pay for its inclusion. In both cases, however, the brands saw increased sales and awareness.

Unbranded products such as haircuts (Russell and Puto 1999), dogs (<https://www.independent.co.uk/arts-entertainment/tv/news/game-of-thrones-direwolves-huskies-animal-shelters-peter-dinklage-tyrion-lannister-a7894821.html>) and food (<https://www.esquire.com/food-drink/food/>

[a13972/avengers-boosts-shawarma-sales-8707403/](https://doi.org/10.25101/19.15)) have also seen increased sales following prominent placements. So, despite a lack of formal agreement or brand identifiers, unbranded products that are prominently featured within entertainment content may be sought out and adopted by consumers. This adoption may be facilitated by the existence of parasocial relationships—the long-term, intimate connections viewers build with media figures (Russell and Stern 2006).

The current paper investigates consumers' journey to identify and ultimately purchase an unbranded product—the Camille 23-oz. wine glass—used by Olivia Pope, the lead character of the political television drama *Scandal*. This particular journey originates in social media and culminates on the brand's web site. Social media's influence in consumer behavior has been investigated regarding television viewing habits, consumer decision-making, and the closely-related concepts of ratings and reviews (Bronner and de Hoog 2014; Dellarocas 2006; Hennig-Thurau et al. 2004; Kaplan and Haenlein 2010). More recently, scholars have investigated the role of social media in the consumer journey from problem recognition to post-purchase evaluation via the social commerce literature stream (Zhang and Benyoucef 2016; Kang et al. 2013; Yadav et al. 2013). However, to our knowledge no study to date has explored how consumers utilize Twitter to draw attention to and identify an unbranded product, generating significant interest and desire to drive online sales. In an effort to address this void we adopt a grounded theory approach, using the Camille wine glass as a case study. Adapting Yadav's stages of consumer journey, we highlight the interconnectivity and progression of consumers' conversations from Twitter to the

Crate & Barrel web site—examining the decision-making process across multiple platforms. We begin by examining the role and placement of the unbranded product in the television show, how consumers turn to social media and virtual fan communities to determine the identity of the product and their transition to the retailer website to make the purchase. We also explore when, where, and how product evaluations are shared with others to drive additional sales, identify those participants who played an instrumental role in the consumer journey as well as the content and format of messaging that appears to exert the most influence. We conclude with managerial recommendations.

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The Asian Music Industry

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Abstract

Three nations—Japan, South Korea, and India—dominate the Asian music industry with a fourth, China, ready to become the dominant music industry in Asia. There are major differences between the countries. Japan has the second largest music industry in the world based on generated revenues; it is only behind the United States. However, Japan has fought the trend of digital streaming and remains heavily into high-priced physical product. Japan’s music industry is protected, protective, and insular; it does not seek to export its music and is happy with Japanese music for Japanese consumers. South Korea, on the other hand, with its K-Pop industry is intent on exporting its artists and recordings. Three agencies dominate K-pop and those agencies find talent, groom the talent, then set them out into the world. India’s music industry relies heavily on films; the major exposure of music comes from India’s Bollywood films. Although there are streaming services in India, the film industry dominates the music industry.

China was known for its piracy of American recordings, which was a huge wall against China having a legitimate music industry. However, with the advent of streaming, the Chinese are able to exert control over their industry and, with their large population, reach billions. One of the major emerging firms with digital streaming is Tencent, which is headquartered in China. There are barriers to China’s rise as a major music center, primarily their censorship of anything they dislike. China wants Chinese music to go out into the world but doesn’t want the world’s music to infiltrate China. Whether they can balance all of these ideas will determine the future of China’s music industry.

Keywords: Asian music industry, Japanese music industry, South Korean music industry, Indian music industry, Chinese music industry, K-pop, Tencent

The Asian Music Industry is centered on Japan, South Korea, India and China. In 2017, there was an overall growth in the region of 5.4 percent. Streaming revenues increased by 38.2 percent. Digital revenues increased by 22.4 percent—and this is the way the music industry as a whole is headed, although there are still strong physical sales in Japan and South Korea.

Major labels plan to release only in the digital format in Asia except for Japan and South Korea. This is a “solution” to piracy, which has plagued the industry for years.

Japan has been the second biggest market for the music industry for years. Japan accounts for 56 percent of the overall market for physical recordings in Asia and 91 percent of music industry recordings in Japan are physical.

Overall, 25 percent of music industry revenue in Asia comes from streaming. If you remove Japan, then 20.4 percent of music industry revenues come from physical recordings while 59.9 percent comes from streaming.

In the United States and other developed countries, we have seen a progression in the recording industry of people buying—and listening on—phonographs, then cassettes to the Walkman to the CD player to the desk computer to the laptop to the iPod to mobile (brick) phone to flip phones to smart phones. In most Asian markets, they have gone from the cassette to the smart phone.

Now let’s take a look at the countries individually. In Japan, the second largest market for recording industry sales—behind the United States—they sell more physical product than any other market. They have not been plagued by piracy like other markets. Since 2012 they have one of the strongest anti-piracy laws in the world. It is a criminal offense to pirate recordings and, if convicted, a person will have to pay two million yen and spend up to two years in jail. Also—they rent CDs, so a Japanese consumer can rent a CD and then load it onto their computer before they return it to the store. This is a major reason that CD piracy is almost non-existent in Japan.

CDs are expensive: 3,000 yen or approximately \$30. Most of the CDs have “bonus content,” which means it may include photo booklets, cards of favorite performers, offers to buy tickets for concerts, and sometimes a DVD. A single

costs 250 yen or US\$2.50.

There is no discount selling in Japan—it is illegal to sell a CD for less than \$25 so there is no competition among retailers discounting prices. A major reason that Japan generates so much money from their entertainment industry is that prices are high—the most expensive entertainment in the world. The government and the entertainment industry work to keep it that way.

The most popular promotion for a single is an offer to vote for which members of a group get promoted to the front of the group and sing their next single. DVDs may cost as high as US\$100. A ticket to a movie is 1,800 yen or approximately \$18. Most of the revenue is generated in cash; the average Japanese consumer uses their credit card only four times a year.

There are streaming services in Japan—Line is the most popular although Spotify, Apple Music, Google Play Music, and Amazon Prime are available. However, no streaming service has music from all the labels in Japan—there are agreements where one record company licenses its catalog to one streaming service while another record company licenses its product to a different streaming service. In order to have all Japanese music available, you have to pay for several streaming services. Line music is integrated with the Line messaging app, and this linking of streaming and messaging is popular in other Asian countries. With Line, a user can send cartoons, emoticons, music, and playlists.

Japan does not market its artists globally; they view their domestic market as their major market. The most popular group in Japan is AKB48.

The “360 deal” is prevalent in Japan. The agencies—recruit and train artists—provides artists with financial support while the artists give the label a percent of total revenue they generate, such as income from concerts, publications and appearances. Most artists are on salary from their agency.

Not many listen to radio. In Japanese cars there are television on the dashboard.

South Korea music became globally known because of “Gangnam Style” by PSY. However, those in South Korea insist that PSY is *not* K-pop. The roots of K-pop go to Lee Soo-man, a former folk singer who left South Korea in 1980 after a military coup. He went to the United States and received a Masters from California State, Northridge. He loved MTV and when he moved back to South Korea in 1985, wanted to re-create American pop music in Korea.

The democratization of South Korea is linked to the 1988 Olympics in Seoul. That led to a market-based economy. In 1989, Lee founded SM Entertainment.

After one of his artists was arrested on drug charges, he decided to find and create pop singers. This was like what Lou Pearlman did with the Backstreet Boys and NSYNC in

the United States. Lee called his method of creating groups “cultural technology” and laid out the steps to popularize pop groups. Lee’s manual of “cultural technology” states when to import foreign composers, producers, and choreography; what chord progressions to use in particular countries; the precise color of eye shadow a performer should wear in different Asian regions; the hand gestures he or she should make; and camera angles to be used in the videos—which meant a 360 degree group shot to open the video, followed by a montage of individual close-ups.

During the late 1990s, a “Korean wave” swept through Asia: TV dramas, Korean films, and K-pop became popular. This coincided with the “Asian crisis” when the real estate bubble burst, leading to a deep recession. Korean TV producers made shows cheaper than Japan and Hong Kong with better quality than most Asian nations could afford.

The image of South Korea had been a country that was unsophisticated, a weak industrial nation. There were estimates it would take 100 years for South Korea to recover and catch up. However, Korean entertainment created images of a prosperous, cosmopolitan country and music fans in Japan and Hong Kong became fans of K-pop.

K-pop is dominated by three Seoul agencies: SM Entertainment, JYP, and YG Entertainment. The groups are all tightly controlled by their agencies, which include a record company, manager, agent, and promoter who control record sales, concerts, publishing, endorsement, and TV appearances by the young idols. The agencies form groups by recruiting boys and girls ages 12 to 19 through auditions and a network of scouts. The members do not have to come from South Korea. The recruits are coached in singing and dancing as well as media coaching during training that lasts years before they are placed in a group. The young applicants are not paid during their training. Only ten percent are finally chosen to be in a group.

Scandals of any sort result in expulsion from a group. Agencies have studios and in-house producers and songwriters create the songs for the groups. Generally, an album is released every 18 months with five song min-albums annually. The groups seldom last more than five years. The appeal of the acts is linked to their beauty: members often have plastic surgery. This formula did not create PSY.

Koreans prefer Korean music—over 80 percent of the music industry is Korean acts. Under ten percent prefer American pop music. In Korea, 37 percent of the revenue from their music industry comes from physical product; 59 percent is from streaming.

Some factors in the success of K-pop: The Korean government has created the most wired and wireless nation on the planet. There are more mobile phones than there are people. The most popular mobile phone brand is Samsung, based in South Korea. The cost of a download was

five cents, although downloads are decreasing globally. The K-pop strategy is to export their artists to the world.

The music industry in India is dominated by Bollywood. Bollywood films are primarily musicals and the songs are sung by professional singers while the actors lip synch, usually while dancing.

The internet infrastructure has held back development in India but in 2016 Reliance Industries launched the Jio mobile network, which offers free 4G coverage. This has led to an increase in music streaming.

In China, a turning point came in July 2011 when companies agreed to an out of court settlement to pay for music tracks played and downloaded. There is still piracy in China, but this has curbed it. The result is that China now has a legitimate music industry and in 2017 became one of the top ten music markets in the world. The majority of revenue comes from digital; streaming accounts for 90 percent of industry revenue.

The Chinese have developed their own search engine, Baidu, an e-commerce company; Alibaba, which is bigger than Amazon; and mobile messaging service WeChat that is compared to Facebook but does much more than Facebook. For example, through WeChat Chinese consumers can shop on line, pay utility bills, pay for taxis, theater tickets, and dinners.

The biggest music industry digital company is Tencent, which rivals Google, Apple, Facebook and Amazon. Tencent has several streaming services, including QQ music, Kugou, and Kuwo. They sublicense music to Alibaba Music, the Taihe Music Group, Changba, Apple, and KKBOX. China Mobile is the state owned telecom company. The Universal Music Group has its catalog distributed by Tencent.

There is censorship: the Culture Ministry of China has to authorize the release of any recordings. They must also approve of any foreign touring acts, who must submit a list of songs they intend to play. Until the 1980s, most Chinese did not know about rock music. Beginning in 1989, Beijing Music Radio played rock, blues, and jazz for the first time on Chinese radio.

The IFPI forecasts a tremendous increase in streaming revenue. The leading local media network, V Kontakte, had been a notorious copyright infringer. However, in 2017 they launched with licensed music services and streaming partners include Apple Music, Yandex, and Zvooq.

The trends in the global music industry include: a “tenacious decline” in physical; a top down move to digital—no CD/DVD players on new laptops or CD players in new cars; and growth in “smart speakers”.

In China, millions have moved into the middle class during the past 25 years and there is now an enforcement of copyright and intellectual property laws in non-developed

countries. The major trend in the global music industry as well as the global economy and politics is that China wants to dominate the world.

Don Cusic is the author of over thirty books. He founded and taught the course “International Music Business” at Middle Tennessee State University and Belmont University. He has taught short-term study abroad courses in London, Japan, South Korea, and China.



The Viability of the American Federation of Musicians in the 21st Century

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Abstract

For many years the American Federation of Musicians (AFM) has struggled with the manifold ways that technology has affected the careers of working musicians. This paper discusses the following matters:

- A brief history of the AFM: beginnings, how the organization is structured: the Canadian branch, ICSOM, ROPA, the Recording Musicians Association, the theater sub-group, and services for freelance musicians.
- Why has the membership of the union fallen by over 75% since the 1980s?
- In what ways is the union effective or ineffective in 2019? Who does the union serve, and what musical constituency is ignored or glossed over? Who leads the union, and what are the objectives of these leaders?
- Possible approaches to modernizing the union's approach to contemporary music and organizational practices.

Keywords: American Federation of Musicians, freelance musicians, unions, guilds

My motivation to write this paper comes partly from my experiences attending MEIEA annually from 1988 to 2004, and periodically thereafter. I have never seen or heard any mention of the American Federation of Musicians (AFM) at MEIEA meetings, and many of the music business books offer little or no coverage of the union. Don Passman, for example, has avoided mentioning the AFM in the many editions of his book about the music business.

I'll start with a brief recap of AFM history. The AFM is an artifact of the late 19th century. There have been several consistent threads in its history. One has been a continual battle against technology depriving musicians of work in the industry. This began with the invention of the player piano, and has continued through the end of live music in movie theaters with the introduction of talkies, the rise of the jukebox, the loss of work on live radio programs because of the widespread use of phonograph records, the end of studio orchestras on radio, television, and in the movies, the use of electronic instruments, introduction of DJ's as artists replacing musicians, the use of samplers and drum machines, and runaway film music production from New York and Los Angeles to such music business centers (!) as Budapest and Bratislava.

To move into reverse gear, the union has been most effective when it utilizes collective bargaining agreements (CBA's) with such organized entities as symphony orchestras, record labels, major film studios, and advertising agencies. These interactions have resulted in relatively high wage scales, and such bonus situations as residuals for jingles, the special payments fund for musicians playing on recordings, the films secondary fund for musicians who play on films, and the AFM/AFTRA Intellectual Property Fund, which covers some foreign royalties, record rentals, etc. Incidentally, the Film Musicians Secondary Markets Fund

collected over \$100 million in royalties in 2017, so some of these funds can represent substantial amounts of money.

In the symphonic world, the San Francisco Symphony recently negotiated a three-year contract that will see minimum wages start at about \$165,000 a year, moving to about \$175,000 a year in the third year of the contract. The contract also includes pension, dental, and health benefits, and additional wages based on years of service. On the other side of the ledger, many of the summer classical music festivals, including Chautauqua in Boulder, and others in Sun Valley, Jacksonville and Astoria, Oregon, Bellingham, and Aspen are non-union, yet union players in the mid-range symphonies like Cincinnati or Pittsburgh, who are making in the \$100,000 range under union contracts, play these jobs for under union scale wages and without union contracts. When asked to take action against such players, the AFM response has been, "it's the job of the local to organize these orchestras!"

The picture gets worse when we look at what has happened to freelance musicians. One way of looking at this is to zero in on the decline in AFM membership. That membership was at over 300,000 during the mid-1970s declining to a current membership, variously estimated at 65,000 to 70,000. Incidentally, the AFM includes its Canadian locals in these numbers. The president of the Vancouver local told me that there are currently about 20,000 AFM members belonging to Canadian locals. Canada has about 10% of the population of the United States, and if you accept the 70,000 membership figure, following the Canadian demographic, the AFM should have 200,000 U.S. members to add to the 20,000 Canadians.

The obvious question is why such a dramatic decline in membership has taken place. There are a number of factors behind this loss. The first one is a series of court decisions which defined night club musicians as independent contractors, and the leader of the band, rather than the club, as being the employer. Prior to these rulings, the AFM had reasonably strong control over club musicians, and older readers of this article may well remember being asked to show their paid-up membership cards to a union business agent. The second factor reflects two changes in the industry. One is that the popular music world has mostly changed from an orchestra-based model of fifteen to twenty musicians, to combo-based groups of three to five people. There are thousands of such groups in North America, and finding and organizing them is a much more ambitious task than dealing with the leaders of fifteen-to-twenty-piece orchestras. Compounding the problem is that the union has historically been a refuge of jazz, classical, and club-date musicians who even in 2019 don't look on country, folk, rock, or hip-hop as having much musical validity. For the old guard, the ability to read music is an essential part of taking on the

identity of a professional musician. From that point of view, the bulk of pop musicians are not professionals. The third and most current problem area is the rise of the DIY (do it yourself) aspect of the music business. The majority of working musicians do not record for major record labels, and many of them book their own shows, and even utilize their own members as de facto agents or personal managers. If a musician is working gigs where there are no union contracts, recording (and owning) their own recorded product, what advantage is there to joining the union?

The listed benefits of AFM membership include the ability to purchase dental and musical instrument insurance, in the larger locals limited use of rehearsal space, availability of a Visa card for members, access to the union bonus funds for those who use union contracts in the various mediums of recording, and guaranteed payment of at least union minimum wages for contracts filed with the union. The problem is that the self-directed musician isn't going to participate in the bonus funds, and in all likelihood can purchase their own insurance plans at comparable costs without a union card. To get a union card, a musician must pay the annual dues that vary from \$150 to \$200 a year, plus a one-time initiation fee of around \$150. (The initiation fee is sometimes waived during membership campaigns, or if an entire combo joins the union at the same time.)

Now we arrive at the most fundamental question that governs this paper. How could the union make itself attractive and useful to today's younger DIY combo musicians? Additionally, how could it do a better job of retaining existing members, and persuading former members to re-join the union? This brings us to the question of what musicians want. Obviously, they want the opportunity to play music in a public setting, preferably while earning a reasonable amount of money. They need health insurance that includes vision and hearing components, and access to moderate-priced housing. Other goals probably include reasonably priced rehearsal and recording facilities, and for middle-aged musicians, expectations of a reasonable pension and even living facilities for elderly musicians who have limited resources. Another level of desirable services might include discounted legal and accounting services, and educational classes on both business and musical matters. To be fair, a few locals actually do provide a few educational classes and some discounted legal services.

Arriving at the above list wasn't especially difficult. But how does the AFM rate in terms of pursuing these goals, and what could it do to make it crystal clear to musicians that union membership is a necessity for someone seeking a career as a professional musician?

Point by point: Although the Music Performance Trust Fund (MPTF) does provide musicians with a few opportunities to play their music in nursing homes, VA centers,

etc., the money that record companies pay into this fund has been greatly diminished, and nothing about the MPTF is designed to meet the needs of younger musicians (or for that matter, older ones) who wish to play their own music in an environment designed for listening. Although a number of the medium-sized or larger locals have rehearsal facilities that could be used for performances, these facilities are primarily used for band rehearsals. Moreover, the union has not created partnerships with arts centers, universities, or “listening venues” that encourage such performances. When it comes to health insurance, only a small number of high-earning recording musicians, players in long-running Broadway shows, and symphony musicians are eligible for health insurance. Given the somewhat perilous financial status of the AFM, the answer would seem to be partnering with other, larger unions for health insurance coverage. The union’s monthly newspaper has never proposed such an option in my decades-long membership in the AFM. Nor has the AFM lobbied for vision and hearing coverage to be added to any Medicare or universal health insurance plans, although clearly these benefits are especially important for musicians. Many union locals do have rehearsal facilities. They are essentially designed for musicians who read charts, and the locals limit how many hours musicians can use the facilities. Contrast this with the way rock or country bands rehearse. Usually working without written music, they create songs and arrange them over extended periods of time. Many rock musicians rent a facility and leave their equipment there between gigs. They may rent the space by the month, by the hour, or by the day.

There are two basic impediments to most musicians joining the AFM. They are annual dues of \$150 to \$200 (plus a similar initiation fee) plus the age-old question, “what will the union do for me?” Imagine if the union provided rehearsal spaces for combos, and charged, say, half of whatever the going rate is in the town. In cities like Los Angeles or New York it would take only a handful of rehearsals for a band to more than pay for the annual dues.

The only ultimate solution to the declining status of the AFM pension fund is to recruit large numbers of young musicians. The basic and obvious problem with the fund is that the amount of money being paid out far exceeds the money coming into the fund. The solutions advocated by the AFM leadership include raising contributions from record companies and creating federal legislation to enable the fund to apply for low-interest long-term loans. This seems to be an exercise in futility in the sense that it is difficult to see how such loans could be repaid as long as expenditures far exceed income. The seriousness of this problem can be ascertained by the recent defeat of the incumbent leadership of the New York local, the Federation’s largest local, by a 2-to-1 margin. The decline of the pension fund was the prima-

ry issue in this election. According to the AFM leadership, pension benefits will be reduced within the next year or so for anyone receiving a pension who is under the age of 80.

The union has not been involved in any movement for low-cost housing, which is an extremely important issue for freelance musicians, players in symphonies that do not have 52-week seasons, music teachers, and even music professors. A few months ago I read a *New York Times* obituary for composer-arranger-woodwind player Joseph Jarman. He died while in residence at the Actors’ Home in New Jersey. How he got admitted to a facility for actors, I do not know. However, it struck me that the AFM has never had or advocated for such a facility. Shouldn’t the AFM, perhaps partnering with MusiCares be involved in the building of such facilities in major cities?

Frequent music business education classes and access to quality discounted legal services would be extremely beneficial for young musicians who often do not have the financial ability to access such services. Nor has the union taken a strong position against gender discrimination. Law suits alleging wage discrimination from female principal players in Boston and Denver have garnered support from individual symphonic musicians, the AFM as an organization has presented only a cursory response to the widely publicized Me Too movement. The AFM’s monthly has indeed published non-specific calls for the end to gender pay disparity, but without any specific action plan. Once again the AFM is “behind the curve” of current social-political sentiment.

The paragraphs above outline the sort of services and initiatives that the union should be providing, but for the most part ignores. There is another step that the union could take to enter the music industry of the 21st century. The music trade papers and memoirs of famous musicians are rife with stories of musicians involved in expensive conflicts with personal managers. Although the union does franchise booking agents, it has essentially stayed out of dealings with personal managers. In today’s industry, managers often own or co-own publishing companies, and engage in complex negotiations with talent that define their compensation. Young acts are basically helpless to understand the nature of such legalities. There are quite a few talented, expensive lawyers who make such deals, but their services are not financially viable for musicians in early to mid-career. Why shouldn’t the union negotiate contracts with managers that place limitations on commissions, and on a manager double-dipping, owning all or half of music publishing companies, and then charging commissions on a bands’ songwriting royalties?

It is also time for the union to develop working partnerships with such organizations as the Rhythm & Blues Foundation and the Future of Music Coalition. In my judgement, these organizations began because the union failed to represent musicians appropriately in these areas.

National Issues vs. Regional Realities

Over the years the AFM has gradually come to realize that the interests of musicians who work under lucrative recording agreements in major music business centers do not always align with the needs of musicians working in smaller marketplaces. To remedy these conflicts, the AFM has instituted agreements for films and records that are produced with lower budgets. Regrettably most of these concessions have reflected the agitation of rank and file members of smaller locals, rather than representing a visionary approach on the part of the federation's leadership. The latest example of such conflicts occurred when the Vancouver, Canada local tried to initiate a lower scale with possible buyouts for film work. The impetus for this concept was simply a reflection of the large amount of U.S. television and film production that has been occurring for some years in Vancouver and Toronto. The federation's initial reaction was to attempt to expel and fine the leaders of the Vancouver local. This in turn led to court proceedings in Vancouver, which established that the AFM did not have jurisdiction in Canada to take such action. Thankfully, after several years of fruitless back and forth negotiations, the Canadian branch is pursuing the creation of such agreements.

Where Do We Go From Here?

It would be unfair to say that the union has never made any attempts to operate in the areas outlined. For the last decade the AFM locals in the Northwest in particular have begun a movement called Fair Trade Music. The intent of this group was to establish the notion that musicians should be paid a reasonable wage. To achieve these goals, Fair Trade has attempted to reach the general public of music consumers, and also has pursued some negotiations with music venues. In Seattle twenty-five music venues have signed on to the program, which does *not* necessarily require clubs to hire union members, but does commit to the notion of fair pay for musicians. It is not clear whether the future of this movement, if it has one, involves Fair Trade members to be union members. There is also little evidence that Fair Trade has resulted in convincing musicians to join the AFM.

Perhaps the future of the AFM means amalgamation with other existing talent unions. The union has remarkably little interaction with SAG-AFTRA, the singers, actors, and voiceover talent group that has roughly double the membership of the AFM. The AFM does admit singers, but the bulk of singers who are unionized join SAG-AFTRA. Although SAG-AFTRA has agreements with Equity and other unions that enable those who join multiple unions a reduction in the cost of membership, no such agreement exists between the AFM and SAG-AFTRA. Beyond combining with other talent unions, other possibilities include inviting songwriters into the AFM, as well as recording engineers who

are not also studio owners, and even music professors in unorganized colleges, especially poorly paid part-time instructors. Another possibility is to follow the SAG-AFTRA model and have regional locals, rather than the current 183 locals that honeycomb the United States and Canada. Quite a few of the smaller locals have fifty or fewer members, and file virtually no union contracts. Finally, an opportunity would seem to exist to organize employees of the major music store chains, who employ many musicians as teachers, repair people, and sales personnel.

Unless some of these steps are taken, it is clear that the fate of the AFM is to become a guild that limits itself to representing musicians who qualify for collective bargaining agreements, and abandoning DIY and freelance musicians to their own devices. A new approach to membership should include the election of younger members as local officers. To the union's credit, it does publish lists of unclaimed checks in its various recording bonus funds. Even a cursory look at these lists, along with ones published by SoundExchange, reveal hundreds of names of beneficiaries whose addresses are unknown. This happens because once a member leaves the union, the union has no current address for the claimant. Another other reasons for these mysterious unclaimed checks is that many members use performing names like St. Vincent or Killer Mike, which makes finding a new address for them difficult. Other reasons for the non-delivery of such checks include the death of the beneficiary, or in the case of female members, divorces that involve name changes. What if the union took the bull by the horns, and in cooperation with record companies, performing rights organizations, and music publishers established a database of musicians, union and non-union, so that royalties due to "missing" musicians could be distributed? Incidentally, none of the above sources of royalties bothers to publish lists of musicians or singers to whom they owe royalties, but whose current addresses are unknown.

Finally, the union has flirted with entering the booking agency business. To avoid competition with existing franchised agencies who book the bulk of important tours, one possible solution is to do local booking for minimal commissions, say five to ten percent. Currently there are very few local agents who actually operate under union rules.

My conclusions to the question of 21st century viability, is that the union has essentially been reduced to a guild that represents musicians operating under collective bargaining agreements. In order to recruit young DIY musicians, the AFM must operate in an entirely different way to provide the services that would benefit them. This would require a new vision of the role of the union and the needs of contemporary musicians.

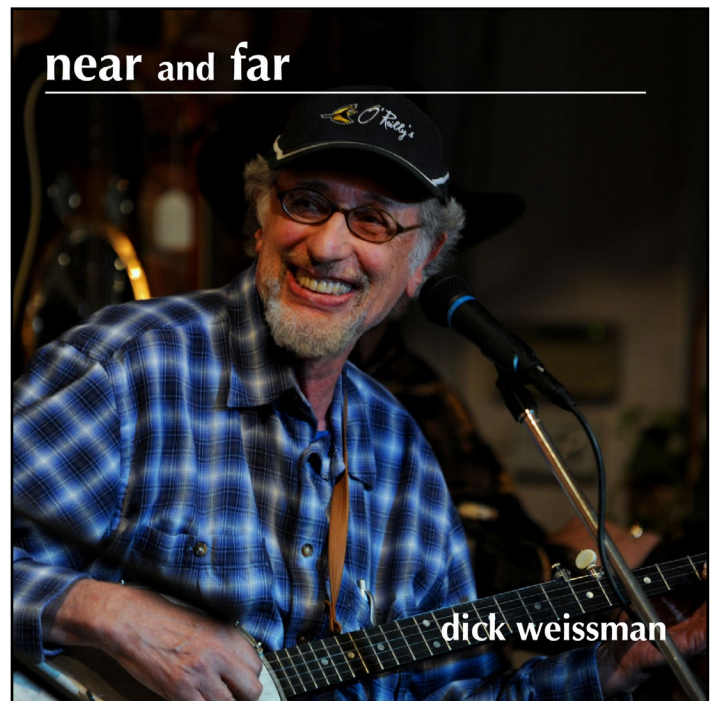
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This article was made possible through a MEIEA grant that enabled me to interview Nate Omdal, who directs the Seattle Fair Trade group, Dennis Dreith, former president of the Recording Musicians Association and CEO of the AFM/AFTRA Intellectual Property Fund, and David Brown, president of the Vancouver local of the AFM. It also benefited from discussions with Bruce Fife, vice president of the AFM, Tom Blomster, former vice president of the Denver Musicians Association, Michael Allen, president of the Denver AFM local, and Harry Tuft, former Executive Director of the Denver local. Of course none of these people are responsible for my conclusions.

The information about the membership level of the AFM came variously from union websites and from a presentation by Jay Blumenthal, Secretary-Treasurer of the AFM at the Western Federation of Musicians meeting in Santa Ana, California in 2016.

Dick Weissman is the author or co-author of twenty-two books about American roots music and the music business. Dr. Weissman is an active performer and composer with numerous recording, composing, songwriting, and performing credits. He is an Instructor at the University of Denver and Associate Professor Emeritus at the University of Colorado Denver.



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

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Monika Herzig holds a Doctorate in Music Education and Jazz Studies from Indiana University where she is a Senior Lecturer in Arts Administration. She teaches courses on the Music Industry, Programming, and Arts Entrepreneurship. Her research focus is on jazz as a model for creativity and entrepreneurship. She is also the author of *David Baker – A Legacy in Music*, published in 2011 by IU Press, and *Chick Corea: A Listener's Companion* with Rowan & Littlefield, 2017. As a touring jazz artist, she has performed at many prestigious



jazz clubs and festivals, such as the Indy Jazz Fest, Cleveland's Nighttown, Birdland, the Manchester Craftsmen Guild, to name just a few. Groups under her leadership have toured Germany, opened for acts such as Tower of Power, Sting, the Dixie Dregs, Yes, and more. She has released more than a dozen CDs under her leadership on her own ACME Records as well as Owl Studios and Whaling City Sounds. 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" features the world's leading female jazz instrumentalists including Leni Stern, Jamie Baum, Ingrid Jensen, Jennifer Vincent, Ada Rovatti, Mayra Casales, Reut Regev, and charted #31 on the year-end Jazz Week charts and was listed as one of the best albums of 2018 in *DownBeat* magazine. Thomas Garner from Garageradio.com writes, "I was totally awed by the fine musicianship throughout". More info and sound samples at www.monikaherzig.com.



Kristina Kelman is an academic, teacher, community music facilitator, and jazz musician from Brisbane, Australia. In her recent book, *Music Entrepreneurship: Professional learning in schools and the industry*, Dr. Kelman designs an experiential music curriculum model for student-run enter-

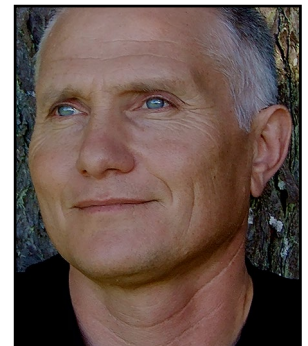
prise. Her work also takes place in community music settings. Her work with First Languages Australia on a language project through original song, *Yamani: Voices of an Ancient Land*, resulted in a full-length album, Australian curriculum materials, and a documentary featured throughout 2016 on QANTAS inflight entertainment. Since 2015, with successful grant funding, Kelman 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. She is also a Brisbane-based musician who has had a successful twenty-five year career performing and recording as a jazz singer, and working as both a music director and conductor for various Australian projects. Kelman is currently lecturing in music, music education, and music industry at the Queensland University of Technology.

Andy Krikun is Professor of Music at Bergen Community College in Paramus, New Jersey, United States, where he teaches courses in songwriting, world music, and music business. He received his M.A. in Ethnomusicology from

the University of California, Los Angeles and his Ph.D. in Music Education from New York University, where his research focused on the history of popular music education in the American community college curriculum. His articles have appeared in the *International Journal of Community Music*, the *Journal of Popular Music Studies*, and the *Journal of Historical Research in Music Education*, and he has presented at international conferences including the College Music Society, the National Association for Music Education, the International Association for the Study of Popular Music, and the International Society for Music Education. In 2006, he was awarded a Teaching Excellence Award from the University of Texas's National Association for Staff and Organizational Development. He is an executive board member of the Association of Popular Music Education and a member of the editorial board of the *Journal of Popular Music Education*. As a singer-songwriter, Dr. 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. 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 leads the Popular Music Studies Program at the University of Auckland's School of Music. Here he teaches and supervises the creative studies songwriting and performance courses as well as music industry teaching modules. Stephen specializes in the creative development of young songwriters; he has presented papers and led workshops at international conferences such as the International Society for Music Education, the Narrative Enquiry in Music Education, and the Association for Popular Music Education. As a songwriter and composer, many of his works reference image and sound drawn from the land, river, and sea, and incorporate mōteatea (traditional Māori song) and taonga puoro (traditional Māori instruments). His creative work engages with indigenous cultural knowledge and kaitiaki or care for the natural environment. His



songs and compositions have been performed and recorded by groups such as the New Zealand Symphony Orchestra, the Auckland Philharmonia Orchestra, and the New Zealand Trio. His semi-staged performance work *Witnessing Parihaka*, was written collaboratively with the people of Parihaka—a Māori community who uphold a long tradition of political passive resistance, and was commissioned by the Auckland Philharmonia Orchestra. His book chapter, “Being Heard: A Māori Community Narrative,” published in *Intersecting Cultures in Music and Dance Education*, discusses the making of this work.



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.

Social Entrepreneurship as an Element of the Inbound Marketing Model for Musicians

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Abstract

Building long sustainable relationships with both local and global communities through teaching, mentorships, and innovation continue to be integral for musicians to cultivate and grow a viable fan base and make a difference in local and global communities. As Chahine points out, “Social entrepreneurship is a form of social service and, like all forms of social service, is a path toward positive social change to improve the conditions, livelihoods, and standard of living of populations and ecosystems.” The goal of Inbound Marketing is to attract strangers or passive fans and funnel them through the four phases of the Inbound Marketing model: attract, convert, close, and delight, and eventually, make them promoters and fanatics. The attract phase, which is the first phase of the Inbound Marketing model is where social entrepreneurship plays an integral role in building relationships with communities in addition to blogs, social media, keywords, and pages. The conversion phase, which is the second phase, is where teaching, mentorships, and innovation become key to connect with new audiences and disseminate knowledge to communities that might not have access to education and resources, necessary to pursue creative careers, higher education, and personal growth. The close phase, which is the third phase, typically encompasses big data to calculate progress and impact through key performance indicators, metrics, and analytics. The promote phase, which is the fourth and final phase of the Inbound Marketing model, creates symmetry and continuity through social media, emails, workflows, and elements used in the first phase of the Inbound Marketing model. The utilization of the Inbound Marketing model makes social entrepreneurship in the arts, with a focus on building long sustainable relationships with both local and global communities, less complex and more manageable.

Keywords: social entrepreneurship, Inbound Marketing

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Hal Weary enjoys working and thinking across genres in music and disciplines in the arts, and has international experience as a pianist and composer. His most recent orchestral composition, *Beyond the Eastern Shore* encompasses a pluralistically lyrical, rhythmic, and harmonically approachable style that intersects Western art music, Jazz and Popular music, and non-Western musics. He has obtained a great deal of demonstrable success working in many different facets of the music industry—artistry, industry, technology, and pedagogy. Dr. Weary earned a Bachelor of Arts in Music from San José State University, a Master of Music from William Paterson University, and a Doctor of Musical Arts from Five Towns College. He is an Assistant Professor with a specialization in Music Industry at California State University, Dominguez Hills. He held previous faculty appointments at Wayne State University and Albright College, and was an Agent at the Harry Fox Agency in New York City.



Did you hear “7 Rings” or “My Favorite Things”? Ariana Grande’s Spin on a Classic Rodgers and Hammerstein Song Could Have Lasting Impact on an Iconic Brand and the Bottom Line

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Abstract

Fifty-four years after the release of *The Sound of Music*, Rodgers and Hammerstein have a number one hit. Using the melody of the classic song “My Favorite Things” and what is being termed a “reinterpretation” of the lyrics, Ariana Grande has created a new work which describes her favorite things resulting from a trip to Tiffany’s. The materialism portrayed is completely opposite to the original lyrics, which spoke of sweet, simple things that money cannot buy.

This paper explores several of the issues that a musical work of this type might generate. The most obvious one is the copyright ownership and the participation of the original writers. In addition, this paper investigates the impact of the release on the wholesome brand of *The Sound of Music*. Clearly there is a financial benefit of owning a copyright with this level of success. But what will be the social impact? Is the immediate success of “7 Rings” indicative of the culture of this generation? This paper provides an overview of the comments in response to the release as well as explores the decision-making process by the rights-holders and the balance between the benefit of introducing *The Sound of Music* to a new generation of fans and the risk of altering the brand.

Keywords: 7 Rings, Concord Music, Music Publishing, Copyright, Ariana Grande, My Favorite Things, Rodgers and Hammerstein

Introduction

On January 18, 2019 Ariana Grande released what would be the second single from her album *Thank U, Next* entitled, “7 Rings”. This release came immediately following a seven-week run at No.1 for the title track. “7 Rings” debuted at No.1 on the Billboard Hot 100 Chart and would surpass the previous single by one week with a reign of eight weeks in the No. 1 spot. While this level of success is not surprising for an artist of this stature, what is unusual about this release is the content of the song itself. As soon as Grande begins singing, it is clear that this new song incorporates the distinctive melody of the fifty-four year old iconic song, “My Favorite Things” from *The Sound of Music*. This was immediately intriguing to this life-long *Sound of Music* fan and what follows is a description of steps taken to inquire about the process, the permissions granted, and the opinions of the rights-holders as to the risk of blending such a wholesome, iconic song with a pop artist’s “re-interpretation” of the lyrics.

Sample?

“The pop song charts are alive with *The Sound of Music*” (Hershberg 2019). Indeed they were, as was the internet. “7 Rings” had been on the charts for a little over a week and there were already many articles referencing Grande’s new single and “My Favorite Things”. However, all of the articles located described Grande’s use as a sample. Clearly it was not a case of sampling, but an original work with different lyrics. Knowing that an artist at this level would not take a chance on a use of this type without permission, I attempted to locate someone who might be able to shed light on what had occurred. As someone who operates in the music publishing space, finding information on older songs is usually quite simple. I decided to locate the owners of “My Favorite Things” and send a short message requesting

information that could be shared with students. To be honest, I did not expect a return email any time soon, if at all.

Rodgers & Hammerstein

Before noon the next day, I received a call from Dana Saltzman Siegel, Vice President of Marketing and Business Development for Rodgers & Hammerstein. Obviously, my email had been quickly routed from Concord Music to the Rodgers & Hammerstein (R&H) corporate offices. Being a bit surprised by the call and admittedly unprepared for the conversation, she graciously began by providing some details as to how this use transpired and her role in the process. At that point she allowed me to ask questions and was very forthright in answering while maintaining some confidentiality as to percentage splits, etc. In Ms. Siegel's words, "the management team for Ms. Grande was very respectful of the song and the resulting shares of the new copyright reflect this understanding." (The publisher share of 90% would ultimately be released in a *Billboard.com* article on March 19, 2019) (Cirisano 2019).

Ms. Siegel also shared some of the questions and concerns on which her team had deliberated during the short decision-making process. She said, "When considering this type of use, they must not only consider the value of the copyright but also the brand of *The Sound of Music*, both the movie and the theatrical production. What impact could this have on the brand?" She also expressed concern as to whether or not people watching *The Sound of Music* would hear the new lyrics in their heads rather than the original. After some discussion, the R&H team felt this was not likely.

One fact that played a role in their decision was that Grande has a theatre background. She began her career in 2008 (at the age of fifteen) in the Broadway musical *13*. Given this information, it was felt she would have some credibility in the Broadway community. In closing, Ms. Siegel stated that she was "100% on board" with the decision and hoped it would help expand the brand of Rodgers & Hammerstein and *The Sound of Music*, reaching a new generation of fans.

Eight New Co-Writers and Copyright Infringement

While the copyright for "My Favorite Things" by Richard Rodgers and Oscar Hammerstein II remains unchanged, these two men have been included as co-writers on the new work, "7 Rings". In the weeks that followed the release, there were many articles describing some artist's concerns that Ms. Grande had "borrowed" something from their work. Soulja Boy, 2 Chainz, and Princess Nokia have all been vocal about several elements in the B-section of "7 Rings", claiming Grande borrowed either a phrase or "beats" with the most obvious being, "I want it, I got it" (Jenkins 2019).

Without getting too involved in the legalities of pop stars borrowing things from each other, the thought of two deceased songwriters being wrapped up in a court case for infringement is of course impossible but somewhat interesting to think about. How would that work? Rodgers and Hammerstein could of course not be held liable for any infringement for they were not present during the creation of this new work, but with their publishing company owning 90% of "7 Rings", the company would no doubt be financially impacted by any infringement cases. And we cannot forget about the potential impact on the brand.

The Sound of Music Brand

In referring to the brand of the *Sound of Music*, the only true way to measure it is to look at some of the facts:

- The Broadway production premiered in 1959 and ran successfully for three years with 1,443 performances.
- In 1960 the production won five Tony Awards and a Grammy Award for Best Musical Show Album (Salzburg 2019).
- The movie has raked in \$158 million in worldwide box-office sales since its release in 1965. When that total is adjusted to reflect current ticket prices, the film's overall gross is the equivalent of nearly \$1.2 billion today. This puts it in third place on the list of the highest-grossing movies ever, just behind *Star Wars* (Huddleston 2015).
- The NBC Production of "*The Sound of Music Live!*" in December of 2013 marked the first live television production of a musical in over fifty years. Starring Carrie Underwood as Maria, it was seen by over 44 million people.

It comes as no surprise that this production and enormously popular movie represent an iconic brand. Notice the choice of Carrie Underwood for Maria in the live television production. While Ms. Underwood's live performances have become more edgy in recent days, at that time she presented a very wholesome image. One watch of the video for "7 Rings" tells the viewer that Ms. Grande's "reinterpretation" of the lyrics is certainly not wholesome.

In his *Forbes* magazine article, Marc Hershberg says, "Grande had transformed the meaning of the innocent tune. Instead of being a sweet song about the simple things in life, the popular singer had turned it into an ode to materialism. She replaced an appreciation of "raindrops on roses and whiskers on kittens" with demands for "breakfast at Tiffany's and bottles of bubbles." The contrast between the sweetness and simplicity of the original and the consumerism of her version to me is a comment on the world today" (Hershberg 2019).

Jenny Singer writes on *The Schmooze*, “7 Rings is so viciously materialist it reads in places like a parody of consumption. Is there any chance this number, which after all plays on a classic tune about finding joy in small moments and simple objects, is a clever commentary on gratuitous capitalist culture?” (Singer 2019).

When asked about the final decision to allow this use, Ted Chapin, who oversees the R&H catalog of songs said, “We are always open to the notion of modern artists having a new look at Rodgers and Hammerstein and their work. While this song is certainly far from *The Sound of Music*, it shows just how strong and resilient the songs written by Richard Rodgers and Oscar Hammerstein II are.” He continued, “we do not want to be fuddy-duddies, or even be considered fuddy-duddies. I’ve always felt, keep your ear to what’s going on outside these four walls” (Hershberg 2019). Interestingly, Ms. Grande’s release comes at the same time Mr. Chapin announced a new campaign entitled, *R&H Goes Pop!* This is a video series that “aims to preserve the legacy of Rodgers & Hammerstein by inspiring artists to interpret their classics in a contemporary light” (Leight 2019).

Considering the power of the original work and the fan base, the risk taken and the percentage of copyright secured in the new work, it seems Mr. Chapin’s decision has paid off with a song in this catalog topping the pop charts for the first time in history.

Is There Precedence for This Type of Use?

The incorporation of “My Favorite Things” into a pop song is certainly not a new practice in the music business. Many artists have either sampled or incorporated sections of previous works from both the theatre and previous popular hits. A related example involving an R&H song would be Gwen Stefani’s use of “Lonely Goatherd” as part of her single “Wind It Up” released in December of 2006. The horns of the original song are heard over the new tune’s hip-hop beat (Hernandez 2006). The song begins with lyrics from the original and then quickly changes to the new lyrical content. Stefani shares writing credit with Rodgers and Hammerstein as well as producer Pharrell Williams. For this track, Rodgers & Hammerstein received a 50% share of the new work. Could the discrepancy between this deal and Grande’s reflect the greater negotiating power of Concord Music? Or could it simply be that “My Favorite Things” is the more iconic and therefore valuable track? (Sisario 2019).

Ms. Stefani had previously released a song entitled “Rich Girl” which incorporates a portion of the lyrics from the *Fiddler on the Roof* song “If I Were A Rich Man”, written by Jerry Bock and Sheldon Harnick. While this song is owned by Rodgers & Hammerstein as music publishers, the reason this example is a bit different is that the two

songwriters were alive and therefore given the opportunity to approve of the use. A common provision in songwriter contracts with music publishers is the right of approval for any changes in English lyrics. Therefore, approval must be sought from both the music publisher and the songwriter(s) (Brabec and Brabec 2018, 48). Sheldon Harnick was eighty years old at the time he gave permission and was pleased with the song’s popularity, especially with his grandchildren. He was quoted as saying, “I guess you could now say grandpa’s hip” (CK 2005).

Would Rodgers and Hammerstein Have Approved?

In 2009 the families of Rodgers and Hammerstein sold the business for a reported \$225 million to the Imagem Music Group. In 2017 Imagem was acquired by Concord Bicycle Music, which is now known as Concord Music. The previously mentioned Ted Chapin has been the executive in charge of the management of the R&H copyrights since 1981 (Purdum 2018, 318). In an interview with the *New York Times* in March of 2019, Mr. Chapin refers to Mary Rodgers, Richard Rodgers’s composer daughter who died in 2014, stating that she “would have thought this is pretty kick-ass” (Sisario 2019). He goes further to share a previous commercial deal in which Richard Rodgers, who died in 1979, approved a Clairrol ad that changed a famous lyric from *South Pacific*: “I’m gonna wash that gray right outta my hair.” Chapin said of this approval, “The fact that Rodgers had agreed to that in his lifetime gave all of us a little license to feel that we should keep an open mind on these kinds of things” (Sisario 2019).

Rodgers and Hammerstein as Songwriters and Music Publishers

A quick perusal of the song listings of Richard Rodgers and Oscar Hammerstein II is a walk through decades of hit songs, some written by both of them together, and some written by either Rodgers or Hammerstein and another co-writer. However, when these two gentlemen did collaborate, there are no additional co-writers listed. According to the book *Something Wonderful: Rodgers and Hammerstein’s Broadway Revolution* by Todd S. Purdum, “both could be chary with collaborators, stingy with credit, and notoriously tight with a buck” (Purdum 2018, 9). Many collaborators were either not credited, or were relegated to “arranger” when they truly had contributed to the compositions and in many cases were the sole composers.

One such example was that of Joshua Logan, who was a co-writer with Rodgers and Hammerstein on the script for *South Pacific*. Mr. Logan had understood that his name as director (on the poster) was to have appeared in the same size type as Rodgers and Hammerstein as authors. After a meeting with Hammerstein and his attorney, his name was

reduced to 60% of that size and his co-author credit would appear the same way. They also informed Mr. Logan that he would not share in the copyright or author's royalties on the play, but only would retain his director's royalties for the run of the original company. Hammerstein was quoted as saying, "Rodgers and Hammerstein cannot and will not share a copyright. It's part of their financial structure. Including you would weaken our position" (Purdum 2018, 162).

This legal stance would continue through many of the collaborations to come. Trude Rittman, a German-born classically trained composer and arranger began working with R&H during the production of *Oklahoma!* Ms. Rittman would often devise dance music, scenic underscoring, and unforgettable choral and vocal arrangements for Richard Rodgers, while not receiving writer credit, but listed as "arranger". Rittman is responsible for the ballet music related to the dance scene in *The King and I*. The great bulk of the music in the fifteen-minute ballet was hers alone, but the name on the published score is Richard Rodgers (Purdum 2018, 194) It was Rittman who created the clever choral arrangement, "Do-Mi-Mi / Mi-So-So / Re-Fa-Fa / La-Ti-Ti," that mimicked the sound of Swiss bell ringers, that would "lodge happily and permanently in the heads of listeners the world over" (Purdum 2018, 276).

Based on this information and the direct quote from Oscar Hammerstein regarding the sharing of a copyright, it seems relatively easy to make the assumption that Rodgers and Hammerstein would not have allowed the addition of eight songwriters, and a complete change of subject matter, for what could arguably be deemed one of their greatest compositions.

In Closing

Did Mr. Chapin and the team at Concord Music and Rodgers & Hammerstein succeed? Did "7 Rings" introduce *The Sound of Music* to a new generation of fans? To answer this question, we can turn to facts and data collected during the first few weeks after the release.

- 85 Million streams in the first week of release
- People who no longer buy music, bought this track with close to 100,000 downloads
- Pop radio programmers were favorable, considering two previous Grande singles were still in the Top Ten rotation. "7 Rings" reached more than 27 million listeners on the airwaves the week of release (Leight 2019)

Of course all this information only proves that "7 Rings" is a hit song for Ariana Grande. But remembering that the R&H team wanted to introduce *The Sound of Music* to a new

generation, one must look at the underlying work, "My Favorite Things". Choosing the most popular recording of this song, recorded by Julie Andrews as part of the soundtrack for the movie, a look at the streaming data shows a very distinctive trend. According to BuzzAngle Music, this track receives a small bump in streaming activity each year during the Christmas season, as *The Sound of Music* movie is often shown on network television during the holiday month. But what happened the week of the "7 Rings" release is remarkable.

Figure 1 depicts the streaming data for "7 Rings" and Figure 2 depicts "My Favorite Things".

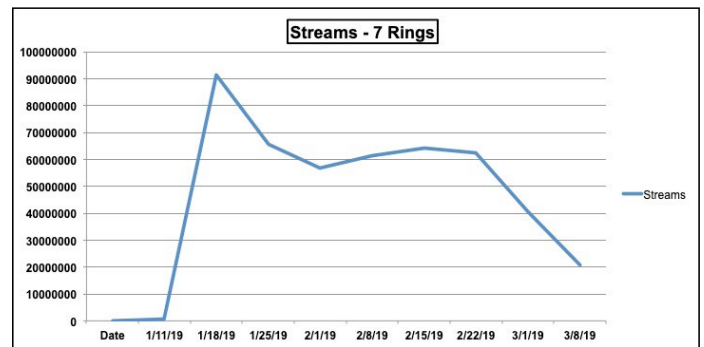


Figure 1: Streams of "7 Rings" (source: BuzzAngle Music 2019).

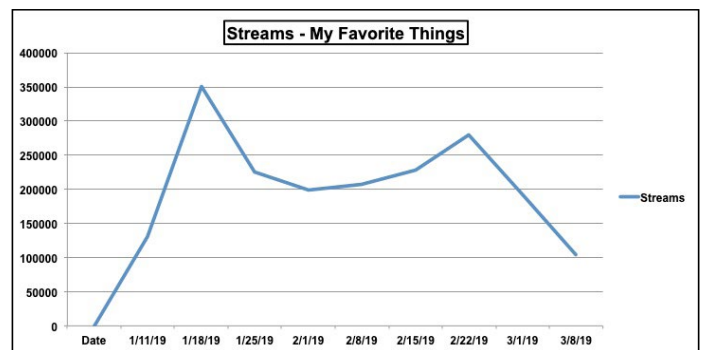


Figure 2: Streams of "My Favorite Things" (source: BuzzAngle Music 2019).

While the scale on the left is much smaller in Figure 2, the peak is clearly matching the streams recorded for "7 Rings" in Figure 1. During the first week of the release of "7 Rings", the streaming for "My Favorite Things" increased by 168.74%. Clearly the Ariana Grande fans were seeking out this song and listening. However, that was not all the fans were doing. They were also searching on Google (Figure 3).

Again, this reflects a marked increase during the first couple of weeks after the release. Given this information, it is easy to conclude that younger fans were indeed at least introduced to Rodgers and Hammerstein in a way that had not been achieved before.

As to Rodgers' and Hammerstein's opinion of Ariana

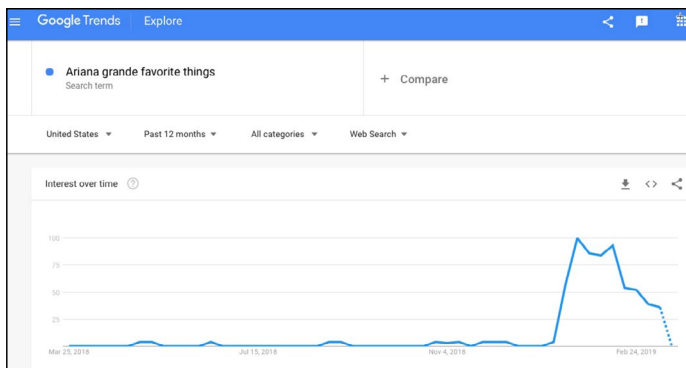


Figure 3. Google searches on “Ariana grande favorite things” from March 25, 2018 to February 24, 2019 (source: Google 2019).

Grande’s song, one can only wonder. According to Purdum, “The masters of musical theatre enjoyed being in the thick of popular culture. But most important, he said, they were never ashamed of commercial success. ‘They would love the ka-ching of it’” (Sisario 2019).

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Before her teaching career began at MTSU, she worked with several music publishing companies representing songs and songwriters from country music and Contemporary Christian music in Tennessee and Texas. Throughout her career, she has represented the songs of writers such as Alan Jackson, Amy Grant, Keith Urban, Steven Jones, Heidi Newfield, and Jim McBride. She continues her involvement in the industry by providing consulting and administrative services to several artists and songwriters in the areas of licensing, royalty calculation, and collection.

The Dallas native began her undergraduate studies at Baylor University as a piano and music education major but transferred to Belmont University to complete her Bachelor of Business Administration degree majoring in the Music Industry. She earned a masters in adult education and distance learning from the University of Phoenix and is a MEIEA board member, a member of the Leadership Music class of 2011 as well as SOURCE Nashville.

Streaming Mechanicals and the War on Spotify

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Abstract

The royalties generated from the mechanical reproduction of songs have historically been a major source of income for songwriters. As the consumption of recorded music has moved from physical and downloaded copies to digital streams, songwriters have suffered a major decline in their ability to earn a living from their art and craft. There are two reasons for this: 1) Under copyright law, interactive streaming services (such as Spotify) must obtain a mechanical license to stream the songs, and must pay royalties to the rights holders (typically publishers who then pay the songwriters their share) at rates that are set by law. With per-stream rates averaging in fractions of pennies, the mechanical income of songwriters has shriveled. 2) Independent publishers and self-published songwriters have complained loudly that they are not being paid these royalties properly, or at all, by the services, and the services counter that they often don't know whom to pay, due to the lack of data at their disposal that allows them to match the recording with the publishers and songwriters.

A number of prominent members of the publisher/songwriter community chose not to accept this argument, and availed themselves of the legal system to rectify their disputes with Spotify, whom they identified as the primary culprit in the non-payment of mechanical royalties. The National Music Publishers Association also stepped into the fracas, with an attempt to negotiate a settlement with Spotify for unpaid royalties for their members. As this activity gained the attention of the media, it became an impetus for the introduction and ultimate enactment of the Music Modernization Act (MMA) that, it is hoped, will fix these problems.

This presentation will trace the chronology of these disputes—their origin, rationale, and resolution—and how they likely played a role in the ratification of the MMA. Particular attention will be given to an assessment of those elements of the MMA that were designed to fix the problems that spawned the disputes.

Keywords: Music Modernization Act, mechanical royalties, mechanical license, streaming music, Spotify

Don Gorder, Chair and founder of the Music Business/Management Department at Berklee College of Music, is an attorney, educator, and musician. He holds advanced degrees in law and music (B.M. University of Nebraska, M.M. University of Miami, J.D. University of Denver), has authored numerous articles on the music industry, and has spoken at many national and international music industry events and academic conferences. He co-authored the course Legal Aspects of the Music Industry for Berklee Online. As an attorney, he has represented clients in matters of copyright and contracts, and he remains active as a trumpet player in a variety of jazz and commercial settings. Gorder is Past President of the NAMM-Affiliated Music Business Institutions, a past officer and board member of the Music and Entertainment Industry Educators Association, a past Trustee with the Arts & Business Council of Greater Boston, and currently serves on the Alumni Advisory Council of the Sturm College of Law, University of Denver. He served for fourteen years with the International Association for Jazz Education as the Resource Team representative for music business/management.



Teaching Ethics in the Music Industry Classroom

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Abstract

Over the past fifteen months, headlines including “Why the Music Industry Hasn’t Had Its #MeToo Moment” and “A Professional’s Perspective of Sexism in the Music Industry” have appeared in various sources. These articles, along with the charges against R. Kelly and the revelations about Ryan Adams, serve as reminders that the music industry still has numerous problems to address. But the music industry has long been filled with unscrupulous characters working within the confines of corporate headquarters or those that prey on kids with dreams of becoming the next superstar. Corrupt managers, dishonest agents, shady club owners, and other devious denizens still inhabit all corners of the music industry.

This article considers some ways in which music industry educators can enable students to make smart, principled decisions in regards to the business of music. Teaching ethical business practices in the classroom empowers students to identify how choices in their personal lives and professional careers affects their interactions with others. In the wake of the #MeToo and #TimesUp movements and the obstinacy of long-standing industry “rules,” the inclusion of learning outcomes that address ethical business practices and leading with high character will better prepare students for careers in the music and entertainment industries.

Keywords: ethics, #MeToo, #TimesUp, music management, artist management, code of practice, moral muteness

When Madonna accepted the *Billboard* “Woman of the Year” honor in 2016, she gave an impassioned speech that addressed sexism, misogyny, and feminism in the music industry.¹ Others have also been vocal about what Madonna called the “different [industry] rules” for male and female artists. Over the past year, headlines including “Why the Music Industry Hasn’t Had Its #MeToo Moment,” “A Professional’s Perspective of Sexism in the Music Industry,” and “When Will the Music Industry Have Its Weinstein Moment” have appeared in various sources.² These articles, along with the charges against R. Kelly stemming from the documentary about his sexual misconduct allegations, and the revelations about singer Ryan Adams serve as reminders that the music industry still has numerous problems to address. As the old saying goes, the “hits just keep coming.” But the music industry has long been filled with unscrupulous characters working within the confines of corporate headquarters or those that prey on kids with dreams of becoming the next superstar. Corrupt managers, dishonest agents, shady club owners, and other devious denizens still inhabit all corners of the music industry.

In order to nurture the future industry leaders, music industry educators must enable our students to make smart, principled decisions. This article considers some ways in which music industry educators can help students develop an ethical and moral compass in regards to the business of music. In other words, helping students to learn how to “do the right thing.” Teaching ethical business practices in the classroom empowers students to identify how choices in their personal lives and professional careers affects their interactions with others. In the wake of the #MeToo and #TimesUp movements and the obstinacy of long-standing industry “rules,” the inclusion of learning outcomes that address ethical business practices and leading with high character will better prepare students for careers in the music and entertainment industries.

Ethics or Morals?

Hearing or reading the word “ethics” can strike fear into the hearts of some. The term is now fraught with legal implications, and people often conjure images of the PC police

crashing through the office doors when someone broaches the subject of ethics. The words ethics or morals often describe different concepts. Originally, the word ethics comes from the ancient Greek word *ethikos*, which means custom or habit. *Moralis* is a Latin translation of *ethikos*, so the two words, historically, meant the same thing. But professional ethicists caution against using the terms synonymously. Some suggest using phrases such as, “doing the right thing,” or “acting with high character.”³ One way to start a conversation with students about these ideas is to have them debate the differences in terminology, and then stick to whichever term or phrase is agreed upon. After doing this exercise a few times with my students, classes typically prefer the phrase “doing the right thing.”

I work at Ramapo College of New Jersey, a public liberal arts college in the northern part of the state. My course load includes three classes per academic year related to the music industry: the Business of Music, a two-hundred level course; and two three-hundred level courses, Advanced Business of Music; and Marketing and Management in the Music Industry. At the beginning of each semester, I take the time to discuss the course learning outcomes with my students. The outcomes that relate to “doing the right thing” include:

1. Be able to identify ways in which one’s personal and musical life affects and is affected by interactions with others
2. Develop an ethical and moral compass in regards to the business of music

Throughout the semester, I touch on and directly refer to these outcomes. Regardless of your preferred teaching style, teaching students to “do the right thing” when it comes to the business of music quickly integrates itself into all aspects of the curriculum.

Setting the Stage & The Lesson

As the news reports about sexual misconduct allegations in the music industry ramped up during fall 2018, I realized that having some learning outcomes about doing the right thing and reminding students not to be jerks was simply not enough. At the end of the 2018 fall semester, a female student, I’ll call her Julie, approached me to ask if she could speak to one of my spring classes about her experiences as a women working in the music industry, and in particular, to discuss her experiences as the president of the Ramapo Music Club, “a vibrant student organization that is dedicated to creating an active music scene on the Ramapo campus.”⁴ I advise this club, so I have been privy to some of the “issues” Julie has endured. We agreed on a date, and the class took place in mid-March 2019.

I titled the class “#MeToo and Music,” and I partnered with two Ramapo College offices: The Women’s Center, and the Office of Violence Prevention. I met with the directors of these offices to discuss my ideas, but I really wanted to hear what they had to say about how to approach such sensitive topics. Since this class was a one-off, we didn’t have much time to go into too many details with the students. (I was also informed that the students had already participated in mandated training and education related to these topics.) After we agreed on an overall format, the two directors then met with Julie to help her develop her presentation. The students in the class were assigned five readings.⁵ Before the class, they were also asked to answer the following questions in an online discussion forum:

- How aware were/are you of the #MeToo and #TimesUp movements before today’s class?
- Have you had any training or education about sexual misconduct or gender discrimination? If so, where and when?
- Have you ever worked at a job where you witnessed ethically questionable behavior or harm?
- How can the music industry promote equality and healthy work environments for all employees?

The class began with a group discussion about these questions. In an attempt to position this particular lesson within the context of the music industry, I showed the students a page from *Inclusion in the Recording Studio?*, the recent report by the USC Annenberg Inclusion Initiative, that highlighted the very low percentage of women working as artists (21.7%), songwriters (12.3%), and producers (2.1%) within the music industry.⁶ These stats generated a brief discussion which helped set the stage for the next portion of the class.

Simaza Sadek Ishak, the director of the Women’s Center, addressed the individual, societal, and institutional behaviors that foster rape culture. The students learned about microaggressions, because that was a big part of Julie’s presentation. Microaggressions are defined as, “the everyday verbal, nonverbal, slights, snubs, or insults, whether intentional or unintentional, which communicate hostile, derogatory, or negative messages to target persons based solely upon their marginalized group membership.”⁷ Marie Attis-Springs, the director of the Office of Violence Prevention, provided background for the students about the #MeToo and #TimesUp movements by discussing the roots of these movements in the film industry. The presentations by both Ishak and Attis-Springs established the broad framework for Julie to discuss her experience on the Ramapo campus.

The title of Julie’s talk was, “Not Just a Boys Club”, a clever play on words that hinted towards the male dominant

ed music industry as well as the club that Julie had devoted so much of her time at while at Ramapo. Julie is a drummer who has been an active member of the Ramapo Music Club for each of her four years, holding various executive board positions. The club hosts an open mic every other week, as well as several larger scale music shows per semester. The club has their own budget and gear, including a PA and backline. Julie discussed how male musicians often talked down to her because they assumed she didn't know how to do things because she was a woman. She talked about the frustration of being in the middle of doing something for an event like mic'ing an amp or setting up a drum kit when a male musician would say to her, "Let me help you" or "You're doing it wrong." She remarked that nobody volunteered to help her male counterparts, nor were men criticized when doing the same tasks.

Julie's story was powerful not because it echoed what the students read about for this particular class, which it did. Julie's brief talk impacted my students because it was clear that the headline-grabbing revelations such as the recent Ryan Adams allegations have their roots in seemingly innocuous behaviors that take place in other spaces, often far from the public eye. After Julie's talk, I spoke to the class about "moral muteness," drawing information from the [Ethics Unwrapped](#) website hosted by the McCombs School of Business at the University of Texas at Austin.⁸ Moral muteness occurs in two ways, first "when people witness unethical behavior and choose not to say anything," or when individuals "communicate in ways that obscure [his or her] moral beliefs and commitments, or don't voice moral sentiments at all."⁹ After a brief discussion, many of the students in my class let it be known that they had witnessed or even (unwillingly) participated in moral muteness.

The *New York Times* first reported the allegations against Ryan Adams in February 2019.¹⁰ In a follow-up story about the Adams case, Maura Johnston wrote a piece for *Vanity Fair* where she harshly criticized those that surrounded the singer for their moral muteness, although Johnston never used that term.¹¹ After reviewing the details of the Adams story, I urged my students to look out for these types of behaviors, particularly if they witness microaggressions like those that happened to their classmate Julie. The root causes for some of these actions run deep, I reminded my class. It was my hope for this particular lesson that if and when faced with similar circumstances, my students would lead with high character.

"Doing the Right Thing"

In my Advanced Business of Music course I spend several classes teaching ideas connected to entrepreneurship. The topics range from defining entrepreneurship, addressing various business models, to reviewing concepts related

to personal finances. *Introduction to the Music Industry: An Entrepreneurial Approach*, the Catherine Radbill text, serves as one of my sources.¹² Radbill discusses the fluid definition of the "music professional" within the current industry climate. Regardless of the career path, she reminds the reader:

Transparency in business actions and ethical decision-making are your two guiding lights. The music industry has for too long suffered at the hands of people who are dishonest, self-centered, and focused on profit at all costs. This will only end when music business professionals understand that they are part of the universe, not the center of it, and behave accordingly. Without your integrity, skill, and passion, the creative economy cannot thrive.¹³

This quote, for me, serves two functions: first, it reminds students that character matters; second, the quote functions as a call to action for those who seek careers in the entertainment industries.

I devote about half of my Marketing and Management course to discussing management in varying forms related to the music industry. Since Ramapo is a liberal arts college, I begin the management unit asking students what exactly is management. Some questions I pose include:

- How does an individual acquire the necessary skills to manage?
- What qualities does an effective manager have?
- What, if any, is the difference between a leader and a manager?

For one assignment, I have students interview three people they know who are or were in a management position. The students then write reflection papers about what they learned about management from these interviews and how those ideas relate to the music industry. In class, students write down answers to questions about people who have been in positions of authority over them (parents, teachers, bosses). The students then consider how important charisma, status, honesty, kindness, competence, focus, drive, hard work, and insight are in (a) earning the students' respect and (b) in getting them to perform. The final question is: What does your answer tell you about the art of managing? My goal here is to get the students thinking broadly and deeply about what it means to manage someone or something.

As we get into topics related to artist management, the students read through different codes of practice from a variety of sources. The first comes from the National Conference of Personal Managers (NCoPM), a "trade association of personal managers who provide management of talent

engaged in entertainment, media and performing arts.”¹⁴ The Conference’s Code of Ethics includes seven points, three of which are directly related to doing the right thing: “Always deal honestly and fairly with clients; Not derive personal gains at the expense of clients; Treat relationships with clients in a confidential manner.”¹⁵ The Music Manager’s Forum (MMF), is a “collaborative network of regional and national membership associations” with branches in multiple countries including the United States.¹⁶ The MMF-UK provides a lengthy, nineteen-point Code of Practice, a few of which are highlighted below.¹⁷

- Protect and promote the interest of their clients to the highest possible standard;
- Conduct all of their affairs with their clients in a transparent manner;
- Not act in any fashion, which is detrimental to their clients’ interests;
- Conduct themselves in a manner which is professional and ethical, and which abides by best business practices and methods and comply with any relevant Statutory Regime and case law that is in place or is created;
- Ensure that no conflict of interest shall interfere with the discharge of their duties towards their clients.
- All conflicts of interest must be disclosed immediately and noted in any artist management agreement.
- The Manager must ensure that the client’s money (income and expenditure) is recorded and managed completely separately to the private assets of the manager.
- The MMF shall have the right to terminate a manager’s membership if they are convicted of a criminal offence involving fraud, dishonesty, racism, sexual offence or harassment or abuse of minors.

This last point is particularly poignant because it speaks to many of the issues that still plague the music industry. And while none of these organizations have any legal authority, the respective codes demonstrate to the students that there are organizations connected to artist management that passionately care about how their members conduct his or her business. In addition to the Code of Ethics, the MMF also publishes “The Music Manager’s Guide to Mental Health.”¹⁸ These documents provided by the MMF or NCoPM become another resource for students in order to help them learn to do the right thing not only in regards to their clients, but learn to do the right things for themselves, too.

Everything previously addressed serves as a precursor for the case studies and issues I teach associated with artist management. And you can’t talk about personal managers without discussing Allen Klein, a legendary figure who

served as business manager for both the Rolling Stones and the Beatles. Klein has been described as “a very savvy business man [that some consider to be] a crook. He was probably a little bit (or a lotta bit) of both.”¹⁹ Klein presents an intriguing case study for my students because as Rolling Stones’ guitarist Keith Richards once remarked, “Allen Klein made us and screwed us at the same time.” For a lesson that I call, “Trust me, I’m your manager,” the students read “When the Manager Takes All: You Can’t Always Get What You Want,” from the Amber Nicole Shavers text, *The Little Book of Music Law* and “Money To Burn? Allen Klein’s Rolling Stones Contracts,” by David Philp. The Shavers chapter provides a brief overview of Klein and how he came to act as business manager for the Rolling Stones. As I noted in my review of the Shavers text for the *MEIEA Journal*, this “chapter provides a cautionary tale by reminding all bands that even the Rolling Stones were susceptible to shady business deals.”²⁰ Philp used details from the Fred Goodman book *Allen Klein: The Man Who Bailed Out the Beatles, Made the Stones, and Transformed Rock & Roll* to provide a close reading of the Stones contracts with Klein.²¹ The Philp article is useful for students because Philp “runs the numbers” by using rather simple math to demonstrate aspects of various contracts that Klein either wrote or renegotiated on behalf of the Stones. Klein certainly made a significant amount of money for the Stones, but he also breached his fiduciary responsibility by lining his own pockets with monies that should have gone into his clients’ accounts. After discussing Klein, I find it useful to review the MMF’s Code of Practice because many of the points within the code are clearly related to actions or decisions made by managers such as Klein and others.

My students typically write questions related to the assigned readings in advance of a class. I then select a few of the questions to begin the class discussion. Here are a few examples from spring 2018 that allowed students to further probe the ethical conundrum that is Allen Klein: What can we, as students, learn and take away from this mess of a situation? Did this happen to [the Stones] due to their lack of education, or their lack of caring? If some managers are corrupt, why shouldn’t artists just manage themselves? (Of course this is a logical reaction, and we spend a good deal of time in other class meetings discussing the pros and cons of self-management.) Would the Stones have achieved the same level of success with a different manager, even though Klein swindled them? This last question gets to the root about “doing the right thing” in regards to your clients. Ultimately, I ask the class, “what would you do?” if you found out your manager acted like Klein?

For this particular class, I also put the students into groups and give them a case study that I wrote that incorporates details gleaned from the articles about Klein. In brief, the

hypothetical scenario has the students as members of a successful major-label band that finds themselves in need of a manager. The manager vying for the job has many of the same qualities—both good and bad—as Klein. I ask each of the student groups what they, as members of this fictional band, need to consider before signing with this new manager based on the information provided. This exercise prepares students to negotiate as well as consider some “big picture” concepts related to artist management that are not always spelled out in the contract. Overall, this lesson about Klein and the Stones resonates with my students because it makes them aware that even some of the biggest names in music become victims of dishonest characters.

Settlement

My music industry background includes working as a guitar tech and tour manager for many U.S. and European tours. In my own experiences as a tour manager, I frequently dealt with piles of cash at the end of night. But I never slipped a fifty or even a fiver into my pocket after settlement because I valued my integrity and reputation far more than any possible short-term gains made from skimming off the top of the pile. Transparency in business actions and ethical decision-making were my guiding lights. As an educator, I do my best to impart those same principles to my students.

One of the lines I repeat in class is: “Get some sleep. Eat a salad. Make smart choices.” I often joke with students that no matter what they learn from me, I can’t make them do the right thing. And while my comment may be pithy, it’s also true. The many factors determining a student’s individual character are way beyond my control. Yet I spend so much time trying to guide students to make smart, principled decisions because I’m optimistic that if and when a situation arises where they could do wrong to either themselves or their client, they would think long and hard before taking any action. Of course, I tell them that in those soul-searching moments, I hope that they do the right thing.

Endnotes

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Searching for Sophia in Music Production: A Comparative Study of the Swedish Music Industry's Impact on Future Higher Education in Music

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Abstract

Although Sweden is a small country with just ten million inhabitants, Swedish music exports have been very successful for many years. The international success of companies like Spotify, Cheiron, and Maratone and individuals like Max Martin and Shellback has resulted in a growing interest among students in Sweden to study music and music production. Therefore, the aim of this study is to analyze the motives that exist among young people who choose to study music and to compare such motives with perceptions among leading music industry professionals. Firstly, we study various formal and informal learning processes relevant to music production and secondly, we focus on artistic aspects. A third aspect we study is technological development. But digitalization and online music distribution have not only led to new music production methods and business opportunities, it has also resulted in that established production traditions as well as the competencies among the professionals are challenged. The empirical data in this study consists of qualitative interviews with industry professionals and focus group interviews with students in higher education in music and music production. Learning theories as well as entrepreneurial theories were used to analyze the collected data. The results indicate some clear differences between what the students and the industry professionals value as important. One such difference is entrepreneurial skills, which are valued higher by the interviewed professionals. The results also indicate that many of the students who study music in higher education primarily aim at a career as artists, producers, or songwriters in popular music. This may be a potential problem as most of the music education offered not at all is focused on developing talents to full-fledged artists. The term Sophia [wisdom] refers to an-

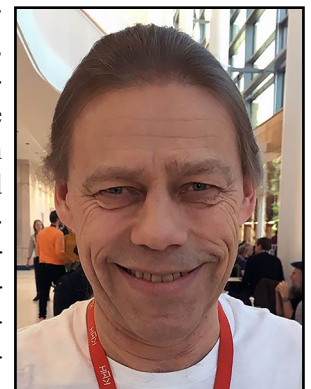
cient Greek knowledge typology and is used to summarize the theoretical framework of the project.

Keywords: music production, music production education, music education, Swedish music

Jan-Olof Gullö has a professional background as a musician, double bass/electric bass, record producer, and television producer. Although he was active in sports television production for many years in the 1990s, he has mainly worked with music and in recent years also as a researcher. He now holds the position as professor and academic research leader in music production at the Royal College of Music in Stockholm, Sweden.



Hans Gardemar has a professional background as a musician, keyboard player, record producer/arranger, and bandleader. He has been professionally active in the music industry since the mid 80s and has produced many artists in Scandinavia, and has, for example, been bandleader for more than twenty-five years for Björn Skiffs, who was a number one U.S. Billboard artist in the mid 70s. He has also recorded internationally and produced many artists, e.g., Scorpions, James Last, and many others. Since a few years back he also teaches music production at the Royal College of Music in Stockholm, Sweden.



A Strong Wind Could Blow It Over: Understanding the Fragile State of Music Blockchain Development in Contrast to the Antifragile State of Blockchain Tech Generally

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Abstract

Blockchain technology has moved from something associated entirely with Bitcoin and only whispered about in the recesses of the internet to a now nearly all-pervasive presence across a wide range of industries. In the years since the emergence of Blockchain technology it has withstood not only the countless naysayers who pooh-poohed its very existence as nothing more than vapor-y trend, but also countless attacks and code exploitations across various Blockchain implementations (specifically, the Bitcoin and Ethereum Blockchains). This durability in the face of tremendous adversity has led to my thesis that Blockchain Technology has moved from a state of Fragility to a now Antifragile state, in which it is not only able to survive threats and attacks (defined as “robustness”), but actually gains strength from these attacks.

This concept of Fragility/Antifragility was codified by Nassim Taleb in his book *Antifragile*, and builds upon the concept of the Lindy Effect. It is widely applicable to Blockchain Technology as, as stated above, this technology appears to exhibit the requisite characteristics to be defined as Antifragile. However, Blockchain Technology as it relates directly to the music industry is exhibiting the polar opposite attributes; it is deeply Fragile. Blockchain as it relates to the music business has become something of an imperative for any music business participant who is forward-thinking. The promise of a decentralized, immutable ledger with machine-readable rights is far too compelling to be ignored by those who believe the music industry is in need of wholesale change. And yet, even with no shortage of investment dollars and (relatively) high profile attempts to leverage the above-referenced characteristics of Blockchain into viable solutions/businesses in the music industry

ecosystem, one would be hard-pressed to point to a single example of success.

As someone who has both worked in the Blockchain space since the very beginning, and chronicled its development in music and other industries in my *Forbes* column, I have unique line of sight as to why Blockchain and music remains in this extremely Fragile state, even while Blockchain Technology across other industries is only becoming more robust. This paper will provide:

- An overview of the current state of Blockchain Technology, generally, and Blockchain Music implementation, specifically
- Identify and explain the four dominant reasons why Blockchain Technology has not gained traction in the industry
- Delineate the necessary steps that must be taken to address the above referenced points of failure
- Provide a specific example of what such an implementation would resemble
- Address the specific problems this type of Blockchain-based Music implementation would address with respect to the music industry, generally
- How best to integrate the challenges and opportunities of Blockchain based music implementation in the classroom.

Keywords: blockchain, music industry, Nassim Taleb, fragility, antifragility

George Howard is an Associate Professor of Management at Berklee College of Music where he teaches courses in entrepreneurship, marketing, copyright law, and leadership. He is the recipient of the Distinguished Faculty Award, the Dean’s Award for Teaching Excellence, and the Dean’s Award for Global Presence and Engagement. Via his con-

sulting firm, Mr. Howard advises a wide-range of clients on how to integrate technology with strategy in order to increase awareness and revenue. A partial list of clients includes: Intel, National Public Radio, CVS/pharmacy, Easter Seals, Brown University, IBM, PWC, Alticor/Amway, Composer Mark Isham, Snowbird Ski and Summer Resort, Paste Magazine, The Estate of the Platters, and Daytrotter. Mr. Howard is a columnist for *Forbes* and a frequent contributor to the *New York Times* and numerous other publications. His most recent book is *Everything In Its Right Place: How Blockchain Technology Will Lead To A More Transparent Music Industry*. Howard holds an MA, MBA, and JD.



Immersive Experiences: The Future of Live Music and VR

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Abstract

History has shown time and time again that technology can provide the opportunity to open up new vistas for fan experiences in the music and entertainment industries. While technology has disrupted many traditional music business models (e.g., pirating and illegal downloads on physical sales), it has opened many new business models (e.g., non-interactive and interactive streaming like Pandora and Spotify), as well as opening up limitless possibilities which are poised to be the new standards of fans' experience (e.g., hologram concerts and virtual reality experiences). With so much focus on fan experience and advances in new technologies, it seems that virtual concerts (e.g., Abba's Hologram tour, and Tupac Shakur's hologram at Coachella) are becoming increasingly popular and are poised to be a new standard in the concert experience, with the focus on experience, being the underlying driver of this technology.

As we can see from the high resell price on the secondary market where a front-row concert ticket, priced flat at \$125, could be selling for five to six times that on the secondary market, ticket prices are still priced staggeringly low, and a lot of fans are still unable to purchase tickets to see their favorite artists. With the equilibrium being off balance and there still being a vast demand for the concert-going experience, this provides unique opportunities to find alternative solutions to bring the concert-going experience to the consumer and explore other ways of monetization for the concert promoter. This paper examines the current and future landscape of live music and VR and details what potential licensing issues exist. It also provides an overview of the leading purveyors in VR live music integration and details what incentives exist for record labels, artists, the concert industry, and fans with VR and emerging technology platforms.

Keywords: live music, virtual reality, holograms, Live Nation, AEG, concerts, NextVR, Melody VR, Oculus

Jeff Apruzzese has over a decade of experience in the music industry and is a graduate of Berklee College of Music. Upon receiving his diploma, he became the bassist of Passion Pit (signed to Columbia Records) and was a member of the band for eight years. During his time in Passion Pit, he toured the world extensively, performed at some of the largest festivals (Lollapalooza, Coachella, Summer Sonic, Austin City Limits, Glastonbury, Made in America), and played on some of the highest profile late night shows (Saturday Night Live, David Letterman, Jimmy Kimmel). Apruzzese also has experience in PR and marketing and spent time working in New York City at the boutique agency Girlie Action Media with such clients as Surfer Blood, Kate Pearson (B-52's), Holy Ghost!, Mitski, Hop Along, Palehound, and many more. Jeff returned to Berklee College of Music in 2015 to help establish the Berklee Popular Music Institute (BPMI), which provides students with experiential learning in live music and performance. Under his guidance, BPMI booked major festivals including Lollapalooza, Outside

Lands, Osheaga, Essence, Governors Ball, Chicago Open Air, and Music Midtown. Career highlights for Jeff include selling out the iconic Madison Square Garden in New York on February 12, 2013 during a blizzard and having the Passion Pit record *Gossamer* debut at #4 on the Billboard 200 chart.



The Factors in the Artist-Label Relationship That Influence Creative and Commercial Success: An Initial Exploration

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Abstract

Since the dawn of the recorded music industry, the nature and quality of the relationship between record labels and the artists they sign has been of huge significance. These relationships set the foundation for the successful discovery and development of new artists, and directly influence the conditions for these artists to successfully build global careers and bring enduring music to the world. However, these relationships have also been a frequent point of contention and controversy, and many a career has been derailed, compromised (creatively or commercially) or cut short by a problematic relationship between label and artist.

Some of the catalysts for relationship-breakdown, such as tensions around financial and contractual arrangements, are well-documented. But the specific nuances, dynamics, and patterns of interaction between label and artist that have a bearing on these outcomes are rarely discussed or explored in detail.

This paper begins to explore the behaviors and dynamics that actively provide the basis for an enduring and successful relationship between artist and label. It reviews the literature that discusses the artist-label relationship, as well as pertinent literature from other fields that deals with the relationship between organization and creative practitioner. In doing so, it suggests a need for further research to bring greater clarity to this picture. By investigating the artist-label relationship in greater depth, and by examining the dynamics of the parties' ongoing interaction, it may be possible to draw further conclusions on the specific processes, patterns, and behaviors, that may have a positive or negative influence on the duration, quality, and outcomes—both creative and commercial—of the relationship.

Keywords: artist, record label, recording industry, conflict, organizational culture, artist-label relationship

Introduction

In 2016, hip-hop artist Frank Ocean used significant deception to terminate his record contract with Def Jam Recordings. It wasn't the first time an artist had gone to war with his label (Halperin 2010), and it certainly wouldn't be the last, as recent legal battles between Donald Glover (a.k.a. rapper Childish Gambino) and Glassnote Records, or between superstar artist Kanye West and Universal Music Group/EMI Music Publishing clearly demonstrate (Gee 2019; Halperin 2018). For much of the previous four years, Ocean had been in an ongoing dispute with the label and his career had ground to a halt. In 2016, he emerged from this self-imposed four-year hiatus to release a conceptual visual album, *Endless* (Ocean 2016b), and in doing so he had finally fulfilled his contractual obligations to the label. He immediately severed ties with them...and then released a seventeen-track album of new music, *Blonde* (Ocean 2016a), on his own record label the very next day (Rys 2016, para. 2). This latter album promptly debuted at number one on the *Billboard* 200 albums chart (Associated Press 2016), much to the chagrin of his former team at Def Jam (Variety 2019).

When it happened, it became yet another example of label and artist falling out spectacularly. Neither party has spoken in detail about what happened. But it wasn't for a lack of commercial success—a common catalyst for relationship dissolution—as Ocean's previous album *Channel Orange* (Ocean 2012) had performed well. Instead, the blame appears to lie with the fractious dynamics of the relationship between artist and label. One anonymous label insider described it as being like a "bad marriage" (Associated Press 2016, para. 2). Although the details of what happened may never be publicly known, the incident acts as a cautionary tale for both artists and record labels as they enter into contractually-bound business relationships for the purposes of recording and releasing music. As such, it may well be worth considering how such an outcome might be avoided.

Since the dawn of the recording industry, the nature and

quality of relationship between record labels and the artists they sign have been of huge significance. These relationships set the foundation for the discovery and development of new artists, and directly influence the conditions for those artists to successfully build global careers and bring enduring music to the world (Negus 2011).

However, these relationships have also been a frequent point of contention and controversy, and many a career—from George Michael to Michael Jackson to Prince—has been derailed, compromised (creatively or commercially) or cut short by a problematic relationship between label and artist (Bernbaum 2002; Kreps 2015; Soocher 1998; Stahl 2002).

Indeed, Prince—who had engaged in a high-profile dispute with his own record label, Warner Bros., over ownership of his recordings (Coleman 2016, para. 7)—expressed a forthright opinion about deals with record labels, saying, “Record contracts are just like—I’m gonna say the word—slavery. I would tell any young artist...don’t sign” (Kreps 2015, para. 1).

This theme was echoed by the rapper Nas in a dispute with his label Island Def Jam¹ over the release of one of his recordings. He sent an open letter to Island Def Jam executives, including chairman Antonio “L.A.” Reid, that began, “With all do [sic] respect to you all, Nas is NOBODY’s slave. This is not the 1800_s, respect me and I will respect you” (Halperin 2010, para. 11).

Some of the general catalysts for relationship-breakdown are well-documented: for example, the ongoing and frequently irreconcilable tension between the creative urges of the autonomous artist and the commerce-driven imperative of the label (Marshall 2013), or the tensions around financial and contractual arrangements, as well as abuses of those arrangements by both sides (McLane and Wong 1998; Stahl 2010). And much is made in the music media of these fractious relationships between labels and artists, frequently painting a less-than-complimentary picture of labels (Halperin 2010)—broad accusations include racism, theft, egotism, neglect, cultural insensitivity, and putting profit above the best interests of artists. But there is often much more than this going on behind the scenes, and the specific nuances, dynamics, and patterns of interaction between label and artist that have a bearing on these outcomes are rarely discussed or explored in detail. In the case of rock band Thirty Seconds To Mars and their fight with their record label EMI in 2008, for example, the initial focus of debate—and much of the resulting media coverage—concerned the terms of their contract, notably royalty payments and ownership of their music (Kreps 2008, para. 2). Yet it was the blunt and heavy-handed manner in which these discussions were handled, particularly after EMI was bought out by private equity company Terra Firma, that had such a negative impact on

the relationship and led to a lawsuit (Cubbins 2012).

By contrast, there are also many artists—usually less vocal in the media about the fact—who have enjoyed a successful ongoing relationship with their label, and critical and commercial success within this relationship. Neil Young commented:

What I like about record companies is that they present and nurture artists. That doesn’t exist on iTunes, it doesn’t exist on Amazon. That’s what a record company does, and that’s why I like my record company. People look at record companies like they’re obsolete, but there’s a lot of soul in there—a lot of people who care about music, and that’s very important. (Paczkowski 2012, para. 16)

Artists such as Alicia Keys and Barry Manilow have spoken of the strength of their relationships with label president Clive Davis and have enjoyed successful careers signed to labels Davis has headed² (Perkel 2017). Australian rock group AC/DC have remained with their label Alberts for over forty years, a relationship that has seen the release of over twenty albums with record sales of more than 200 million units worldwide (Elliott 2018). And songwriter, musician, and journalist Helienne Lindvall (2012a, para. 1, 6) interviewed Jake Gosling, Ed Sheeran’s producer, and other members of the singer-songwriter’s team, for a piece in the *Guardian* newspaper on the modern-day role of record labels, and surmised:

For all the cynicism about money-grabbing majors, labels still offer artists the security they need to produce their best work [...] It’s also simplistic to say majors are evil while indies are good. What is important is to be on a label that ‘gets you.’

Evidently the relationships between artists and labels are varied in their quality, success, and longevity. However, underneath the creative or contractual frameworks and resulting tensions, the specific factors and dynamics that have an impact on the quality and duration of the relationship, as well as on the artistic and commercial success that results from it, do not appear to be clearly understood.

And if labels and artists were to better understand these factors, they might more successfully navigate these relationships for the long-term, facilitating an ever-growing body of successful creative output.

Literature Review and Discussion

As Zwaan and Ter Bogt (2009, 90) note, many of the studies that examine the popular music industry focus on the “organization of the record industry”—that is, what frameworks exist for how the various parties within the industry interact, how the music is made and distributed, how

the money flows through the system, and where the copyrights reside (Frith 1996, 2001; Graham et al. 2004; Lesser 2018; Negus 1999, 2011; Peterson and Ryan 1983; Toynbee 2000). They also focus on the changing forces—usually brought about by recent technological advances—in the marketing and distribution practices of the industry, and the financial and contractual arrangements within it (Galuszka and Bystrov 2014; Lesser 2018; Marshall 2013).

There are, however, a number of studies that do examine the relationships between the different parties involved in the music industry, and discuss the frameworks that affect these relationships. In doing so, they begin to explore some of the factors that may influence the success and outcomes of the artist-label relationship.

Some commentators, such as Stahl (2010), provide a deeper examination of the artist-label relationship from a contractual perspective, discussing a range of scenarios, including 360-degree deals³ in particular. Stahl discusses some of the important factors that are present in the relationship between artist and label, touching on the balance of power, control, autonomy, and authenticity in each of these contractual arrangements, but doesn't then explore how these dynamics can result in the positive and negative outcomes discussed so widely in the press.

Keith Negus (1999, 2011) conducted several studies into the workings of record labels, exploring how they operate internally, as well as how they interact with the music industry and the artists that are signed to them, and how they set conditions to shape the creative output of these artists. In *Producing Pop* (2011), for example, Negus discusses how tensions within a label necessarily impact the artists signed to that label, and shape the music being created and championed, according to the individuals and departments within the label that have influence and authority at various points. However, the focus is on “personnel within the music business, rather than the artists or audiences” (2011, iii).

In examining the experience of working in three cultural industries (including the music industry), Hesmondhalgh and Baker (2011) discuss the dynamic between the commercial and creative aspects of the music industry (whether between artist and label, or between divisions within the label), and the issues of creative control and autonomy that arise from it. They cite the example of an artist manager whom they interviewed, who spoke positively of the advice given by one affiliated A&R person on song-choice and other creative decisions, but then also spoke negatively of too much contact on the part of another A&R person. The authors acknowledge the nuanced balance in these relations and conclude with the general summation:

A&R personnel, the key creative managers in the recording industry, then, can achieve success

through a very ‘hands-on’ attitude, but taken too far, this can alienate musicians and their artist managers. (Hesmondhalgh and Baker 2011, 93)

Yet a more detailed examination of the artist-label interaction, shedding light on the more specific elements that might influence the nature of the relationship and the outcomes from it, is absent.

In recognizing that tensions are frequently present between artist and label, Daniel De Orchis (2015) suggested the introduction of an internal dispute arbitration system within labels. However, this approach focuses on addressing disputes after the fact rather than examining the interactions that may or may not lead to such disputes. One could also argue that the eruption of a dispute that requires a specific mediation system signals a breakdown in the relationship and a loss of trust that may already be beyond repair. Therefore, an awareness of the elements that influence the nature of the relationship might be more pertinent to an ongoing productive relationship than a dispute mediation system.

Other commentators discuss the challenges to the contractual and financial relationship between artists and labels brought about by online distribution, direct artist interaction with audiences, crowdfunding, and so on (for example Galuszka and Bystrov 2014; Marshall 2013).

In addition to these studies, the music industry press has published much anecdotal commentary from artists and label executives discussing the artist-label relationships they have experienced individually, from the positive (Benedikt 1997; Lindvall 2012b) to the negative (Halperin 2010). In particular, Soocher (1998) describes a number of high-profile disputes between artists and labels, and the anecdotal commentary in autobiographies by executives like former major label presidents Walter Yetnikoff (2004) and Clive Davis (2012), or artists such as Red Hot Chili Peppers (Kiedis 2005) or Beastie Boys (Diamond and Horovitz 2018), discuss many instances of interaction between artists and their labels. The importance of trust in shared goals, autonomy in creative choices, and appropriate communication are recurring themes.

These studies and commentaries provide plentiful discussion on the complex and sometimes contentious frameworks within which artist-label relationships operate, as well as touching on some of the themes that are of significance in the ongoing relationship between an artist and their label. There is, however, a general dearth of analysis of the specific factors and dynamics in the ongoing interaction between artists and labels that actually influence the quality and outcomes of these relationships, and the way in which these influences unfold. What are the specific aspects of the relationship that, for example, build appropriate trust, grant appropriate autonomy while mediating the creativi-

ty-commerce tensions between artist and label, and in doing so lead to high quality, long-lasting relationships that yield positive creative and commercial outcomes?

The broader business literature highlights many factors and dynamics as being integral to the success of business relationships within and between organizations and individuals, as well as to the successful creative output of organizations and individuals. These factors include the impact of modes of communication, interaction, and feedback; organizational culture and dynamics; managerial and leadership styles; autonomy and control; negotiating practices, and team dynamics (Amabile 1998; Harvard Business School Publishing 2011; Schein 2016).

Saintilan and Schreiber (2018) explore these organizational behavioral concepts within the arts and entertainment industries. They examine a number of key organizational themes and dynamics, such as theories of personality and motivation, conflict and negotiation, decision-making, culture and ethics, and consider them in the context of the creative industries and the cultural sector. While the themes touch on specific examples of artist-organization relationship, such as the conflict between Metropolitan Opera General Manager Joe Volpe and star soprano Kathleen Battle, these discussions pertain for the most part to the dynamics *within* the organization—that is among the organization’s employees, rather than between an organization and an external creative practitioner or partner, such as an artist, who is linked to the organization.

In the creative industries, the relationship between the organization and the creative practitioner has its idiosyncrasies, and Amy Wallace and Edwin Catmull—the latter the co-founder and CEO of animated movie studio Pixar, whose movies include *Toy Story*, *Monsters, Inc.*, and *Finding Nemo*—explore some of these dynamics in the animation movie business. Their book *Creativity, Inc.* (2014) analyses the management techniques and organizational factors present at Pixar animation studios that have an impact on the creative practitioners within Pixar (for example, the directors of their movies), and influence the successful outcomes of the company’s movies as a result. In dissecting some of the ingredients in the company’s significant commercial and critical success, they address such topics as candor of feedback and self-assessment; fear of conflict, failure, uncertainty; successful team dynamics; risk-taking and error-prevention; communication and responsibility; and challenging thinking for fresh perspectives.

However, the employment relationship in the music industry between artists and labels differs from that examined in *Creativity, Inc.* or those relationships examined by Amabile (1998) in that the recording artist is not directly employed by the record label, and is not beholden to managerial and organizational factors as an employee might be.

Instead, an artist remains external to the label, but is usually exclusively contracted to provide creative services for the label alone (Passman 2015, ch. 7-14; Stahl 2010). Indeed, the relative autonomy of the artist must in many cases be visible in order to establish creative authenticity and value in the marketplace, and this dynamic frequently introduces tension and struggle for control to the artist-label relationship (Hesmondhalgh and Baker 2011; Negus and Pickering 2004; Stahl 2010). Furthermore, as Negus notes (2011, iii), “The music industry is an untidy place where working practices frequently do not fit easily into the sharp distinctions and clear-cut boundaries of organizational theory and systems analysis.”

Conclusions

What emerges from this review of literature that examines the music industry, the cultural industries, and also the broader business field, is a variety of themes that may have a bearing on the relationship between artist and label. Some of those themes pertain to the structure of the music business, arising from the contractual arrangements and industry frameworks that are established. Others are interactive, embodied in styles of communication, attitudes to trust, and power balances.

However, further research may be required to bring greater clarity to this picture. By investigating the artist-label relationship in greater depth from both sides of the relationship, and by examining the dynamics of the parties’ ongoing interaction throughout the duration of the relationship, it may be possible to draw further conclusions on the specific processes, patterns, and behaviors, that may have a positive or negative influence on the duration, quality and outcomes—both creative and commercial—of the relationship.

In doing so, artists and labels may arrive at a better understanding of how best to navigate their relationship for the long-term and set the conditions for an ever-growing body of successful creative output as a result.

Endnotes

1. Island Def Jam Music Group was a group of record labels that included Def Jam Recordings, Island Records, and Mercury Records. The group was created in 1999 and disbanded in 2014, with its operations split up between the individual labels (Sisario 2014).
2. J Records and Arista Records respectively, both now part of RCA Records.
3. A 360 deal (or 360-degree deal), also known as a multiple rights deal, is a contractual agreement between a record label and a recording artist, in which the record label takes a financial share of some or all of the artist's activities and revenue streams (for example, touring and live performance revenues), not just from their musical recordings (Stahl 2010).

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An Artist Management Practicum: Teaching Artist Management in the Twenty-First Century

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Abstract

Modern-day artist management is one of the most challenging aspects of the music industry to teach in academic institutions. This paper provides a framework for teaching artist management through a series of weekly assignments focused on various real-world scenarios and solutions as student teams virtually manage an active artist in the marketplace. These assignments are designed to allow each team to effectively assess the stage of the artist's career, evaluate the marketplace, and plan successful management strategies for the artist. The paper also identifies benchmarks of achievement based on six stages of an artist's career which help student teams identify successful artist strategies and establish goals for their artists. Students conclude the term by constructing a strategic plan to assist their acts in progressing to the next stage of their careers.

Keywords: artist management, stages of artist career, practicum, virtual, strategy, pedagogy, music business

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Kahoot!: A Tool in the Effective Teacher's Toolbox

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Abstract

The desired outcome for instructors who seek to competently teach students can often be summarized in two words: student success. Although, the input necessary to achieve student success varies dramatically with each class, one constant is the effective teacher. Defining what an “effective” teacher is proves to be difficult because for every class the “effective” teacher is different.

As of late, whether you agree or not, effective teachers are often described as enterprising and entertaining. Enterprising—being marked by imagination and initiative; and entertaining—being agreeably diverting or providing amusement. The debate about creating an entertaining and/or enterprising classroom certainly exists. But, no matter who wins the debate, it is clear that students of all ages are being entertained in every other facet of their life, and even if they do not expect it in their classroom, they surely appreciate and often respond to it!

Kahoot! is a free game-based learning platform for any subject and for all ages. It is designed to make learning fun. Students are able to join from any device, such as their smart phone, tablet, or computer. Whether utilizing one of the many existing Kahoot! games or creating your own, Kahoot! creates fun learning for all! Kahoot! is an innovative tool that all professors who are striving to be effective should put in their toolbox.

Keywords: effective teaching, effective teaching strategies, Kahoot!, digital devices, gaming technology

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well as a Rule 31 Mediator. Additionally, she was General Counsel of a national Christian non-profit corporation. She has also taught and served as Director of the Paralegal Studies Program at a local college. Mrs. Smith's published writings include: "Kiobel v. Royal Dutch Petroleum Co.: Radical Revision or Original Intent of the Alien Tort Statute," *Southern Law Journal* and "Arbitration: Trending in the Business and Legal World, But Is It Trending in your Business School?" *Southern Journal of Business & Ethics*. Mrs. Smith serves on several boards, including secretary of the board of trustees of Donelson Christian Academy and Jeffrey Dean Ministries.

Industry-Based Popular Music Education: India, College Rock Festivals, and Real-World Learning

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Abstract

Until recently, opportunities for formal music education in India were few. Music education at large universities concentrated exclusively on Indian classical music. Western popular music was largely the domain of Bollywood. With the rise of the Indian middle-classes in the 1990s, more Indian families began sending their children to school to study a range of disciplines. These students joined rock bands and major Indian colleges began to host rock festivals for student rock bands. Today, nearly every significant rock band in India originated in these festivals. Our research investigates the development, cultural significance, and educational importance of college rock festivals. Interviews were undertaken with established and emerging independent musicians, educators, and music industry professionals. Given the importance of learning within the informal communities of universities and college rock festivals, we adopted a communities of practice theoretical framework informed by grounded theory methodology. We find that, despite the emergence of popular music education in India, college rock festivals continue to educate young Indian musicians on technique, performance, songwriting, and music business.

Keywords: popular music education, andragogy, real-life learning, communities of practice, rock festivals, music business

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David Cashman is a popular music educator, researcher, performer, and advocate. His area of interest is live music performance and industry particularly in regional areas, in tourism, and the performance practice thereof. He

is an advocate for regional music scenes and a founder of the Regional Music Research Group. Cashman is currently an adjunct Associate Professor of Contemporary Music at



Southern Cross University and has been Associate Professor of Creative Arts at CQUniversity Cairns, Senior Lecturer in Jazz Piano at CQUniversity Mackay, and Head of Academic Studies at the Australian Institute of Music in Sydney. Cashman is most at home behind a piano playing gigs around Sydney.

Utilizing Active Learning and Backwards Design to Articulate Learning Outcomes and Maximize Student Learning: An Integrating Model of Formative and Summative Assessment

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Abstract

Active learning is becoming a popular catch-phrase in education but it is much more than a fad or a bunch of “tips and tricks” on how to get students engaged in class. Active Learning is nothing less than a full-fledged paradigm shift in teaching and learning. This evidence-based approach is grounded in research about how the human brain learns and calls for significant changes to the way college courses are designed and to the roles of students and teachers in these courses.

This session will explore the context of the emerging shift in education away from the Transmission of Knowledge paradigm toward the Active Learning perspective, with a detailed focus on the cornerstone of Active Learning: Backwards Design. Backwards design uses carefully articulated course learning outcomes as the basis to create a course that includes the necessary opportunities for practice, assessment, and feedback that will foster real learning and student success. In a collaborative conversation, participants will discuss strategies to analyze the relationship between the “content” or topics of a course and the learning outcomes for that course, in an effort to delineate a process of developing meaningful and worthwhile course outcomes and unpacking these outcomes to uncover cognitive ability and implantation agility.

In an active learning course, the teacher’s primary job is to design formative assessments that allow students to practice skills and make connections and then to use these “teachable moments” to offer feedback to steer students toward efficient and productive learning. Teachers, then, need to design authentic and relevant summative assessments where students can showcase what they have learned.

In our time together in this interactive session, we will:

- Investigate several formative → summative assessment schemes and models
- Discuss five Active Learning formative assessment techniques that can be adapted to any course and used in-class and/or out-of-class
- Consider the sorts of summative assessments that make the most sense in an Active Learning class.
- Provide a case analysis of a successful course that employed this model
- Offer resources and citations for additional information and instructional application

Keywords: active learning, backwards design, course design, student success, learning outcomes, formative assessment, summative assessment

Joseph (Joe) Miglio is an Associate Professor of Music Business/Management at Berklee College of Music, with areas of expertise including leadership and design thinking, strategic planning and business development, product development, and performance measurements. Miglio has presented at multiple national conferences on topics such as artist identity and income generation, personal brand marketing strategies, start up to scale up businesses models, competitive analysis and value propositions, trend analysis/forecasting and innovative design. In 2012, Miglio received the Distinguished Faculty Award for the Professional Education Division at Berklee, based on his outstanding commitment to teaching, dedication to his students, and contributions to the curriculum. He was instrumental in the design and facilitation of the Professional/Career Development Seminar—its purpose to investigate and address common challenges associated with artist development and sustain-

able business models that align with the core values of the artist and creating profit ability for that individual. This course is now required for all Berklee students. Joe has interviewed a variety of artist/musicians/business leaders including Janis Ian, John Oates, Victor Wooten, John Clayton, Ernie Isley, and Grace Kelly, looking at how their individual stories can find a common narrative in personal and professional advancement. Joe has a Doctorate in Education from National Louis University in Chicago and is the creator of the Reflexive Engagement Method, a model of inquiry based on self-knowledge construction and trans-personal understanding. His most recent work is based on the dual concept: “life is a conversation and life as a conversation.”



“Second Verse, Same as the First?” An Examination of the Evolution of Entertainment Management Academics

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Abstract

The purpose of this research project is to examine current trends in music, entertainment, and sport management academic curricula. Historically, many music and entertainment programs focused on music production and performance. Developing programs are placing greater emphasis on a broader entertainment model incorporating business management skills. A similar evolution is evident in sport management programs. Currently, sport management programs are incorporating a broader scope into their curricula and infusing entertainment management into their offerings. Information collected from academic websites, including course titles, descriptions, and program information, are examined to compare the curricular requirements. This investigation could lead to greater insight regarding the continued evolution of entertainment curricula. This broadened academic vision may benefit all stakeholders by infusing different thoughts and points of view to the academic development of programs.

Keywords: entertainment management, entertainment management education, curriculum development, best practices, entertainment industry, sport & entertainment management.

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Introduction

The academic discipline of entertainment management has evolved from a unique group of course offerings to a popular and influential discipline of study. From its early beginnings, the entertainment management discipline has recently experienced rapid growth in the university setting. Recent growth and expansion highlights the demand for the academic study of this industry. Prior to the current trend, many of the existing music and entertainment business programs focused specifically on the music industry and more specifically on performance and music production. Developing programs are placing greater emphasis on business management skills, rather than music performance and production.

A similar academic transformation is occurring in sport management academic programs. As the sport industry has broadened to encompass many different aspects of business, entertainment management has emerged as a seemingly natural component. Sport management programs no longer focus solely on events that happen on the field or courts but also on events that fill their arenas outside of athletic events. Additionally, the infusion of entertainment aspects into the management of athletics events has become a consumer expectation and as such, must be included in the effective education of future sport managers.

As such, it is postulated that Academic Stakeholder Alliances (ASA) such as this one between entertainment and sport management may offer the academy an effective strategy to advance, broaden, and enhance entertainment and sport management education. An ASA is an arrangement between two or more academic disciplines to share resources to undertake a specific, mutually beneficial objective. An ASA can be considered less binding than a joint venture, in which two or more disciplines typically pool resources to create a separate entity. In an Academic Stakeholder Al-

liance, each discipline may maintain its autonomy while maximizing resources, gaining additional insight, and generating new opportunities for innovation and growth (Gillentine and Shaomian 2018).

Using the development of sport management as a “roadmap” to chart the growth of entertainment management, the similarities among the trajectory as well as the desired academic components are striking. From this point in the evolution of both disciplines, it behooves academic professionals to examine the synergistic opportunities that may exist if Academic Stakeholder Alliances are built between the disciplines. The purpose of this paper is to examine entertainment and sport management academic programs and to identify and examine the commonalities and differences that may exist between the academic demands and industry expectations of these industries. Specifically, the research questions this investigation seeks to answer are:

1. Which academic programs have incorporated expansion of focus to include entertainment management?
2. What are the commonalities and differences between existing sport management and entertainment management programs and programs incorporating this expansion of focus?”
3. What are the potential advantages and/or challenges to incorporating this broadened model?

Literature Review

While the study of music and music business are well established academic disciplines, the recent growth and expansion of entertainment management has highlighted the demand for the academic study of this industry (Garfrerick 2006). Developing programs are placing greater emphasis on business management skills rather than music performance and production. The National Association of Schools of Music (NASM) was founded in 1924 to establish national curricular standards “for music and music-related disciplines” but does not include entertainment management (or the term entertainment) in its stated organizational purpose or objectives (NASM 2019). The Music and Entertainment Industry Educators Association (MEIEA) was formed in 1979 with its stated purpose being to “bring together educators with leaders of the music and entertainment industries” (MEIEA 2018). The primary goal of MEIEA is identified as “to facilitate an exchange of information between educators and practitioners in order to prepare students for careers in the music and entertainment industries” (MEIEA 2018). To meet these purposes and goals, a continuous evaluation of program and curricular structure would seem necessary, yet, previous research into music business curricula has clearly identified the lack of, and the need for, continued

and systematic evaluation of curricular requirements (Dyce and Smernicki 2018; Ashdown 2016; Bruenger 2016; Sobel 2007; Beeching 2005; Marcone 2004; Hill 2003; McCain 2002). Dyce and Smernicki (2018) specifically identified “a lack of research specific to music business education (curricula) is apparent.” Hatschek (2016) stated, “There is no central body of common knowledge on music education industry studies curricula.”

Furthering these observations and concerns, is a noticeable dearth of academic studies specifically examining entertainment management as a standalone field of study or as a curricular component. As proposed by Bruenger (2016), it is important for academic programs to be adaptive in order to keep pace with changes in the industry and marketplace. As such, the evolution and emergence of entertainment management would merit closer examination in order for existing curricula to remain current with industry demands and expectations (Wald 2011; Weissman 2004).

Sport management emerged as an academic field of study in 1966 as a result of industry growth and expansion. The need for trained professionals skilled in management and operations grew dramatically with increased consumer consumption of the sport product (Gillentine, Crow, and Harris 2015). Today, over 350 undergraduate programs in sports management exist in the United States alone, and a large number of well-established and notable programs exist in Europe, Australia, and Asia. Other notable programs can be found around the globe and new programs are constantly emerging.

Initial research examining the curricula of sport management programs identified fragmented growth and widely diverse course offerings and requirements (Gillentine 1998). While the original curricular offerings were varied across programs, current academic standards are more consistent among programs as a result of the development of professional programs designed to encourage academic consistency of quality and to encourage academic collaboration. Additional studies urged for the standardization of curricular requirements and the development of program accreditation (Gladden and Williams 2012).

The North American Society for Sport Management (NASSM) was established in 1986, The European Association for Sport Management (EASM) in 1993, and the Sport Management Association of Australia and New Zealand (SMAANZ) was founded in 1995. In recent years, the Asian Association for Sport Management (AASM) in 2002, the African Sport Management Association (ASMA) in 2010, and the Asociación Latinoamericana de Gerencia Deportiva (ALGEDE) in 2009 have been organized. Most recently the World Association for Sport Management (WASM) held its first meeting in 2012 as a central organization for all sport management academic organizations. In the history of each

organization the formal name given to the disciplines show a similar path of development. Initially sport management academic programs were frequently referred to as sport administration programs but slowly and steadily changed to sport management as the preferred discipline title (Gillentine, Crow, and Harris 2014). An evolving trend among sport management programs has been for the formal inclusion of entertainment management. Several programs have changed the name of the programs and/or departments to include entertainment management. The University of South Carolina was the first U.S. program to formally change the name to Sport and Entertainment Management in 2003 and to offer an emphasis in live entertainment management for students. Today several programs in the United States have followed this trend to include entertainment in its name and course offerings.

Missing from sport management curricula research, as it was in music business curricular studies, was any specific investigation into the emergence of entertainment management and related courses. NASSM also does not include mention of entertainment management in its organizational mission or goals nor do the other identified sport management governing bodies (NASSM 2019).

Methodology

In order to exam entertainment management curricular offerings, specific parameters were utilized within this study. Specifically, only programs that included the terminology Entertainment Management in its title were included. While it must be acknowledged that programs that do not include “entertainment management” in their titles may include entertainment management academic content, it was the intent of this study to specifically study those programs that have taken the initiative to formally adopt and implement entertainment management into its core identification.

To further facilitate the identification of entertainment programs, the following operational definitions were utilized:

- Entertainment Management: a field concerned with knowledge and skills leading to management careers within the entertainment sector, managing facilities..., theme parks, theaters, live music venues, museums, art galleries, broadcast media companies and night clubs (Gillentine and Shaomian 2018)
- Music Business: academic study of creating and selling live music performances, sound recordings, and music videos
- Music Industry: any degree program that has a goal of preparing students for careers in any of the non-performance areas of the music and entertainment industry (Hatschek 2011)
- Sport Management: a field concerned with the co-

ordination of limited human and material resources, relevant technologies, and situational contingencies for the efficient production and exchange of sport services (Chelladurai 1994, 15)

- Sports Entertainment: a type of spectacle which presents an ostensibly competitive event using a high level of theatrical flourish and extravagant presentation. Unlike typical sports and games, which are conducted for competition, sportsmanship, physical exercise, or personal recreation, the primary product of sports entertainment is performance for an audience’s benefit.

In order to gather information about academic programs offering entertainment management, the websites of sport management and entertainment management programs were reviewed to identify the focus and curricular content of the academic programs. Two researchers experienced in content coding and following established procedures, analyzed the websites from each of the institutions. In order to confirm reliability, each coder worked independently to code specific components.

In order to identify the emergence of key themes from the data extracted from the websites, a hybrid approach was utilized by the investigators (Podlog and Dionigi 2010). The initial analysis concerned intratextual (i.e., within-text) and intertextual (i.e., cross case) using the constant comparative method of analysis (Miller et al. 2019; Maykut and Morehouse 1994). Intratextual analysis of the data was introduced by recording notes regarding the curricular components of the entertainment management programs. Curricular requirements specifically relevant to entertainment management were categorized into raw data themes. The intertextual analysis further identified the raw data themes that were common across the programs. Raw data themes that appeared to be similar were merged to form higher-order themes.

From this data collection, the findings were separated into three general curricular categories: Commonalities, Differences, and Emerging Issues. Commonalities referred to curriculum inclusions that were identified among many of the programs. Differences identified those curricular components that were evident only in a minority of the programs. Emerging issues was developed to identify unique curricular components as identified by the coders.

Results

The results from this investigation, identified 24 universities and/or colleges offering degrees specifically identified as entertainment management. Of the universities and/or colleges, 15 were private institutions and 9 were public. Further analysis of the programs offered by these universi-

ties identified that 19 of the degrees were bachelor degrees, 13 were masters degrees, and one was a doctoral program (Figure 1).

A cursory review of curricular commonalities between sport and entertainment programs identified the following as similarities in offerings among programs: 1) Marketing Strategy, 2) Strategic Management, 3) Contracts and Negotiations, 4) Ticketing Methods and Data Analysis, 5) Global Influence, 6) Facility and Event Planning/Management, 7) Common Business Core and 8) Practicum/Internship.

Initial reviews identified specific differences between programs including: 1) Entertainment Law, 2) Technology Advances, 3) Digital Technologies, 4) Concert Production and Touring, 4) Fundamentals and Philanthropy, 5) Relationship Marketing, 6) Special Event Protocol, 7) Safety, Security, and Risk Management, 8) International Exhibitions, 9) Food and Beverage Operations, 10) Intellectual Properties, 11) Entertainment Finance and Business Models, 12) Artist/Agent Management, and 12) Sociological Aspects.

Additionally, the preliminary review of online curricular materials identified several emerging curricular issues among the programs investigated: 1) esport, 2) Digital Distribution, 3) Risk considerations, 4) Ticketing, 5) Ancillary Revenues Streams 6) Non-Profit Management, and 7) Advanced Funding Raising.

Entertainment Management Programs		
United States (NASSM)	MEIEA	Europe (n=32)
Univ. of California Los Angeles	American Univ.	Gillon Leisure Management School
Johnson & Wales (Denver)	Belmont Univ.	
Univ. Of Colorado Denver	Drexel Univ.	Canada (n=16)
Southern Connecticut State University	Missouri State Univ.	
Full Sail University	St. Joseph's Univ.	Asia (n=19)
Johnson & Wales (Miami)	Univ. of Miami	
Northwood University	Univ. of North Alabama	Africa (n=1)
Univ. of South Florida	William Paterson Univ. (NJ)	
Hofstra Univ.		India (n=1)
Johnson & Wales (Charlotte)	AUS/NZ	Latin America (n=5)
Newman Univ. (PA)	Australian Univ. of the Arts	
Point Park Univ. (PA)		
Johnson & Wales Univ. (RI)		
University of South Carolina		
19 – BA; 13-MS; 1-Doc 15 – Private , 9 Public		

Figure 1. Entertainment Management Programs.

Discussion

The results of this initial investigation confirmed the emergence of entertainment management in both music and sport management academic programs. The number of programs identified in this study (n = 24) was relatively low in comparison with the overall total number of programs as identified by MEIEA and NASSM (n = 400+). It must be noted that this low number is reflective only of the programs that have formally incorporated entertainment management into the program's title. It is likely that many more programs in both disciplines, offer entertainment management curric-

ular components but have not incorporated entertainment management into the program's title and subsequently were not utilized in this initial study. It must also be noted that fifteen of the programs identified as entertainment management were located at private universities. On the surface, this seems to support the perception that private universities and colleges are more proactive in their curricular evolution than are their public university counterparts. Public institutions must be cognizant of this perception and should be open and receptive to curricular enhancements that would reflect industry and student demands.

The initial analysis of curricular components revealed similarities among programs that were reflective of previous research inquiries into music and sport management. Previous research in both areas had investigated the need for a common core of business-related components and the commonalities in existing entertainment programs seem to reflect this school of thought. The courses identified as commonalities among programs represent established business curricular standards.

The differences among programs also seemed to support previous challenges from academics investigating the curricular offerings in music and sport management, which challenged both academic disciplines to be flexible and nimble in order to meet industry and student needs. The differences between programs tended to reflect coursework that could be considered more dynamic in response to current demands and changes within the industry.

The emerging issues identified in a few of the programs, tended to represent innovative and cutting-edge areas within entertainment management. The areas identified by the coders were reflective of the rapidly changing environment surrounding entertainment management. These findings are consistent with what Jenkins (2006) described as entertainment that "unfolds across multiple media platforms...making a distinctive and valuable contribution to the whole" as transmedia (Ashdown 2016, 13). It should be noted that although these curricular inclusions are of importance at the time of this investigation, they may cease to be of major concern in the immediate future due to continual change. This potential for rapid change within curricular offerings often causes restraint in academic programs to develop and offer curricular offerings that could be considered outdated quickly. Academic programs must develop curricular strategies that allow for such dynamic shifts in the industry to be adequately addressed as they become evident. The answer to this academic planning challenge may be to incorporate flexible topic course offerings and the inclusion of non-typical course hour requirements. Typical university course offerings are available in three-hours blocks frequently to conform to scheduling concerns. Academic programs should consider one- and two-hour specialty courses as a

possible solution to specialty curricular needs. Programs should also consider offering short format courses (four to eight weeks) as a way to make curricular adjustments to current industry needs.

The potential for curricular barriers imposed by accrediting bodies as well as university curricular requirements must also be addressed. In attempts to assist the consistency in curricular offerings both of the bodies may in fact create additional layers of “challenges” for programs to navigate in order to institute curricular change.

Recommendations

The results of this investigation substantiate the growth of entertainment management as an area of curricular growth in established academic fields of study. Evidence of curricular expansion and development was identified within music business and sport management programs. This growth is reflective of the growing interest by students, faculty, and industry leaders. The evidence also supports that this field of study will be a continuing trend across many academic disciplines and as such, the commonalities between programs should be emphasized which could lead to stronger academic offerings and program enrichment. The potential linking of entertainment management programs could help broadened the investigation into this academic area and allow academics from music and sport management to share ideas and concepts. This collaborative approach could lead to the identification and development of innovative and improved management practices in entertainment management. This collaboration could also lead to the enhancement not only in the academic preparation of students but also in the management of the industry itself.

Further expansion and investigation of entertainment management could also lead itself to the development of innovative funding models and opportunities. A collaborative investigation between programs could help identify funding models currently utilized in other areas of study (and industries) that are not currently utilized in entertainment management. It may also lend itself to the creation of new industry-specific models that will enhance the financial viability of entertainment management opportunities.

Each of the aforementioned areas could lead to an increased number of employment opportunities through the development of industry positions driven by the creation and implementation of these new areas. This could be a benefit to current and future entertainment management professionals (Gillentine and Crow 2015).

In order to further advance this as an academic field of study, it was important that focus be given to the development of specifically trained entertainment management faculty. The current investigation identified only one university currently developing entertainment management faculty.

This will not meet current academy needs much less the demands of the academy if the current growth continues. The development of faculty will take time to develop but should be considered by existing terminal degree programs.

To further the advancement of entertainment academic study and to provide opportunities for newly minted entertainment faculty members, it will be important to establish stronger and specific entertainment industry relationships. These relationships must be developed in addition to existing relationships (music business and sport) and broadened to include industry professionals who previously may not have been included. The development of these new relationships and the expansion of existing ones will only further strengthen the relationship and consequently the need for entertainment management trained professionals (current and future). This relationship will also help identify specific needs from within the entertainment management industry that academic programs can support through a variety of options specifically, internships and research. The expansion of research and the identification of entertainment management academics as sources for the industry will go far in supporting and quantifying the need for the academic study of entertainment management and the development of entertainment management academic programs.

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Redefining the Role of the Sound Engineer: Applying the Theories of Cage, Schafer, and Lomax Towards Establishing a Critical Cultural Approach to Sound Engineering

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Abstract

Within mainstream media, more specifically music, sound engineers and producers seek recording environments that are acoustically optimal for recording musical artists and sound. From the minimizing of noise to the isolation of instruments and the multitrack recording process itself, the focus of the session often favors technical and performance precision over concern for more qualitative attributes such as emotion and artist-production environment interaction. As a result, recordings tend to become clinical—a specific studio is chosen for its sound quality (reverberation, delay, and frequency response, to name a few) that changes only when the instrument within the room changes. Ironically, it is often a practice by producers and sound engineers alike to add artificial sonic elements post-tracking as a method to alter the production rather than capitalizing on the natural acoustical and sonic environments.

Though resulting productions may fit the commercial needs of the entertainment industry and consumers, it is argued that limiting the role of the sound engineer to such a clinical studio approach eliminates the potential for capturing critical cultural information that aesthetically rich location-based recordings can provide. Such attributes have the potential to transform the musical performance, the production itself, and the consumer listening experience. It is suggested that additional captured acoustic artifacts act as environmental cues and are necessary to documenting and developing an understanding of the culture of musicians and the production process.

Through such a critical cultural approach, this paper discusses how selected works, contributions, and perspectives of three influential sound scholars—John Cage, R. Murray Schafer, and Alan Lomax—can be integrated into sound en-

gineering pedagogy and more broadly, to the future of sound engineering and the preservation of culturally relevant sonic elements. As a result, a model is presented, followed by a series of examples and recommendations. The role of the sound engineer is redefined to reflect the newly proposed critical cultural approach to sound engineering. By adopting this definition and approach, the performance, recording process, and consumption can be transformed into unique experiences comprised of important cultural information and rich sonic aesthetics as a result of the interaction between person, environment, and sound.

Keywords: sound engineering, recording, location recording, John Cage, Alan Lomax, R. Murray Schaffer, sound culture, acoustic ecology

Introduction

The music industry, as a subset of the broader entertainment and media industries, is in need of help. It is not that the industry is on the verge of some catastrophic collapse; In fact, given the drastic changes that were forced upon it by digital media at the beginning of the twenty-first century, the industry has recovered nicely. Not only was the music industry projected to grow just under two percent per year between 2014 and 2019 (Crompton 2014), but music has been the top entertainment choice for ninety-three percent of Americans (The Nielsen Company 2014), who are listening to more music now than in previous years, spending just over 32 hours per week listening to music across an average of 3.4 devices (The Nielsen Company 2017).

Though the business of the music industry is on the upswing, the industry may not be realizing its full potential. Early recordings were unique in that they relied on physical

space, innovation, and experimentation to achieve many of the sonic textures that created *the sound*. Two such examples, as discussed by Théberge (2004), are Capitol Records' reverberation chambers and RCA Victor New York's dedication of studio space for an echo chamber. These facilities represent a handful of quintessential spaces that were key to many successful recordings. As the industry has matured over time, recording technology has advanced significantly, becoming more affordable and leading to the growth of smaller project studios (Pras, Guastavino, and Lavoie 2013). Resembling somewhat of an inverse relationship, even though the affordability and availability of technology has increased, originality and innovation has decreased. An industry that was built using experimental processes, physical technology, and space has been replaced by readily available, perhaps even commodified plug-ins rampant with presets and artificial creativity.

Such substitution, driven in part by the economic realities of the music industry (Pras, Guastavino, and Lavoie 2013) has resulted in recordings that employ the use of expected or standard equipment and plug-in resources by modern engineers who, arguably, lack a deeper understanding of the analog and more organic processes that were the basis for the development and creation of today's modern studio technologies. Though accessibility to diverse musical content has increased with the propagation of digital music and the internet, recording technology and techniques have homogenized to the point that recordings risk being labeled as predictable, formulaic, or outright boring. Furthermore, the role of the engineer—a role well-positioned to transform from that of a technician to a sonic intermediary who captures and presents the complex cultural relationship between sound, people, and place—has been reduced to a button-pushing, mouse-clicking role focused on technical precision and software mastery.

Advances and changes in music distribution have altered the way consumers receive and subsequently value music, as lossy, lower-quality recordings become the norm for the consumer (Pras, Guastavino, and Lavoie 2013; Watson 2016). Such acceptance by the consumer has trickled back to the studios and labels, resulting in either the redefining of the role and importance of the recording studio, equipment, and approaches, or the closing of studios all together (Théberge, *The network studio: Historical and technological paths to a new ideal in music making*. 2004). Sans a discerning and articulate consumer who values quality over quantity, the industry needs to bolster its perceived value to fend off other attention-competing media. One way is to change the way that those involved in the music industry approach and embrace their roles, starting with early career sound engineers in post-secondary environments and continuing through professional development opportunities for

seasoned sound engineers.

Changing the way industry personnel approach their purpose can result in another way the industry can add value—by creating innovative recordings that engage and challenge the listener. Early on, whether a result of early technological adoption or the youthfulness of the industry, sound engineers did more than transduce acoustic waves into electrical signal fixed in medium—they experimented. Throughout the recording process, they challenged, embraced, and respected technology and aesthetics. Look no further for such evidence than recordings such as *When the Levee Breaks* (Led Zeppelin 1971) and its explosive drum sound, which was achieved during location recording at Headley Grange (Liu-Rosenbaum 2012); or *The Bristol Sessions* and the use of ordinary commercial space as temporary studios (Russell 2007) without concern for perfect acoustics; or the earliest rock and roll recordings from the Graves Brothers and the Mississippi Juke Band which were recorded at Hotel Hattiesburg in 1936 (Morris 2014); or any one of a myriad of recordings that came from Nashville's *RCA Studio B* or London's *EMI Studios - Abbey Road*, each with their own signature studio sound. In the end, recordings such as these were not just products of the musicians. They were, as Gibson (2005) states, "...an emotive performance produced in particular spaces and through affective relations between musicians, producers, engineers and technologies" (p. 192).

Fundamentally, the purpose of this paper is to reconsider the role of the sound engineer from a critical cultural perspective. If sound engineers approach their role from a multidisciplinary and critical perspective, sound recordings will be culturally relevant and interesting again, and the significance of the sound engineer's role will increase, cementing the need for qualified sound engineers for decades to come. The burden is not just the responsibility of the sound engineer, but must also be shared by those who work in post-secondary sound engineering education programs. To achieve this, the author first discusses the typical recording process and personnel roles, and then examines the alternative and less mainstream contributions of John Cage, R. Murray Schafer, and Alan Lomax, as they relate to the field of sound recording. From this, a revised approach to sound engineering is proposed using a model that considers the environment, location, and interplay of aesthetics as key components to making recordings and productions sonically interesting and culturally significant. Through a series of tenets, the author further describes how the proposed framework can be integrated into the sound engineer's recording process. Finally, a discussion takes places where positions are redefined in the context of the proposed framework, and the recognition and subsequent integration of such an approach is addressed.

The Music Industry and Sound Engineering: Processes and Terminology

It is important to clarify the context in which this paper is written. Governmental categorizations for careers within the music industry vary, but it is universally recognized that the music industry is a subsector of larger industries: the Media and Content Industry (Leurdijk and Nieuwenhuis 2012) in Europe or the Media and Entertainment Industry in the United States (Select USA 2017). The production of recorded music, which is often associated with sound engineering, is considered an aspect of the music industry, but should not be considered an exclusive career path for a trained sound engineer. Within the larger industries, sectors such as theater, television, film, radio, and sound-based art and installations, have similar career opportunities that are rooted in the fundamentals of sound engineering, though often further specialized and referred to using different industry-specific titles. The sound engineer remains the focus of this paper and is discussed often from the musical context, but it should not be assumed that their role is limited strictly to the music industry. From an educational perspective, the fundamentals of sound engineering and recording often begin from a broad sound theory perspective, with specialization coming later in the educational program or even post-graduation. With this said, the author contends that the influence of critical sound culture and theory, along with the forthcoming model, be introduced early and emphasized throughout an educational program. A subsequent discussion will attempt to clarify and differentiate between frequently used terms and positions related to the role of the sound engineer that are often misinterpreted as being interchangeable: audio engineering, recording engineering, sound engineering, and producing.

The complexity of bringing a song to market varies greatly depending on the “level” of the artist. Their market success depends on whether they are an independent musician in control of their own works or a major-label artist signed and committed to deals that involve corporate oversight of their product. The role of the label will also vary depending on the artist and their needs. In some cases, the label will act more like a financial backer, but how involved the label is and how much freedom the artist has depends on the positioning of the artist at the time of signing. In the case of Ed Sheeran, his following and business acumen were established at the time he signed with Atlantic/Asylum records, which gave him more freedom as an artist (Lindvall 2012). From independent to major-label artists, the number of people involved in the recording process depends on the budget or preferences of the talent. At the most basic level, a typical recording session involves the talent and the sound engineer. A producer or manager may be involved too, if the artist so chooses and has the budget. In the case

of a major-label artist, the creation and recording of a song can involve numerous writers, beat makers, managers, and engineers, as was the case with the production of Rihanna’s *Man Down* (2010) (Chace 2011). After the initial recording session, the music is mixed and mastered prior to being released. In each of the steps, the personnel involved in the production of the song or album can change.

Regardless of whether the artist is signed, affiliated with a label, or independent, there are several potential positions that may contribute to the production process. Audio engineering and recording engineering are two terms that are inaccurately considered synonymous among those unfamiliar with, or new to, the recording industry. Audio engineering and *audio engineer* are terms associated with the signal, electrical waveform, or representation of sound (Connelly 2012). Though audio engineering is possible, it is indicative of the manipulation of electronics and should be reserved for those who work with the design of equipment and signal processing.

The Recording Academy (2017) describes another role, the *recording engineer*, as the “Same as the Engineer, except this person is not necessarily involved in final mixing” (p. 1) (the definition of the *engineer*, according to the Recording Academy, follows). Berklee College of Music (2017) describes the responsibilities of the recording engineer as one who “operates the mixing console and other equipment during the process of recording music or sound. Recording engineers generally run recording sessions, with oversight from the producer...” (p. 1). Without delving too far into this debate, it is contended that the Recording Academy should further clarify its definition of the recording engineer. For the purpose of this paper, the recording engineer is a technical position focused on the interplay of the electronics and equipment in the recording process.

More accurate and relevant to the recording industry and related fields, as well as being the central focus of this paper, is sound engineering and producing, known by their professional positions as the *sound engineer* (sometimes just *engineer*—see below) and the *producer*, respectively. In their study, Pras and Guastavino (2011) describe the sound engineer position as having “technical responsibility” (p. 74) and find that in addition to the technical skills, musicians expect sound engineers to be concerned with the aesthetics of the session environment and the overall recording as well. The Recording Academy (2017) does not currently recognize the *sound engineer* as a Grammy-eligible position, but instead, acknowledge the position of engineer: “...the primary person or persons actively responsible for the process of recording and/or mixing a project as well as technical issues and decisions. He or she operates (or oversees the operation of) the equipment during the recording process and makes creative and aesthetic choices in collaboration with

the artist and producer in order to realize the sounds and concepts envisioned for the project” (p. 1). This aligns with other definitions for sound engineers, and therefore one can extrapolate that the addition of sound in front of engineer is a descriptor intended to provide clarification as to what the engineering is referencing. The author posits that the term *sound engineer* is applicable to the music industry yet is a baseline term for anyone involved in the engineering of sound, regardless of industry. For the sake of specificity and in keeping with the theory and framework of this paper, *sound engineer* is used throughout this paper in reference to anyone who engineers sound, music, or otherwise, and the author suggests that related industries recognize the clarification of the position.

By definition, the producer actively oversees the creative and technical aspects of the entire project and the individual sessions (Recording Academy 2017). On producing, Sir George Martin states: “put simply, my job was to make sure recordings were artistically exceptional and commercially appealing, maximizing the qualities of artists and songs” (Myers 2012, 1). Historically, producers were not part of the recording process, and when their role became a defined position, those who took it on were often from the ranks of sound engineers (Jones 2003). It is not surprising that the distinction between the two positions is blurred, with the producer taking on many of the roles of the sound engineer and vice versa, depending on the budget of the artist (Pras and Guastavino 2011). In today’s market, it is unlikely that smaller projects will have the budget or need for a separate producer, with the sound engineer taking on all, or some, of the responsibilities of the producer. In the case of the latter, production credit is often shared with the artist or member of their team. The specific roles of the sound engineer and producer, as composited through the works of influential sound scholars, will be revisited and redefined in a subsequent section.

A Breath of Fresh Air

The ability to record and deliver sound digitally changed the industry, both for the good and the bad. Though compact disc (CD) sales continue to slide (Sanchez 2017) and its resolution is limited, in terms of quality, the CD is the best physical medium available for the mass delivery of album-based music from a portability perspective. Other digital media, including streaming and downloads, provide for even greater portability but often at the cost of quality. Still, digital audio represents a unique recording format as it is the only one that can truly reproduce pure silence, where silence is truly absent of any sort of noise (Kostelanetz and Cage 1987).

As digital technology has advanced over the years, process-oriented creativity and “capturing the moment” has

gone by the wayside. Affordable features such as virtual tracks, cheap memory, plug-ins, beat and pitch correction, to name a few, have taken priority and defined the limits of creativity. The problem with the technology is that if everyone has access to it, there is little that sets sound engineers apart from one another. In the days of analog recording, where limitless digital reverberation algorithms and microphone modeling did not exist, the uniqueness of a recording was defined through the interplay of the sound engineer’s abilities and skills, the analog equipment, and most of all, the environment.

The environment was a significant element that defined a recording’s “sound” and could not be easily duplicated. For example, the sonic environment of the tracking room at Sound City Studios in Los Angeles, especially with regard to the drum sound, was oftentimes the reason bands chose to track at the studio (Grohl 2013). Interestingly, though, the room was never designed to be a great sounding room. “That room shouldn’t, on paper, be a great drum room because it’s like a big ol’ square room” (Jim Keltner in Grohl 2013). It was with a stroke of luck and some quality sound engineering work that the drum sound in the tracking room at Sound City would become legendary. “Every room has their sweet spot for that sound, you know, this I think has always been Sound City’s sweet spot” (Grohl 2013).

Recordings today seem to be lacking the luster they once had. For example, the sonic creativity and unique mixing techniques of *Sgt. Pepper’s Lonely Hearts Club Band* (1967) employs mixing techniques that are not readily present in the modern music industry (The Beatles 1967). The sonic qualities and localization of specific instruments in the mix were a result, in part, of technological limitations of the era. Even the more modern studio recording of Pink Floyd’s concept album *The Wall* (Pink Floyd 1979) represents a combination of creative production techniques and the integration of sound effects and location recordings (Povey 2010) that helped differentiate the album from others.

Experimentation was not exclusive to professional recordings. Early on in my career and to this day, I employ analog processes to create specific sounds or textures. For example, the creation of a lo-fi recording through a speaker was actually created by running audio through a lo-fi speaker and re-recording it. During a tracking session, the reverb plug-in was not aesthetically adequate, so I moved the singer to a hallway and recorded the natural reverb. When I needed a specific sound from a room, it would be tracked on location. Plug-ins today approximate the sounds and textures I sought back then, but the process itself is an integral part of the recording. Leaving the comfort and confines of the studio results in sonic textures and interactions that are not possible by simply remaining within it. The unique sounds are representative of more than just the artist’s music. They

contain cultural information as a result of the interaction between people, place, and sound, which are specific to the environments in which they were recorded at that time. For such an approach to be integrated and accepted as part of mainstream media today, it requires that the sound projects demonstrate sonic value that a studio cannot create on its own and that the listener can appreciate and connect with. This also necessitates for sound engineers to be skilled and diversified in their craft, and for the artists, sound engineers, producers, labels, and others involved to be willing to relinquish control and be open to the unfamiliar.

Several recordings from *La Blogothèque*, a project dedicated to “take away shows,” (La Blogothèque 2011) begin to embrace such an approach and act as an inspiration to what music recordings could sound like. Though the project is positioned as an improvised music video capturing a variety of artists performing songs in different locations (Thompson 2008), the sound recordings are raw, embracing interaction between the natural acoustics of the locations, the musicians, and technological or performance limitations. The recordings are a rich sonic experience unlike the studio versions of the songs, but what would become of the recordings if filming was not a priority? Could the recordings highlight the interaction between the song, environment, and culture even more? Selected works, contributions, and theoretical approaches of three influential scholars in the field of sound—John Cage, R. Murray Schafer, and Alan Lomax—are discussed as foundations for redefining the role of the sound engineer from a critical cultural perspective.

Chance and Culture: John Cage

The pioneering works of American composer John Cage helped usher in a new era of compositional approaches. Controversial as he was, his compositions helped established the notions of “avant-garde” and “experimental,” with his musical works transforming traditional musical theory into an ecological journey of sound and silence (Marranca 2012). Throughout his lifetime, Cage’s abstract thoughts about sound, listening, noise, and perception challenged the status quo. His philosophy was open and indiscriminate, grounded in Eastern religion (Hinduism, Buddhism) and Chinese philosophy, and inspired by writings including the *I Ching* and Thoreau’s *Walden* (Kandell 2012; Nyman 1999). What set Cage apart from others was his willingness to accept all sounds as sources of music, without bias, thus embracing and bringing to life the environment in which we exist (Kandell 2012, Marranca 2012).

Controversial among traditionalists, Cage’s efforts ushered in a new experimental style of music: the avant-garde movement. As part of the new movement, music vocabulary expanded to include key terms such as *prepared*, *silence*,

noise, *indeterminacy*, *chance*, and *electroacoustic*. Cage composed many pieces throughout his lifetime, but it was from 1939 through the early 1950s that his most relevant works, representative of the avant-garde movement, were created: *Imaginary Landscapes Nos. 1-5* (1939-52), *Sonatas and Interludes* (1946-48), and most famously, *4’33”* (1952) (John Cage Trust 2013).

The aforementioned pieces challenged the public’s traditional view and expectation of music, composition, and performance. For example, *Sonatas and Interludes* was composed for a prepared piano in which the strings and soundboard were altered using a variety of materials such as bolts, screws, rubber, and weather stripping prior to the performance (John Cage Trust 2013). Following his prepared piano piece, Cage experimented with other sounds and techniques, incorporating indeterminacy and chance into his works. To Cage, indeterminacy was truly an element of the unknown whereas chance operations, oftentimes calculated using the *I Ching* method, operated within a set of universal knowns (Kostelanetz and Cage 1987). Used interchangeably at times, there is a difference between chance and indeterminacy. The former is more of a technique used when composing a piece whereas the latter occurs during the performance of a piece (Dickinson 2007) where “you are to supply the determination of certain things that the composer has not determined.” (Kostelanetz and Cage 1987, 116). To elaborate, *Imaginary Landscapes* represents indeterminacy. The pieces in the series rely on a series of unknowns, as in the case of *Imaginary Landscape No. 4* where performers adjust the volume and frequency knobs of an analog AM radio according to the composition. The indeterminacy is present because the piece can never be performed the exact same way twice nor will it sound the same due to the temporal nature of radio broadcasts.

Cage’s most famous piece, *4’33”*, defined his career and transformed him from novice to expert in the experimental, avant-garde genre. Known as the silent piece, or *Silent Prayer* (Marranca 2012), *4’33”* further elaborated on the concepts of experimental music and indeterminacy. Originally performed using piano, the piece is indeterminate in two ways: First, the number and instruments of musicians is unspecified and second, the three movements are essentially movements of time-defined silence. During the silence, the ignored, unintended sounds of the environment become the pages of written notes (Kandell 2012). The piece created controversy when it was first performed, but Cage’s point was that silence, or the absence of expected sound, is not silence at all. In Cage’s words, “silence also is not silent—it is full of activity” (Kostelanetz and Cage 1987, 121). Using silence in a piece designates a zero starting point, opening the piece up to the unintentional, which allows the listener to listen as they choose without having anything forced

upon them (Kostelanetz and Cage 1987). It is within the framework of non-intention, indeterminacy, and chance that the value of Cage's contributions to sound and music are realized and have the ability to impact the future of the music industry and sound engineers.

It is no secret that Cage did not care for recordings of his compositions (Tone 2003, Haskins 2012), given that recording his work contradicts the tenets of the avant-garde movement to which he spent his lifetime promoting. Throughout the numerous interviews available, Cage emphasizes the importance of the performance over the playback of a recording as a substitute (Tone 2003) because "...recordings...turn music into an object, and music is actually a process that's never twice the same" (Kostelanetz and Cage 1987, 128). Towards the end of his career, Cage did recognize a value in recording works for documentary purpose or for intentional and specific performance (Grubbs 2014; Tone 2003), but never considered the potential cultural value of "silence" or "indeterminacy" in the recordings themselves. In addition, due to his unexpected death in 1992, Cage never had the opportunity to experience his own composition for CD (Swed 1995), nor was he able to consider how mobile performance spaces associated with the playback of a recording (i.e., in the car, home, bus, train station, etc.) represent a different perspective of indeterminacy and chance, brought upon by the listener, the location, and the moment in which the playback and listening interaction is taking place. This concept will be further addressed as part of the framework for future sound engineers and recordings.

Preserving the Sonic Landscape: R. Murray Schafer

R. Murray Schafer's contribution to the field of sound expands upon themes introduced by Cage, notably the presence of environmental sounds as part of our acoustic environment. As the "Father of Acoustic Ecology," Schafer is best known for the *World Soundscape Project*, which was developed during the 1960s while at Simon Fraser University, and was dedicated to "the study of the relationship between people and their total acoustic environment" (Hoshowsky 1997, 12). The *World Soundscape Project* was pivotal in bringing attention to the idea that natural sounds that surround us can be part of a musical composition (Wrightson n.d.). As a result of his involvement in the project, Schafer essentially cemented his position as an avant-garde composer whose musical works not only included the environment in part, but also relied on it to be a foundation for compositions, as exemplified through *Music for Wilderness Lake* (Ward 2009).

Schafer is credited with introducing the concept of the soundscape (Samuels et al. 2010), leading to the creation of the field of acoustic ecology. Though the complete history

and complexity of the soundscape is beyond the scope of this paper, two concepts are relevant to the future of recording arts: listening and schizophonia. Listening is a complex term, and in the context of soundscapes and acoustic ecology, differentiation is made between background and foreground listening. A parallel is oft drawn between landscapes and soundscapes. Soundscapes, like landscapes, convey cultural information. "As landscape is constituted by cultural histories, ideologies, and practices of seeing, soundscape implicates listening as a cultural practice" (Samuels et al. 2010, 330). Listening, in the context of soundscapes, is much more complex than the passive listening—or hearing—that consumes most of our day. Similar to how a landscape has foreground and background objects, listening is comprised of foreground and background sounds, keynotes, sound signals, or even soundmarks (Truax 1999; Truax 2001).

Classifying a sound as foreground or background is not related to the physical proximity of the sound. Rather, a sound is considered foreground or background based on its prominence during the listening process (Truax 2001). Sounds that are usual parts of the acoustic environment are background sounds. Sounds that stand out in an environment, or sound signals, are part of the ambient environment, and those which occur frequently are considered keynotes—a concept similar to music where "the key of the piece is its fundamental tonality" (Truax 2001, 25). Conversely, foreground sounds are those that stand out in the listening environment. If the sound is to be listened to, it is considered a sound signal, and if the sound is unique enough to the location that it is unlikely to be found elsewhere, it could even be a soundmark—a sound that represents cultural and historical importance and should be preserved (Truax 1999).

As much as Cage was not a fan of recordings as a substitute for the actual performance, Schafer was not a fan of splitting sounds from their sources because it was unnatural in that it temporally and spatially shifted sounds out of their original context (Samuels et al. 2010), creating distance between the listener and the source (Kelman 2010) resulting in unrealistic listening experiences. Schafer referred to this phenomena as *schizophonia*. With the ability to record, sounds that were once limited to a specific time or place could now occur anywhere at any time, creating a soundscape where recorded sounds become part of the background and contribute to underlying indiscriminate noise, thus transforming a sonic environment into a low-quality, or lo-fi, listening environment (Schafer 1993; Truax 1999) built upon unnatural sonic experiences.

Schafer's concern for recorded, "schizophonic sound" does not mean that soundscapes should not be recorded. In fact, through the *World Soundscape Project*, there were several instances where recordings were made of natural envi-

ronments. What Schafer strives to convey is that breaking a sound apart from its natural environment and placing it in an unnatural environment can create schizophonia and thus, care should be taken with the recording and presentation of a soundscape. Ideally, soundscapes would consistently be of high fidelity, or hi-fi: a classification of a listening environment whereby sounds are heard clearly and the listener does not have to fight to hear the detail or orientation of the soundscape (Truax 2001).

From a sociological perspective, recording environments is not new. The recording of places and environments has been an integral part to documenting and archiving cultures vis-à-vis ethnographic or musicological research methods. However, it is important to note that the value of a soundscape, with regard to what is or what is not recorded, relies on the decisions made by the recordists and the historical information upon which such decisions are made (Samuels et al. 2010). To the sound engineer, this means that the decisions to record or not record sounds should be well planned and carefully considered.

The Culture of Music: Alan Lomax

While John Cage and R. Murray Schafer's contributions to the field of sound were primarily from a compositional approach, Alan Lomax's work was a result of documenting culture as a musicologist. His work was inspired by his father, John Lomax, whose desire was to preserve America's traditional music (Carlson 2014). His passion resulted in the discovery of several musicians and one of the largest collections of folk recordings (Association for Cultural Equality 2013; Rose 2012).

As an academician in the field of ethnomusicology, Alan Lomax recognized the different approaches to studying the culture of music early on. Of particular interest to him was the role of music in a social context. Through decades of research, he postulated that a connection between emotion and music exists, and theorized that consistent musical styles within a culture are indicative of specific needs or drives (Lomax 1962). Lomax's examination of music in cultures and the subsequent coding (cantometrics) of the music supported his position that music represents specific cultural and social structures.

The contribution of Lomax to the field of music is rarely discussed from the perspective of the sound engineer. As impressive as it is, Lomax's collection of over 17,000 recordings of false takes, music, and interviews (Rose 2012) were heralded for their content, not for their technological feat. Though field-based recordings were impressive at the time, Lomax was not the first, nor a pioneer in the field. Labels from across the country were conducting location-based recording sessions as early as 1923 (Russell 2007). The difference between the Lomax recordings, of which most cur-

rently reside in the Library of Congress, and the early field recordings from the 1920s, is the cultural significance of the Lomax recordings. His recordings were of such value that he was offered, and subsequently accepted, a position at the Library of Congress in 1936 and took his music and interviews to the airwaves as a radio host throughout the 1930s and 1940s (Donaldson 2013).

Lomax has been generally revered as "the man who recorded the world" (Szwed 2010), but he has also come under scrutiny. During the 1950s, he was subject to FBI surveillance and even asked to sign a statement that he had never been a member of the Communist Party (Szwed 2010). One of Lomax's pivotal works, *Mister Jelly Roll* (1950), was the subject of criticism in recent literature. In comparing the interaction and accounts as written by Lomax with the recently released complete interviews, Martin (2013) suggests that Lomax "frequently imposes his own schema" (30), and "Because of his [Lomax's] romantic conceptions of folk culture, Lomax is compelled to attribute to Morton his own preoccupations, to adjust Morton's story to fit his own a priori model of authenticity..." (Martin 2013, 32).

Whether Lomax's work continues to be scrutinized in the future or not, he should be recognized as one of several scholars of the time whose contributions helped shape the field of musicology and, indirectly, the field of sound. Additionally, his relevance to this paper resides in the fact that he used field recording—an extensive amount for that time period—to examine the role of music and culture. At a minimum, his work demonstrates that music offers cultural information if recorded and investigated appropriately. If you consider Lomax's work and transfer the fundamentals of ethnographical research to sound engineering, the sound engineer's role is well positioned to assimilate the functions of an ethnographer. But this only becomes feasible if their education supports such positioning and if their access to and recording of musicians and performances results in the extrapolation of culturally significant information. This is only possible if the sound engineer is trained properly, empowered as a significant contributor through their role in the production process, and if they make decisions in an educated and thoughtful manner.

A New Model and Approach for the Sound Engineer

The disruption the industry experienced in the early 2000s came as a result of a perfect storm between 1) technological advancements in both recording technology and distribution channels and 2) changing economics as technology became more accessible and affordable, resulting in both studios and artists detaching themselves from labels in favor of an independent model. The changes had a significant impact on the industry, from which it is still feeling the ef-

fects today in the form of declining album sales and revenue (Crompton 2014, Sanchez 2017). Studios were closing, and those that decided to hold on had to redefine their purpose and target market. If similar digital technology that was in the studios was available to musicians for about the cost of tracking an album, the need for the studio is diminished. In response, the studios redefined their role as experts in the field of *perfect production*, which would take place in great sounding, acoustically controlled studio environments, with access to the latest technology and, in many cases, vintage equipment.

As the tumultuous times normalize, the formulaic and commercial-centric approach to recording and producing music is evident. The state of the recording industry and recent encounters with productions that embrace natural environments reignited an interest that began nearly twenty years ago when I began working with musicians: tracking in natural environments as a means to capturing a performance that represents and conveys the culture of the recording through the interaction between the artist, the environment, and the music. But tracking in a natural environment cannot be haphazard or lacking quality if it is to make a case for permanency in the musical library of consumers. This requires that the engineer—the sound engineer—play a highly defined role in the production of music and, from a critical perspective, consider the artistic and philosophical value of John Cage, R. Murray Schafer, and Alan Lomax, in tandem.

Such approach for the sound engineer can offer an aesthetic fortitude that parallels the intensity of a *Tonmeister*—the European term for someone who has extensive education in music and technology (Borwick 1973) and is a graduate of a certified *Tonmeister* program (Recording Academy 2017). Lomax (1962) recognized that music can have more to offer beyond just musicality and suggested that even a field as focused on music as ethnomusicology “should turn aside, for a time, from the study of music in purely musical terms to a study of music in context, as a form of human behavior” (425). This can be accomplished by requiring a basic knowledge of acoustics in varied environments, promoting technological competency in both form and function across media, and ingraining an understanding of person-place-sound interaction from a multidisciplinary perspective rooted in the social sciences (i.e., sociology, anthropology, media, and psychology), the humanities (i.e., arts, music, literature), and even the hard sciences (i.e., math, physics, and engineering).

Figure 1 represents the conceptual model for how the contributions of Cage, Schafer, and Lomax can be applied to influence the sound engineer’s role and approach in the recording of music. Note, however, that mixing is not specified in this model, though it is feasible, if not recommended,

that the “sound mixing engineer” be the same, affiliated, or an informed person who is familiar with the production so as to maintain consistency and integrity in the work.

Cage’s concepts of indeterminacy and silence, Schafer’s work involving silence, the soundscape, and culture, and Lomax’s research into cultural representations and music, along with his field recording techniques, have led to the development of the aforementioned model and approach for sound engineers in the recording industry. It should be noted that the approach is not intended to be universal; certain genres of music or production outcomes (i.e., to create commercial background music, royalty-free catalog music, or other commercially-driven production) may not be appropriate for such an approach. As sound engineers consider the impact, the tenets set forth below provide additional clarification to the construct.

Sound engineers should understand the purpose or goal of the recording. This is not saying that sound engineers do not understand the purpose, but rather, that they should look beyond the contracted task for an opportunity to transform a recording into something more. To Lomax, the purpose of recording was to document the music and inherent culture present in music and communication. Though Cage and Schafer questioned the value of recordings, they recognized that music recording will continue, regardless of whether “live” performances or specific locations are available. In the music industry, it is necessary to understand the purpose of the recording, which may or may not include the opinions or directives of others, such as a label or manager. It is okay to not approach every recording as though it has cultural value. Some music, based in its intention, will have little cultural information or value embedded as a result of its purpose. A sound engineer is still fully capable of capturing the best sounds or performances in a studio for such a project, but they should be cautious as to not fall into the “studio” habit.

Silence is just as important as the music itself. Cage and Schafer promoted the value of silence, going so far as to consider it a musical element. But what is more important here is that silence is a completely subjective concept with no shared definition or meaning. This means that while architects and engineers spend hundreds of hours trying to figure out how to create a “quiet” recording studio, it is not necessary for all recordings. If a sound engineer, in consultation with the artist, decides that a room with a louder ambient noise floor or a specific type of reverberation is the best fit to extract an emotional performance that enhances the cultural aspect of the music, place, or time, then it should be used. Do not dismiss silence, or noise for that matter, as unharmonious. Of course, this is not suggesting that extremes be ignored; for example, attempting to record a blues song on a freight train traveling at 60 miles per hour

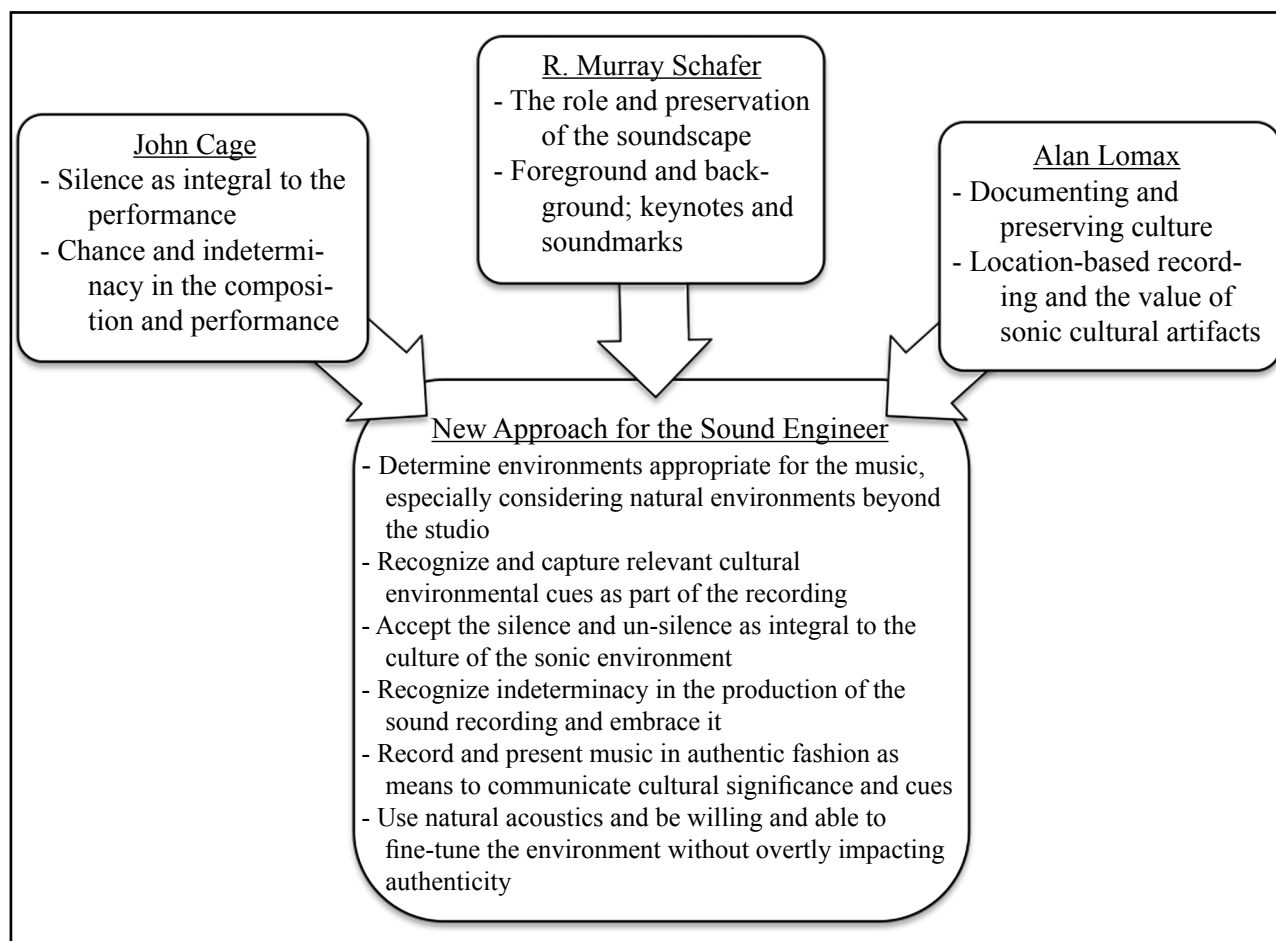


Figure 1. The contributions and influences of Cage, Schafer, and Lomax towards redefining and expanding the role of the sound engineer.

would not be feasible.

Sound engineers should not dismiss sonic environments and cues. If there is one key concept to extrapolate from Schafer it is the informative value of all sonic environments—the soundscape itself. Excluding live concert recordings, sound engineers have been led to believe that the studio is the only place to record a quality song or album, but similar to the previous point, our sonic environments and the musicians themselves present significant opportunity and surprise if they are explored: building may be a café by day, but a great recording environment at night, or perhaps an old Vox factory that was later transformed into an iconic tracking room known for its drum sound years later (as was the case with Sound City Studios).

Indeterminacy I: Culture and the unknown in the recording can enhance the final product. The sonic environment can be impacted by the unknown or unexpected, such as a door opening, street traffic going by, or pedestrian observers interacting with the environment. Similarly, indeterminacy occurs in the recording of the music vis-à-vis the musician’s choice of tempo, emotion, sound texture, et cetera—all of which are relevant to the understanding of culture. The re-

ording process does not need to be solely about perfection; musicians can make mistakes or deviate from their plan. The same can be said of the recording process and the capturing of “live” recordings. Cage did not believe in substituting live recordings for the real experience because the technology represented impossible feats. Likewise, overdub after overdub and layer upon layer of tracks can misrepresent the meaning and message. If the instrumentation cannot be recorded live or near-live or if it can, but requires an extensive rearrangement of the environment or sonic space, the sound engineer should consider whether it is worth recording.

Indeterminacy II: The collision of environments. The second way indeterminacy impacts the recording is upon playback. When approaching the recording process from this perspective, the environment in which the music is being recorded is one environment to consider, but the playback environment represents a secondary environment (studio for mixing or the consumer’s environment). Therefore, it is necessary to recognize that certain indeterminate sounds and environmental cues may be optimal for binaural listening (headphones), but may not be ideal for playback on speakers in an environment that is not designed for listen-

ing such as a car, a reverberant room in a house, or a space where the listener is not properly positioned in the listening field. One of the advantages of this redefined sound engineering approach is that it is introducing listeners to rich sonic environments at a time when the ubiquity of earbuds (ever present throughout one's day) are slowly isolating and detaching the individual from the beauty of their sonic environment.

Appreciate technology and determine its appropriate role in recording. Technology presents tremendous opportunity in the field of recording. Unlike Lomax, who traveled around with a cylinder recorder (resulting in less-than-optimal recordings by today's standards), quality recording technology sounds remarkably better, has virtually no noise floor, is easily mobile, and has become more affordable. But the technology cannot and should not replace analog thought or a critical perspective. Seeking natural effects or unique tonal qualities can add important cultural information and artifacts to the performance and recording. The apt sound engineer should employ the use of plug-ins and digital processing using a thoughtful approach. Also, sound engineers need to consider the environment in which they are recording and any technological opportunities or limitations imposed by the environment, the subject being recorded, or as a result of the two interacting. It may mean choosing a different song or using different instrumentation, such as an acoustic guitar rather than an electric. The sound engineer must consider the desired outcome and analyze how the convergence of the many pieces will impact the final recording. The last thing a culturally apt sound engineer should do is pollute the environment—either sonically or otherwise.

Being a sound engineer is more than technical precision. Critical and active listening is a must for sound engineers, but so is having a penchant for finding, experimenting, listening, questioning, learning, and studying. All too often, when an engineer finds a specific sound or technique in a studio they hold on to it and use it repeatedly. The end result is artist after artist sounding more like the sound engineer's technique rather than their own musical or stylistic identity. There are several instances where a specific technique was used on different artists but resulted in such a similar sound, impacting the sonic and musical identities of the artist. When a client hires a sound engineer, the sound engineer should advocate for letting the music, environment, and interaction determine the initial sonic form of the recording, followed by informed and meticulous shaping of the sound to achieve a unique sonic work.

Embrace the holistic role of the sound engineer. Sound engineering should be approached from a multidisciplinary cultural perspective that involves music, technology, math, engineering, media, science, sociology, psychology, and art.

The newly redefined role of the sound engineer carries substantial responsibility for ensuring the accurate delivery of the message from the sender (musician) to the receiver (consumer). Similar to how film companies scout locations for a movie before production, sound engineers should explore environments in search of the best fit, given their knowledge of the music, project outcomes, context, and influences of the musician. Just as a writer experiences writer's block, a sound engineer may experience *soundblock*—an inability to move forward in a sound production. They need to be willing to move beyond their comfort zone, try something new, or take a breather as needed.

Discussion

When the framework for this paper began to take shape, it was thought that the role of the sound engineer, and sound engineering as a career, had to be reconstructed. But that is not the case. In considering the series of specialist sound roles across a multitude of industries that share the same fundamentals of sound engineering in some form, it became clear that the role of the sound engineer had to be expanded and redefined as a result of advancing technology that has resulted in a form of technological determinism with regard to the perceived value of music and sound as a whole. Towards redefining the role, this cultural approach for the sound engineer should be considered an expansion to the existing role of the sound engineer, which impacts how other roles are defined. The discussion that follows revisits and refines previously discussed roles that are specific to the music industry, within the context of expanding the role of the sound engineer to include critical cultural principles.

Previously, the roles of *audio engineer* and *recording engineer* were introduced. These titles are often used by novices and those unfamiliar with the entertainment industry to describe what is usually a role that more closely resembles that of the sound engineer. The *audio engineer* is a technical position on the development and design side, and is defined as a person who manipulates the electronic form of sound, the *audio*, at the electronics level—essentially an electrical engineer with a specialty in audio. The Academy's definition for the recording engineer, discussed previously, falls short of acceptable as it merely differentiates the *recording engineer* from the *head (sound) engineer* as someone who is not involved in the mixing. Such minimal differentiation projects an inappropriate simplicity to the recording process. It assumes that the mixing process and recording process are independent of one another and ignores the notion that approaches used in the recording process become the foundation for future mixes. Rather, it is more appropriate that the recording engineer be defined as someone who is proficient at the technical operations of sound/audio equipment who operates under the direction of a head sound en-

gineer or producer.

Historically, the *engineer's* role has been essential in the production process, but “sound” was absent from the title. It remains the contention of the author that all things involving sound in the entertainment industry are born out of the fundamental theories related to sound engineering. Additionally, the Recording Academy should expand its definition of *engineer* to *sound engineer* to better represent the complex responsibilities and expand the role of an already undervalued position. With a keen ear for aural aesthetics, a critical cultural perspective, an expertise in the use and application of diverse recording technology and processes, and a deep, organic sense for *engineering* sound from multiple perspectives, the sound engineer is responsible for shaping sound across all types of sound projects—from traditional music recording to mixing for picture, to short and long form radio production and sound art. A true sound engineer, therefore, is a sonic agnostic when it comes to the industry in which the sound work exists. Considering the history and importance of the sound engineer to the music industry, the sound engineer must be able to discern project outcomes and determine the best approach for the recording project and is responsible for using their knowledge to record and shape sound with or without structural, musical, or performance influence, towards capturing a “best” performance rich with texture and cultural information.

This expanded definition for the sound engineer further challenges the purpose and role of the producer in the music industry. The *producer* is a role that may or may not be present and can be selected by the musician or business affiliate who has interest in the project, such as a label or manager. Additionally, the producer may be a separate role or part of an existing role. In the latter example, the sound engineer, the artist, or a member of the group can take on the producer role exclusively or collaboratively with other project members. Considering that producers often come from the rank of sound engineers (née engineers), and they have both creative and technical oversight of the entire project, they are the person who develops the artist, shapes the sound, and whose role is embedded into the writing or performance process to the extent that they impact or alter significantly the structure, musical attributes, and/or performance. To some extent, the producer role works behind the scenes as a quasi-member of the talent. One significant consideration, though rare, is that the producer may not be technically proficient in the operations of sound or audio equipment.

As the sound engineer further develops his or her craft using this model, musicians may need to rethink the role of the producer. A well-rounded sound engineer can be just as effective as a producer, and the intellectual input that goes into engineering and shaping sound is just as relevant. Within the traditional framework, the producer manages a

project and “forms” or “polishes” a song or artist. As a result, their creative control can be overbearing and result in a product that, similar to the previous suggestion, misrepresents the true sound or intention of the artist in favor of other interests, such as financial or image and marketing.

It is unlikely that the aforementioned changes will be universally accepted by the industry, education, and consumers, but options do exist. To begin, specific marketing steps have to be taken to educate consumers about music and sound. This can present a challenge, but with industry support it is not impossible. Not every recording or sound project will justify an intense aesthetic approach, and consumers need to understand that different musical performances call for different sound recording aesthetics. Not every sound recording needs to be perfect and clear or authentic and raw. Different songs and locations call for different recording techniques. Consumers have already demonstrated that they are open to sonic differences in recordings with the simultaneous existence of lossless and lossy digital formats, compact disc, vinyl, and high-definition audio in the marketplace. One solution to ensuring that critical cultural, aesthetically rich recordings are properly marketed and delineated would be to create a “standards” demarcation, similar to how “Compact Disc” and “Stereo” have been used to convey specific standards, but with the performance and sound engineering approach as the determining factor.

Educating future engineers and existing engineers on the critical cultural approach becomes integral to the future of sound engineering as a field. Minimally, sound engineering programs should offer one or two intensive critical sound studies courses that introduce critical perspectives and their application to sound projects. Potential for a designated specialization or certification also exists, for those programs that want to exceed minimum standards and focus on a more intense approach. This type of framework mirrors other specialty designations, such as the Tonmeister designation, which is granted based on completion of a recognized Tonmeister training program. It would be prudent for both industry and education sectors to recognize the cultural specialty and develop a designation for sound engineers who undergo additional training in culture and aesthetics. This of course begs the question: how would such a designation be verified and managed? One suggestion would be to utilize current educational organizations such as the Music and Entertainment Industry Educators Association (MEIEA), the Broadcast Education Association’s (BEA) Radio and Audio Media division, the World Forum for Acoustic Ecology (WFAE), or the Recording Academy to establish and recognize such a designation.

Conclusion

This paper set out to establish a critical cultural model and

in doing so, redefine the role of the sound engineer. Sound engineers who adopt such an approach have the potential to create aesthetically and culturally rich recordings that reinvigorate the industry, the listening experience, and the role itself. This approach should not be construed as a universal standard or style. Rather, the sound engineer—either on his or her own accord or in consult with the client—captures and shapes sound to present the best possible production given the desired outcomes and project potential. The need for redefining the sound engineer’s role to include a critical cultural, multidisciplinary understanding of person-place-sound interaction is necessary towards elevating the role of the sound engineer, and should be an optional path or endorsement in sound education programs. The sound engineer is the connection between artist and consumer, and can have significant influence in how the message is perceived. The sound engineer’s role must be considered the starting point to transforming the consumer’s perceived value of sound recordings from commodity to cultural signifier.

For many reasons, commercial recordings have become formulaic, but to no fault of their own: consumers have not been discriminate listeners, live shows have taken priority over recordings, and album sales have declined due to economic challenges and consumer preferences. However, if selected recordings become relevant, substantial, and unique, it is believed—as evidenced by niche markets such as *La Blogothèque* and underground recordings—that consumers will embrace sound recordings as more than just entertainment.

Cage, Schafer, and Lomax, as a collective, have never been considered for their potential influence on the recording process. Their works were considered avant-garde for their time, or had limited commercial value due to technological constraints and lacking consumer awareness. But in today’s era, where location and mobility has minimal impact on technology, there is no reason for a sound engineer to stand idly by in a studio while sonic environments, rich with aesthetic value, await the opportunity to interact with a recording project, creating a culturally significant and meaningful sonic masterpiece. This new breed of sound engineers will be able to reshape an industry marred by monotony, homogeneity, and lack of innovation.

In closing, as sound recording continues to take place, and as listeners are inundated with a plethora of listening options, it is essential for musicians and sound engineers to bring relevance to their music and sound recordings, respectively. Perhaps one day, rather than using a studio and instantiating plug-ins to create a non-existent space, a sound engineer will instead find an acoustically and culturally rich place—one where the musician can feel comfortable, connect with the environment, and provide the consumer with the performance of a lifetime.

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Black Box Royalties Are Coming Courtesy of the Music Modernization Act: Lessons from the Early Years of SoundExchange

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Abstract

The passage of the Music Modernization Act has rightfully been heralded as a major advance for the music industry. Divided into three parts, the Act corrected a decades long problem by providing limited protection to pre-1972 recordings enabling legacy artists a right to be paid when non-interactive streaming services stream their recordings, attempted to fix a problem for producers of pre-1996 sound recordings who were having difficulty collecting royalties from SoundExchange, and most importantly made a major change in the way that on-demand streaming services license musical compositions under the Copyright Act's section 115 compulsory license. This significant change in licensing creates a blanket license for compositions and a new collecting society, "the MLC," to collect and distribute these royalties. It will end five plus tumultuous years of litigation against Spotify and other streaming services for their failures to abide by the laws of the old section 115 and enable these services to stream more efficiently. It will also end a game played by these services which robbed songwriters and music publishers of millions of dollars in royalties. One byproduct of this new change in the law will be the accumulation of undistributed royalties as tracking down songwriters and music publishers will not always be easy. SoundExchange was the first experiment in this kind of system: having to pay everyone in the world and not just those who sign up to be your members (as is typical for most performing rights organizations.) SoundExchange's experience, which will have some similarities and some very distinct differences, was that 80% of participants were easy to track down and pay while 20% were quite difficult. This paper explores those similarities and differences and explain what techniques can be used to minimize black box royalties.

Keywords: Music Modernization Act, SoundExchange, music copyright, mechanical royalties, compulsory license, music streaming, black box royalties. Music Licensing Collective

The Music Modernization Act (MMA) has been heralded as a major victory for the creative community and it should be! It will provide benefits to three different constituencies: songwriters and music publishers, recording artists who released recordings prior to February 15, 1972, and music producers, mixers or sound engineers who produced recordings prior to November 1, 1995.

While the benefits of the MMA are important and certainly justify the time and effort spent on its passage, there are some sobering realities that all must face and frankly should expect going forward: the first, is that there will be a large pile of cash that will be very hard to distribute. This undistributed money, either caused by insufficient or erroneous data or the failure of those entitled to royalties to come forward and identify themselves is typically referred to as black box money.

In a June 26, 2019 hearing on Capitol Hill, Register of Copyrights, Karyn Temple, was questioned by members of Congress about the breadth of black box royalties which the new Music Licensing Collective (MLC) will be charged with distributing. Some industry estimates have put the number at over two and a half billion dollars!¹ Ms. Temple assured members of Congress that although some of these revenues date back to 2014, the earliest distribution of these unmatched royalties would be 2023. Nearly all collective organizations (CMOs) have black box money. If SoundExchange's early days are any indicator, more than twenty percent of the royalties collected will be very difficult to

distribute!²

In this paper I will examine why black box royalties are inevitable. I will also provide recommendations for the Music Licensing Collective, the new licensing collective created by the MMA, to ensure that the distribution of these undistributed royalties is done in the most fair and ethical manner.

Nearly twenty years ago in 2001, SoundExchange performed its first distribution. Another landmark piece of music legislation had been passed in 1995, the Digital Performance Right in Sound Recordings Act (DPR) which created the first performance right for U.S recording artists and record labels and mandated that commencing upon February 1, 1996, non-interactive services streaming sound recordings over cable, satellite, or internet had to pay royalties to sound recording copyright owners (SRCOs) and both featured and non-featured recording artists.³ From February 1, 1996 to December 31, 2000, music services paid royalties into escrow waiting for an organization to be formed that could distribute these royalties.⁴ Music Choice, Muzak, and DMX were the original three services paying royalties into escrow as they all used digital means of transmitting music to consumers either over DirecTV, DishNet, or cable television systems. Internet streaming was still nascent and of little commercial value.

During that initial five-year period, there was approximately \$6.3 Million in royalties paid into an escrow account by these early providers. SoundExchange wasn't even on the horizon when these collections started. When SoundExchange was in its formative years in 2000, it was decided that they would cap their administrative fee at twenty percent of collections even though that wouldn't cover their costs. The organization felt that twenty percent was in line with what other small societies were charging their members. This twenty percent share of that initial escrow meant that SoundExchange would have approximately \$1.26 Million from collected royalties to build the collecting society, including staffing, building the technology required to perform the tasks or outsourcing it from another vendor, as well as paying for rate setting proceedings. By comparison, in the early years of ASCAP an initial distribution of \$80,000 was made on collections of over \$600,000⁵ as they did not have a backstop to subsidize early start-up costs.⁶

Fortunately, SoundExchange had the support of the major labels through their trade association, the Recording Industry Association of America (RIAA) and was able to spend well more than \$1.2 Million to build systems and technology required to accomplish these distributions. However, due to concerns about excessive costs in those early years, when streaming projections were woefully low, head count suffered and the organization was completely understaffed for certain essential tasks.⁷

With a skeletal staff and very modest collections, SoundExchange completed its first distribution in late 2001. Their experience was that it was easy to pay 70% to 80% of recording artists and about the same on the label side (the majors were about 70% themselves and major indies another 10%) leaving smaller indies and self-released artists as the final 20%.⁸ These participants were far more difficult to track down and sometimes even harder to pay.

The new MLC will have several benefits that SoundExchange did not have in those early years. First, mechanical rights are well-established and well-known among the music publishing community. The first digital performance rights for recording artists and sound recording copyright owners passed in 1995 and was not on anyone's radar. When managers, business managers, and entertainment attorneys were contacted by SoundExchange staff, to let them know about their client's royalties, many were disbelieving. Staff often heard, "there are no performance rights for artists in the U.S.," which had long been the case. That shouldn't be the case with mechanicals which have been around since 1909!

Second, the MLC will be funded by the digital service providers (DSPs) either at a level that is mutually agreed upon between the DSPs and the music publishing community or at a funding level set by the Copyright Royalty Board (CRB) and should be much greater than SoundExchange had at its disposal in the early years, as the royalty expectations are much, much greater for the MLC, even with the prospect of significant direct licensing diminishing MLC collections.⁹

Collecting societies are a fixed cost business: you have to build systems and spend a significant amount of money on technology and staffing—but the more revenue you put through your system, the lower the administrative cost becomes. That was true at SoundExchange where admin fees quickly dropped from the fixed 20% fee adopted in the early years, where they lost money each year, to sub-10% and then sub-5% admin fees over the next decade as collections grew dramatically. But black box money grew as well despite best efforts to resolve data issues and the organizations' search for missing rights owners and recording artists.

It is no surprise to anyone in the music industry that one of the greatest contributors to black box revenue growth is the lack of a global repertoire database that spells out ownership of both the sound recordings and the underlying compositions contained on those recordings.¹⁰ While our industry does have ISWC and ISRC codes, which should be helpful in making distributions easier, they are not universally used, especially by smaller players, who are the most difficult to find and pay.¹¹

SoundExchange and the new MLC will share one major characteristic: when one compares the SoundExchange ex-

perience to ASCAP, BMI, SESAC, GMR, or many other collecting societies, it is actually not like comparing apples to oranges, but more like apples to gorillas. All of the publishing PROs mentioned represent only their members and only collect on behalf of their members and only pay their members. To join these societies, you must tell them what you own and your relative share of each composition when you register. At the end of each year, these societies divide up the money among their members and theoretically shouldn't have any black box money. Checks may come back as uncashed as someone may have moved, but for the most part it should be simple. For SoundExchange, there was no membership requirement; there was no requirement that artists or labels tell the organization what they owned or how they split royalties. SoundExchange was an experiment on a whole different level. They had to find everyone in the world and pay them.¹² Additionally, the data of who they were supposed to pay was provided by the services playing the recordings and their motivation to provide accurate data was sorely lacking. And SoundExchange made that worse by demanding complete census data of every single recording!

You may wonder how census data made things more difficult. While it was the right thing to do in their effort to ensure that every play was recognized and paid, it meant that every mistake in data was magnified. ASCAP and BMI were using sampled data to distribute their public performance royalties, broadcasters only provided three days of data in each calendar quarter, so most mistakes in data entry would simply disappear. When internet services tried to insist that SoundExchange accept the same three-day sample, the organization fought back illustrating how many artists and titles would disappear: online music was fundamentally different than over-the-air radio playlists which were short and repetitive. SoundExchange research showed that 41% of titles and 26% of artists would disappear in a sampling of data. The Copyright Office supported SoundExchange's position and census data became the rule.¹³

Some early major hurdles were clarifying ownership issues between distributors and owners. Oftentimes the service playing the music would report the distribution label rather than the sound recording copyright owner. Additionally, ownership of masters changed hands frequently with majors buying independents and independents buying other independents as well as exclusive licensing arrangements ending and the recapture of rights by labels which had previously assigned rights to another company. Territorial issues also presented problems. In an industry that had been created around physical borders, some recordings were owned by a specific label in a specific territory but owned by another label in a different territory.¹⁴ Another issue concerned so-called "gray market" recordings: labels in the E.U. and U.K.

took advantage of shorter periods of protection for sound recordings by taking public domain recordings and reissuing them. Frequently, a streaming service would stream from those public domain reissues and report to SoundExchange that Bear Family or Ace were the owners. While they were the owners of those reissues outside the U.S., the rights in the U.S. were typically still owned by the original label as the term of protection here was much longer.¹⁵

These copyright term issues shouldn't affect the MLC in the same way as copyright terms for compositions are fairly uniform around the world, unlike sound recordings. However, the MLC will have far greater problems than SoundExchange had in several other areas:

First: most recordings are owned by one record label or artist, while most compositions have multiple owners and ownership shares are frequently unequal.

Second: many compositions get released on recordings before there is even an agreement as to how to split royalties among the writer and publisher participants, resulting in compositional share claims of over 100%! How does the MLC resolve such claims? Is the money placed in escrow until writers and publishers agree upon the appropriate splits? Are these royalties subject to black box treatment if splits are never agreed upon or are they held in escrow until an agreement is reached?

Third: while SoundExchange frequently received reports of use indicating that the featured artist was "Various Artists" (typically from a compilation or soundtrack which featured various artists), the MLC is likely to have reports of use for "Bonus Track" or incomplete song title information which may make it impossible to determine which composition was being streamed. (Both SoundExchange and the MLC will face issues regarding multiple versions of the same recording/composition where a particular remix may add an additional author/publisher if a rap is added, for example.) The MLC will not however share SoundExchange's problem determining who to pay on live recorded versions of a composition which features different players on the live vs. the studio version!¹⁶ Both organizations will also face the challenge created by foreign works, many of which will be reported in their language and in characters that may not be recognized by a database.¹⁷

Fourth: the MLC will face a daunting task in that licenses for each on-demand service streaming compositions may have different publishers based upon license termination dates. It is entirely possible that one publisher will be entitled to mechanical royalties and another publisher will be entitled to public performance royalties on the same stream.

All of these issues add up to undistributed royalties: the black box. How should these royalties be distributed? Every day there are more complaints registered in the music industry press about how the major music publishers are

going to swallow the black box money based upon their market share even though they have direct licenses with the major streaming services which provide that the streaming services pay them directly for usage.¹⁸

Why should major publishers share in black box revenue if they direct license? Given how much more valuable content they own, the likelihood is that a large percentage of data issues that prevent payments will concern compositions owned in whole or part by major publishers. Direct licenses with services may cut down on bad data entry, especially if there is a closed system where the streaming services are provided accurate information about ownership from the respective publishers and record labels, but remember, the streaming services are focused far more on the recording artist than they are on who wrote the underlying compositions, and errors are likely.

Another complaint often read in industry publications is that the major publishers have built in “digital breakage” so they are already being compensated for losses due to bad data. While major publishers may have the leverage to require guaranteed quarterly payments, which may exceed actual usage, which thus result in a “windfall” to the publisher, or at least a rate that is higher than the mechanical specified in Section 115, unless that overage results in underpayments to independent publishers and writers, it should not be a substitute for participating in black box royalties. If publishers are sharing this breakage with their writers, and most major publishers have indicated that they will, this is a win for songwriters and should not be a bar to participating in the distribution of black box royalties.

One additional complaint recently lodged concerns the special language in the MMA statute that provides that royalties which are unpayable by the MLC will not be subject to escheat to the state and will instead be distributed by the MLC to other music publishers and songwriters. The complaint is that were these royalties escheated to the state, the state would then hold these royalties for the music publisher entitled to them for a longer period of time. There are several significant problems with this argument. First, the publisher may not be sufficiently identified so the MLC doesn't know who they are or what state they are located in. Second, it is far better that the royalties be distributed within the music community, on a pro rata basis, then to let the state keep the money after a period of time if the publisher never comes forward to claim their money. SoundExchange was the first organization to use the Supremacy Clause in this way. How do you escheat money payable to “Various Artists?” To “Mozart?” SoundExchange used this money to offset costs of administration, which meant that it was equally shared by all recipients in the system. As the MLC's costs are being paid for by the DPS, this is not an option, so increasing everyone's distributions in relative shares is the

appropriate action to take.

Some Recommendations for the MLC in Distributing Black Box Money

First, as this is a new mechanism for distribution of mechanical royalties, efforts must be made to publicize the need for independent publishers and self-published songwriters to register with the MLC. While the PROs should take the lead on this, as well as independent distributors like TuneCore, Audiam, DistroKid, The Orchard, and others, the DSPs must also establish a process for sending out notices when independent tracks are being played.¹⁹ Songwriters whose works are being performed on streaming services are the ones most likely to listen to the track or be alerted that it is being performed. It will be far more powerful and impactful if a performance were accompanied by a message that royalties were being accrued based upon the performance and that here is the link to collect them. The DSPs control the pipes to hundreds of millions of listeners with a much more direct connection for dissemination of this important information to independent songwriters and small publishers.

Second, time is required. The current law provides at least a three-year period prior to the distribution of black box royalties.²⁰ SoundExchange waited five years before its first pool release of undistributed royalties and I'd recommend that the MLC do the same. What's the rush? The MLC's costs have been paid for by the DSPs—so it's not about recovering the money required to build the MLC; and the longer the MLC gives independent publishers and writers to register, the more legitimacy will be earned by the MLC in trying to do the right thing: to see that those entitled receive their payments.

Time will also result in better data as the MLC will have time to attack bad data and correct it; songwriters and publishers will have the opportunity to search the database and find their works and correct errors, and help identify works that are not attributed to anyone. This will only help the MLC in their quest to build a global repertoire database which is required under the MMA.

Third, while it is always preferable that all royalties be distributed based upon actual data to the publisher/songwriter who has earned them, there will be instances when data is unavailable or insufficient. In such instances, “rough justice” or proxy distributions will be necessary.²¹ When calculating the distribution of black box royalties, in such distributions, I would recommend creating two separate pools for distribution: a) Pool Number One is comprised of bad or insufficient data—work has been done to identify repertoire but it becomes clear that identification is not possible; and, b) Pool Number Two is comprised of identified works whose owners/authors have not come forward

to claim them and the MLC, after significant effort, has not been able to pay them.²²

My reason for dividing the black box royalties into two pools is simple: since we can't identify the works in Pool Number One, they are likely to be comprised of works that would be representative of the overall pool of publishers and songwriters without regard to direct licensing and should be distributed based upon market share regardless of direct licenses. Pool Number Two, on the other hand, is comprised of works that have been identified and don't belong to any of the major publishers and songwriters, nor any of the members licensing all of their works through the MLC. For this pool, distribution should be based upon everyone's relative share passing through the MLC. Thus, if Publisher A has a market share of twenty-five percent but only has five percent of the total royalties passing through the MLC due to direct licensing, they would receive twenty-five percent of Pool Number One but only five percent of Pool Number Two.

Every collective management organization (CMO) has to balance carefully competing goals: accuracy and efficiency. Accuracy is measured in payments to the right players while efficiency is typically measured in "admin" rates:²³ the rate it costs to perform the essential tasks of the CMO. It is unsustainable and bad business practice for a CMO to spend five hundred dollars to track down someone owed five! As such, despite best efforts, there will be significant undistributed royalties during the early years of the MLC, and the manner of its distribution will provide controversy no matter how much effort is spent attempting to do this transparently—and no matter how much effort has been spent to track down each and every entitled recipient.

To remain efficient, the MLC must "follow the dollar" in attempting to track down unidentified writers and publishers. This means they must start by trying to track down those who are owed the most and then work their way down the list. There is a point where the MLC should stop. While the MLC should always be willing to register any publisher who comes forward, no matter how much or little they are owed, resources should not be wasted on searching for low earners. There are exceptions to this rule and SoundExchange created a model that the MLC should use. SoundExchange was very active reaching out to industry organizations where they thought they might find recording artists and/or record labels owed royalties. They engaged in "matching activities" where they would match their unpaid list against the list of members of those organizations. This was a very effective exercise and resulted in thousands of matches, many of whom were low dollar recipients. The organization working with SoundExchange would notify their membership of the match and provide their members with information on registering to receive their royalties. The

MLC should endeavor to do the same.

The MLC should take all reasonable steps to match money with those entitled. When all else fails, and money falls into the black box, I hope the rules set forth above provide a framework for the MLC to distribute these royalties in a manner that will satisfy the music community at large and not just the largest in the music community.

Endnotes

1. Former TuneCore founder and current Audiam CEO, Jeff Price, has stated that the 2014-2019 undistributed pool may be more than four billion dollars. Congresswoman Sheila Jackson Lee, in questioning Temple, mentioned this amount. Reported in *Billboard*, June 26, 2019.
2. The percentage of "hard to distribute" royalties may increase dramatically if many major publishers direct license their work around the Music Licensing Collective, thereby removing the "easy to distribute" royalties from the mix which will decrease pay through rates and increase the percentage of royalties that are undistributed.
3. Featured recording artists were to be paid 45% of royalties while non-featured recording artists were to be paid 5% through a fund jointly created by the American Federation of Musicians (AFM) and the American Federation of Television and Radio Artists (AFTRA), now known as the SAG/AFTRA/AFM Intellectual Property Fund.
4. It is important to distinguish this new right for those owning and performing on sound recordings from those who created and owned the underlying compositions. ASCAP, BMI, SESAC, and GMR in the United States represent the interests of music publishers and songwriters. SoundExchange and Royalty Logic, Inc., a now defunct but early competitor to SoundExchange, represented the interests of SRCOs and featured recording artists.
5. Russell Sanjek, *Pennies from Heaven: The American Popular Music Business in the Twentieth Century* (New York: Da Capo Press, 1996). This book is a must for any student interested in the history of performing rights.

6. Section 114 of the U.S. Copyright Act initially provided that a designated agent such as SoundExchange would collect royalties and then pay 95% to the owner of the sound recording copyright, typically a record label, who would then “allocate” 45% of the royalties to the featured recording artist. Recording artists were upset when they fully realized that direct payment of the artist’s share was not required, and there was an outcry. ASCAP and BMI divided money between music publisher and songwriter and that was the model the industry was used to on performance royalties. SoundExchange was able to obtain the provisional agreement from the major record labels (EMI, SONY, WMG, UMG, and BMG) to pay their artists directly on an experimental basis. The law was changed in 2003 to require direct payment of the featured artist’s share.
7. Initial projections by business development consultants, procured by the RIAA, estimated 2010 collections to be \$80 million. Actual collections in 2010 were more than three times that estimate and were nearly \$300 million.
8. If SoundExchange had followed the legislation, as written, SoundExchange would have sent out five checks to the major labels, distributing 70% of all royalties! Distributions to major independent labels would have increased pay through to 80% with about two hundred checks. It would then have been the label’s responsibility to pay through royalties to their recording artists. Given the agreement by the major record labels to allow direct payment to their artists, the organization went from five checks to approximately 10,005 checks to distribute the same percentage of royalties. Furthermore, the organization found out quite quickly that an artist on a major label who hadn’t had a hit recording in more than ten years, or who wasn’t a major catalog seller (Sinatra, Ellington, Hank Williams, Sr.) was likely to have an old address or contact information that was stale, and many of these checks were returned creating a whole new level of work for staff.
9. SoundExchange collections in 2001 were about \$3 million and internal estimates had collections growing over the decade to approximately \$80 million in 2010. Mechanical royalties in 2021 should be in the hundreds of millions of dollars even with direct licensing of services by the major music publishers.
10. Efforts to build a Global Repertoire Database or “GRD” were commenced in 2008 hosted by the World Intellectual Property Organization (WIPO) and included both collecting societies, music publishers, and companies in need of data: Google, Apple, and other music services. The effort was declared dead in July of 2014. See Klementina Milosic’s Guest Op-Ed in *Hypebot*, “The Failure of the Global Repertoire Database,” August, 31, 2015, <https://www.hypebot.com/hypebot/2015/08/the-failure-of-the-global-repertoire-database-effort-draft.html>.
11. ISWC is an identifier used to specifically identify a composition, its authors, and publishers. More information about the International Standard Musical Works Code can be found at www.iswc.org. The ISRC or International Standard Recording Code is a unique identifier for sound recordings initially adopted in 1986. More information about ISRC codes can be found at www.isrc.com.
12. In the Copyright Office regulations governing SoundExchange, there was no obligation on SoundExchange’s part to track down or find anyone! It was the sound recording copyright owner and featured artist’s responsibility to come forward and register. Despite these regulations, SoundExchange expended considerable sums to proactively find those entitled to royalties. In doing so, “follow the dollar” is the most important principle to efficiently run your CMO: track down those owed the most first and then move down the list.
13. Barry Massarsky, a former ASCAP economist, took the census data SoundExchange was receiving from Satellite Services DMX, Music Choice, and Muzak, and created a sample that replicated what ASCAP and BMI would have received from broadcasters under the three-day per quarter methodology. SoundExchange was able to show the fundamental difference between services that were playing hundreds of recordings per channel on a broad range of channels and terrestrial broadcasters who had very narrow playlists in a very small number of genres.
14. Which labels rights were implicated? The country where a stream originated or the country where the stream was received? Many webcasters were streaming across national borders to listeners in other countries.
15. European copyright protection for sound recordings was fifty years from publication until 2012 when the term of protection was increased to seventy years. This meant that many classic recordings from the 1930s to the 1950s were in the public domain in the United Kingdom and Europe and were being reissued by labels who did not initially own the rights. In the United States, the protection of sound recordings was not covered under federal copyright until February 15, 1972, but state and common law protections were relied upon by owners to assert and protect rights. The only limitation on duration of these state and common

law rights was the U.S. Copyright Law's proscription that all pre-1972 recordings would enter the public domain in 2067.

16. SoundExchange faced another major problem that the MLC will avoid: frequently in classical music the artist was listed as "Beethoven" or "Mozart" instead of listing the recording artist who had made the recording of Beethoven's or Mozart's works. These works are in the public domain so do not implicate mechanical royalties unless there are arrangement credits claimed.
17. SoundExchange received recording data that included Chinese characters as well as titles reported in other alphabets. Unless translators are hired, these payments may be tough to make especially if the overall numbers don't justify the expense of hiring foreign language experts.
18. This was a major theme at the June 26, 2019 oversight hearing referenced above. See Ed Christman's June 26, 2019 piece in Billboard titled, "House Judiciary Hearing on Copyright Office Reviews Music Modernization Act, Black Box Royalty Concerns," <https://www.billboard.com/articles/business/8517787/house-judiciary-hearing-on-copyright-office-music-modernization-act>.
19. Pandora was a great partner with SoundExchange in this regard. While Pandora and SoundExchange fought tooth and nail over rates to be paid, Pandora sent out notices when they accepted recordings that directed those artists and labels to register with SoundExchange as royalties would be earned from their Pandora activity.
20. Section 115(d)(3)(v) sets forth the provisions governing unclaimed royalties. A pertinent part of the statute states: "UNCLAIMED ROYALTIES OVERSIGHT COMMITTEE.—The board of directors of the mechanical licensing collective shall establish and appoint an unclaimed royalties oversight committee consisting of 10 members, 5 of which shall be musical work copyright owners and 5 of which shall be professional songwriters whose works are used in covered activities." This committee is tasked with creating rules for fair distribution of unclaimed royalties.
21. One of SoundExchange's greatest early challenges was created by the delay in setting webcasting rates. While webcasters were obligated to pay royalties as of October 28, 1998, no rates were set until June of 2002. When rates were set at seven hundredths of a penny per stream, \$.000762, many webcasters ceased operations as they were hoping to pay percentage of revenue rates as they had little or no revenue. But of greater import, some of the largest streamers, AOL, MSN, and Yahoo, sent payments based upon usage with no accompanying data. When asked for the data, which was required by statute, they stated they had not kept it! How was SoundExchange to distribute these payments without data? The organization created a proxy from other data received that was thought to be similar to what was being streamed on those services and submitted it to the Copyright Office for approval. The Copyright Office then published this proposal to the music community at large, seeking comments. As there were no objections, it was approved. That proxy, obviously not exact, was better than market share distribution or nothing!
22. There were several instances during the early years of SoundExchange where an artist refused the royalties that were offered to them. Some thought SoundExchange was a scam (it did start at around the time that Nigerian oil money e-mails and Netherlands lottery winnings e-mails were quite the rage), though for others they simply didn't believe they'd earned the money!
23. Admin rates are determined by taking the total amount of a CMO's collections and then calculating their costs of collecting and distributing those collections. It is appropriate to include amortized costs of building technology solutions, costs of rate proceedings to set rates for specific licenses they administer, overhead, salaries of staff, and limited marketing costs necessary to publicize their efforts and to attract members (if membership is required or provides other benefits). In some countries, a percentage of collections is designated for anti-piracy efforts or cultural funds. These are quite controversial especially for international participants who may not benefit from cultural funds to support the arts in-country. For large CMOs admin rates should be under fifteen percent although admin fees will vary based upon which rights are being collected. Radio, television, and digital services are far easier and cheaper to collect than night clubs, restaurants, bars, and other locations subject to general licensing.



John Simson has been in the music industry since his signing in 1971 as a recording artist and songwriter. Simson's career has included stints as a manager, handling the career of five-time Grammy winner, Mary Chapin Carpenter, special advisor to Harry Belafonte for music and television projects, and a thirty-year career as an entertainment lawyer advising clients on copyright and business issues in film, television, music, and the visual arts. He most recently served as the Executive Director of SoundExchange from 2001-2010, an organization he helped launch in 2001. SoundExchange collects royalties from internet and satellite radio services on behalf of recording artists and record labels. The organization is now responsible for distributions greater than two billion dollars since inception. Simson received an Emmy nomination for his music supervision of the PBS series "American Roots Music" and was named the Outstanding Volunteer Lawyer by Washington Area Lawyers for the Arts on their tenth anniversary celebration. Simson was at the forefront of the battle for artist's rights and their ability to be paid for their work online and has been featured on *NBC Nightly News*, *The New York Times*, *WSJ*, *Marketplace*, *CNN*, and many other news outlets. He is a frequent lecturer on music industry and copyright issues and currently serves as the Chairman of the Board of the National Recording Preservation Board of the Library of Congress, is Chairman of the D.C. Bar's Art, Entertainment, Media & Sports Law Committee, is a Board member of CINE, the Musicianship and the Music Manager's Forum. He is a 1994 Alumni of Nashville's Leadership Music Program and is a past President of the Washington, D.C. Chapter of the Grammy organization. Simson previously taught Entertainment Law at Washington College of Law and Georgetown University Law Center. He is currently Executive in Residence and Program Director for Business & Entertainment in the Kogod School of Business at American University.

Mechanical Licensing Before and After the Music Modernization Act

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Abstract

The Music Modernization Act (MMA), signed into law in the United States on October 11, 2018, made significant changes to digital music licensing. The act was an omnibus act, combining three previously introduced bills. One of those bills, referred to as the Musical Works Modernization Act (MWMA), focused on the mechanical licensing process. This paper explains the foundational elements of mechanical licensing, including what a mechanical license is, how it is obtained, and who is responsible for obtaining one. It also explores the ways that the MWMA has modified the availability of the compulsory license and created a blanket licensing approach. Finally, it presents several open questions which must be addressed before the new Mechanical Licensing Collective (MLC) can become operational.

Keywords: music copyright, Music Modernization Act (MMA), Musical Works Modernization Act (MWMA), mechanical license, mechanical licensing, Mechanical Licensing Collective (MLC)

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She has served as a president of the Music and Entertainment Industry Educators Association (MEIEA), as a trustee of the Copyright Society of the U.S.A., and on the Recording Academy, Florida Chapter, Board of Governors. She is currently the Chair of the Florida Bar Entertainment, Arts, and Sports Law Section. Her areas of expertise include contract summarization and management, rights management, royalties, mechanical licensing, and music industry information management. She is a member of the New York Bar and Florida Bar.

Publishing Photograph That Had “Gone Viral” Ruled Copyright Infringement: Otto v. Hearst Publications, Inc.

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Abstract

In June 2017, James Otto attended a friend’s wedding at the Trump National Golf Course in Bedminster, New Jersey. To the surprise of the newlyweds and their guests, President Trump crashed the reception. The president posed for photographs with the newlyweds and lingered to sign autographs. Otto took a photo on his iPhone of the president and the bride. He texted the photo to his friend, Sean Burke, another guest at the wedding. Burke texted the photo to Linda Piatowski, a relative of the bride, who posted it on Instagram. By the next morning, the image had gone viral, appearing on the websites of TMZ, CNN, the *Washington Post*, the *Daily Mail*, and *Esquire*, owned by Hearst Communications. The next day, Otto filed suit in federal court for copyright infringement against the companies that used his photograph. Otto reached out of court settlements with all of the organizations except Hearst. On January 18, 2019 the court held that a media outlet cannot take a photograph from a social media platform, publish it, and avoid paying the photographer for a license to do so. The ruling has significant ramifications for media companies and artists alike.

This article discusses the court’s legal analysis, which focused on evaluating Hearst’s defense of fair use. Under U.S. copyright law, fair use enables someone other than the original author to use a work to create a new work. Fair use has also been held to allow the public’s interest in newsworthy events to prevail over the copyright owner’s exclusive right to control the work. In this case, the court found that Hearst had published the image without adding “new information, new aesthetics, new insights and understandings.” While *Esquire* included a brief news article with the photograph, it was little more than a description of the image and the location where it was taken. The court found that when Otto sent his photo to Burke, he neither waived his copyright nor consented to the image being posted on social

media and then picked up by Hearst. The court held that no reasonable jury could find that Otto’s sending the image to Burke without explicit restrictions constituted a license of Burke to use the image. Moreover, the court found that even if Otto had intended to allow Burke to distribute the image, such permission did not extend to Hearst. Finally, the court held that because a jury could differ on whether Hearst’s infringement was willful—allowing for damages up to \$150,000—Hearst’s motion that it did not act willfully had to be denied. Therefore, the case will continue towards trial, with several key issues decided in Otto’s favor.

Keywords: fair use, Otto v. Hearst Publications, Hearst, Esquire, Donald Trump

Vincent Peppe is an entertainment and intellectual property attorney and the founder of Copyright Recapture Group. Peppe has over twenty-five years’ experience handling transactions and disputes involving business, entertainment, and technology. He has held positions as Director & Counsel for Internet & New Media at SESAC and as General Counsel at Naxos, the world’s leading classical music label. He also served as Vice President for Digital Distribution at GameZnFlix, where he developed one of the first subscription services for delivering movies to computers and mobile devices. Vincent is a graduate of the New England Conservatory of Music and Brooklyn Law School where he was an editor of the *Brooklyn Law Review*. He is the recipient of the ASCAP Nathan Burkan Award for excellence in copyright law. He is licensed to practice law in Tennessee, New York, and Connecticut.



New York 5 to 9: Studying the City That Never Sleeps

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Abstract

In 2018, the first study on the New York nighttime economy and creative spaces was published. Creative Footprint NYC presented data from active music venues, clubs, theaters and artist spaces that regularly program music events in New York. Fifteen data researchers and three data analysts, as well as 150 experts with close ties to the local scene evaluated nearly 500 venues. The paper explores some of the findings of the report and discusses the changing dynamics of New York music venues, advancing our understanding of their economic and creative output. The full report can be downloaded at www.creative-footprint.org.

Keywords: New York City nightlife, nighttime economy, creative spaces, art spaces, policy framework, urban policy strategies

Introduction

From the days of big bands playing hot jazz in Harlem in the early twentieth century, to sounds emanating from Tin Pan Alley and, later, the Brill Building, from folk cafes in Greenwich Village post-World War II, to punk music rolling down the Bowery in the 70s, then merging into head-bopping sounds blasting from speakers in the parks of the Bronx, there are many musical genres that can be identified with the Big Apple. Yet for all the iconic performers, musical styles, and venues, there has not been an objective study of the circumstances—creative, financial, regulatory, and otherwise—in which live music is created and shared with audiences today. Not since the arrival of hip-hop in the 80s, has there been a major music force that is associated with New York. Did we run out of music styles? Did music become so fragmented since Napster that it is unrealistic to expect another major genre to be born on the streets of New York? Where are the new Minton's Playhouses, the Village Gates, the CBGB's, the Paradise Garages, the spaces and people who supported nascent music styles? How do smaller venues in New York fare today?

After being involved in running a music venue in the East Village since 2010, the author of this paper can attest to the challenges of operating a small business in New York today. The paper may be looking at New York specifically, but the findings ring true for any city that wants to develop and protect its live music communities.

This paper is an overview of a seminal study, Creative Footprint NYC, conducted on New York's nighttime economy to measure its health and vitality. From mapping out venues based on size and locales, to regulations that effect their operations, researchers evaluated music venues with the help of local experts, including this author, by gathering over 25,000 data points and using fifteen venue-specific criteria. The report was envisioned by Berlin Club Commissioner Lutz Leichsenring and former Amsterdam Night Mayor Mirik Milan, two experienced music and nightlife advocates who have been involved in similar studies in other cities. Additional authors of this independent report include

city planners, policy advisors, and university researchers.

What is Creative Footprint NYC and Why is it Needed?

Creative Footprint NYC is a cultural impact study that measures the well-being of the live music scene in New York. The recently established New York City Mayor’s Office of Media and Entertainment reports that there are “more than 25,000 nightlife establishments Citywide (restaurants, bars, venues, etc.). In 2016 the nightlife industry supported 299,000 jobs with \$13.1 billion in employee compensation and \$35.1 billion in total economic output.”¹ A vibrant nightlife attracts talent, changemakers, and creative spaces, and, therefore, is a critical element in any city’s economy.

Creative Footprint NYC provides:

1. A bird’s eye view of the current state of New York City venues and their characteristics
2. A list of actions needed to create affordable creative spaces
3. A platform to start dialogue and to use venues as a catalyst for grassroots organization

Definitions and Methodology

Creative Footprint NYC defines a music venue as “any kind of indoor or outdoor venue with regular music programming, which is advertised publicly.” A venue is expected to offer at least one event per month. Private events and parties including product launches and weddings do not count as music events.

The input and data for the report was gathered between November 2017 and June 2018 via online data mining and in-person focus groups. Regular meet-ups took place in different boroughs with local tastemakers who identified venues and graded them based on a set of predetermined criteria. The five boroughs of New York City are Manhattan, Brooklyn, Queens, The Bronx, and Staten Island.

A total of fifteen key data components were used for the methodology, which were grouped in three categories (Figure 1): 1) Space, 2) Content, and 3) Framework Conditions. Space covers the quantitative data (e.g., size, location, number of shows venue is hosting) found through online resources. Content includes the qualitative data (e.g., reputation of venue, how creative and experimental its programming is), and was generated with help from local experts like promoters, venue operators, DJs, performers, and producers. Finally, the Framework Conditions correspond to city laws, regulations, infrastructure, permits, and licenses.

Qualitative Survey Results

Since the late 1990s, two major music business trends left their mark in New York’s live music space: First, the roll-up of local promoters which gave birth to Live Nation and the corporate culture that came with the consolidation and second, the emergence of Brooklyn as a serious contender for mid-to-large-scale concerts across the East River from Manhattan. While commercial promoters were merging, the local scene also went through its own period of change serving a smaller but diverse audience—one that preferred underground and non-commercial sounds.

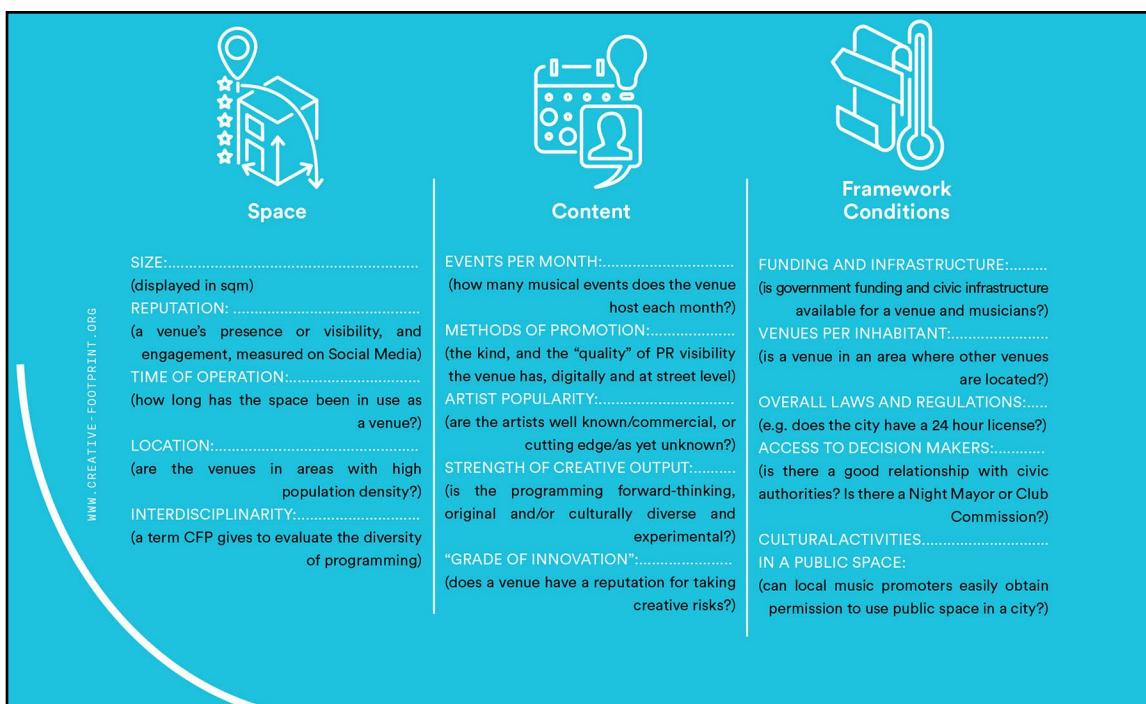


Figure 1. Data criteria (source: Creative Footprint NYC 2018).

The results highlighted in this paper support these two trends. Given its status as one of the live music capitals of the world, it is not surprising to find that Manhattan has the highest number of music venues (260) with 53% of total venues among all five boroughs of New York City. Brooklyn came in second (171 venues) with 35% of total venues. This is remarkable because most of these venues did not exist fifteen years ago and is the direct result of the live music renaissance that started in Brooklyn in the mid-2000s. Today, this trend continues as it expands further east to the border with Queens.

As seen in Figure 2, both Manhattan and Brooklyn lack small size venues for live music (those less than 900 square feet or 80 square meters, with a capacity of roughly 75 people or less). According to the “Music in New York City” report published in 2017 by the New York City Mayor’s Office, 23% of small size music venues closed in the last fifteen years including iconic venues like CBGB and Wetlands. Considering that “it costs upwards of \$1 million to open a 100 to 300-person venue in New York City and as much as \$5 million to open a 500 to 1,000-person venue due to construction costs, license complexity, regulatory scrutiny, and the resources required to pass inspections,”² new and small venues are not making up the difference yet.

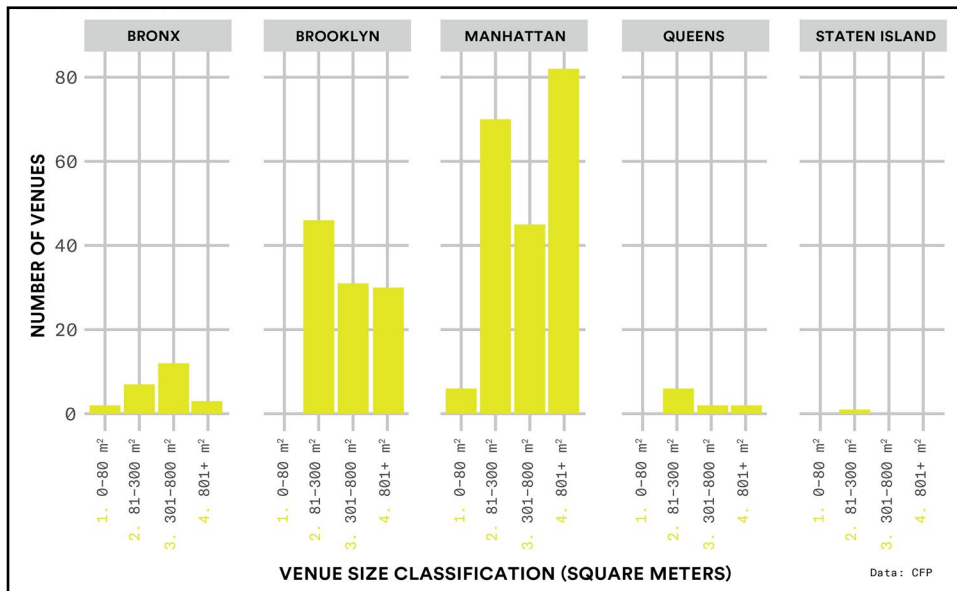


Figure 2. Venue size by borough (source: Creative Footprint NYC 2018).

The lack of small size venues aside, one would expect the number of venues to decrease, as venue sizes get bigger. With Brooklyn, this was precisely the case. However, in Manhattan the highest number of venues was in the large-size category (more than 80 venues that are 8,600 square feet or 801 square meters and up)—the reverse of the Brooklyn trend—proving that sizeable commercial venues have a large appeal once they establish their name.

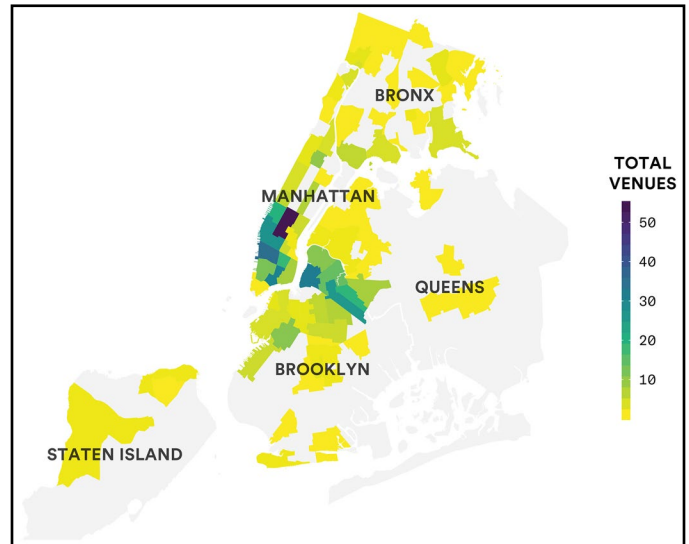


Figure 3. Venues by neighborhood (source: Creative Footprint NYC 2018).

Music venues in Manhattan are primarily clustered in Midtown and Lower Manhattan (East Village, Chinatown, Lower East Side). Midtown caters to touristy attractions with many venues and theaters twenty years or older. The East Village has historically been important for music and culture, and today benefits from a younger population with many colleges like New York University, Cooper Union, and School of Visual Arts in the vicinity. Like Brooklyn, the Lower East Side/Chinatown, too, experienced a renaissance in the last fifteen years and boasts a high number of venues today (31).³ In Brooklyn, the concentration is mainly on the Williamsburg-Bushwick corridor stretching east. The rest of the venues are scattered throughout the other boroughs (Figure 3).

The age of music venues (i.e., number of years in operation) in Figure 4 shows opposing results, between Manhattan and Brooklyn. While the oldest venues in Manhattan, those twenty or more years old, are in the majority (e.g., the Blue Note, The Apollo Theater, Bowery Ballroom), in Brooklyn it is the younger venues, most of them less than ten years old like Babies Alright, Rough Trade, and Brooklyn Steel that make up the majority. This can be traced back to the previously stated fact that Brooklyn has turned into a hot market for live music in the new millennium.

Quantitative Survey Results

The results reviewed so far are qualitative. How about the

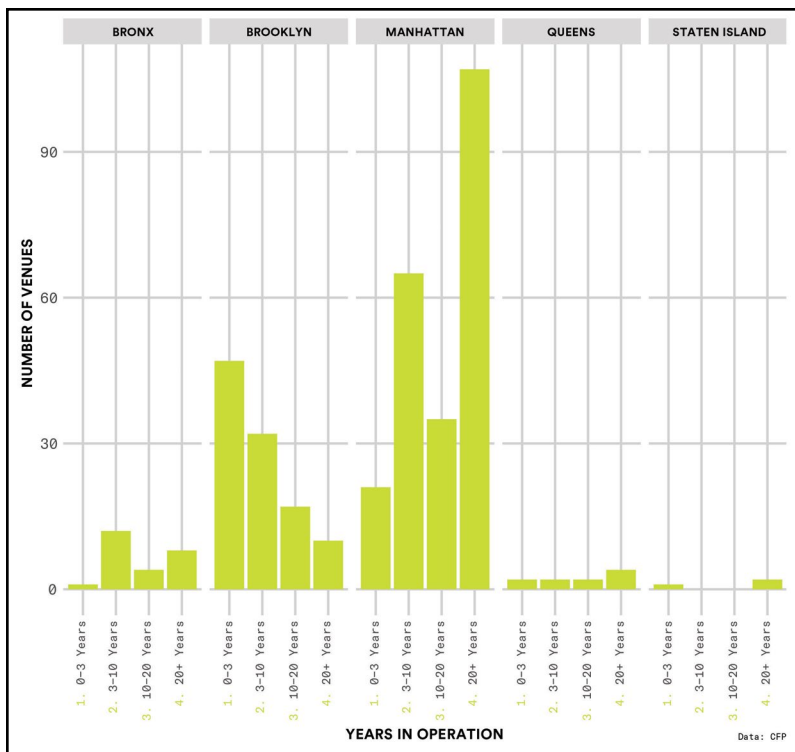


Figure 4. Venue age and boroughs (source: Creative Footprint NYC 2018).

quantitative results? Take, for example, the question of how adventurous venues are with their programming. The Experimental Content Score measures whether an establishment is open to experimental trends, sounds, and art forms, as well as diverse performers and audiences including music from other parts of the world (Figure 5). The Manhattan-Brooklyn chasm plays out here again. Midtown Manhattan, a very commercial part of town, was also one of the most conservative in its programming, while Brooklyn was the most daring. It's also worth adding that venues in the Bronx are programming with increasing diversity.

The *Creative Footprint NYC* report processed more than 25,000 data points from nearly five hundred New York venues and presented them with fifteen key data sets in three distinct categories. These were covered earlier: Space (size, location, number of shows), Content (reputation of venue, how experimental the programming is), and Framework Conditions (city laws, regulations, permits, licenses). Based on survey results, New York scored an average of 7.29 out of 10.00 (Figure 6). According to the report, New York City did well with the Space

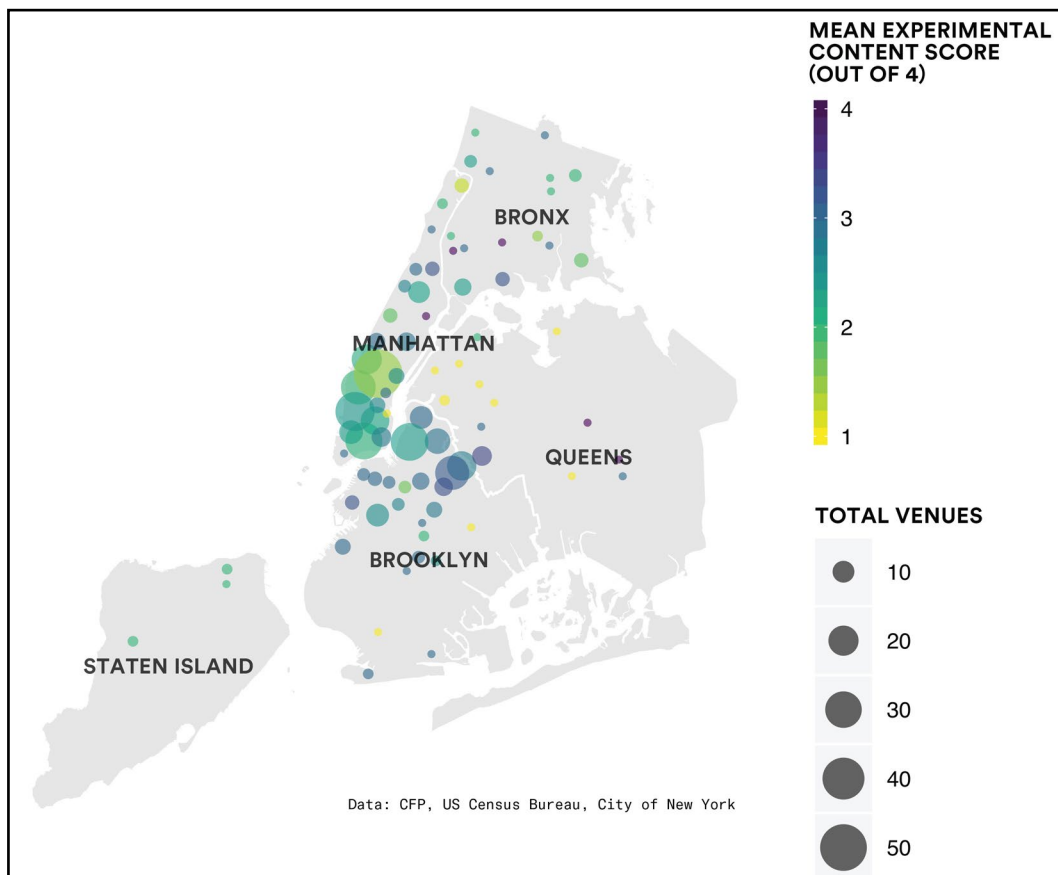


Figure 5. Mean Experimental Content score (source: Creative Footprint NYC 2018).

Creative Footprint Music		NEW YORK				
	NYC (495 VENUES)	BROOKLYN (171 VENUES)	MANHATTAN (260 VENUES)	THE BRONX (37 VENUES)	QUEENS (19 VENUES)	STATE ISLAND (6 VENUES)
SPACE SCORE	8.59	8.61	8.62	8.48	8.40	8.23
CONTENT SCORE	6.92	7.44	6.60	6.99	6.77	5.82
FRAMEWORK	6.35	6.21	6.63	5.11	5.11	5.11
OVERALL	7.29	7.42	7.28	6.86	6.76	6.39

Figure 6. New York City scores (overall and by borough) (source: Creative Footprint NYC 2018).

category, but can improve its Content score/Diversity programming and Policy Framework.

Principal Findings

The report's four main findings can be summarized as follows:

- Venues younger than three years are the main drivers behind diversity programming, especially in Brooklyn (Figure 4). The lack of new and small-size venues is concerning since that's where experimentation starts without financial pressures. Consequently, the need to support new DIY venues with incentives, especially in their first few years of operation, is critical.
- Younger people tend to live in neighborhoods with more venues and accessible transportation (Figure 3).
- Rent prices generally correlate with the number of venues in an area.⁴ It is no secret that music venues and nightlife establishments add value to a neighborhood's appeal.
- Regulations and laws greatly affect the quality of nightlife. Outdated regulations must be revised to make way for modern, applicable regulations. A great example was the long-standing cabaret law, which was enacted in 1926 and prohibited dancing in venues and cabarets without a license. It was finally repealed in 2017.

Key Takeaways

In conclusion, continuous creativity is vital for the cultural health and economy of any city. DIY spaces and the creative people that run them occupy a critical place in the nighttime ecosystem and need support. Without affordable art spaces these venues cannot sustain themselves. Further, more legislation is needed to protect and nurture new venues. Appointing New York City's first Night Mayor is an

important step the city took in recent years. More advocates and allies are needed to continue to push issues on behalf of smaller venues at the City Hall level.

Lutz Leichsenring, one of the curious minds behind the report, points towards the competition in the music sphere around the world today and asks which cities, "are the ones attracting the brains...and the creative people?" Perhaps he states the obvious when he says, "You cannot buy creativity; you have to have an environment which creates the possibility for people to be creative." *Creative Footprint NYC* is the first step in this direction and will hopefully inspire others to follow in taking action to support the live music and nighttime economy.

Endnotes

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Engaging Students in the Advancement of a Music Economy: A Case Study

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Abstract

Arvada, Colorado could hardly be identified as having a significant reputation for its music scene. Essentially a suburb of Denver, residents typically find their entertainment in that larger city or in Boulder or Morrison (Red Rocks), among other places. On the other hand, the city of roughly 100,000 draws vast amounts of outsiders to its amazing arts center and the area known as “Olde Town” could experience a massive rebirth if a planned mass transportation strategy comes to fruition. The potential to grow the music and arts economy in Arvada, Colorado was a key incentive for the city to enlist in the Hometown Colorado Initiative (HCI), a program that engages universities in communities with the mission of deploying students in service-learning-type research aimed at addressing “real world” problems and challenges as they interact with public servants and citizens. In a sense, the world just beyond campus becomes the laboratory where students put their learned knowledge and skills to work for the better good all the while under the wing of academia.

Four students undertook just such an endeavor in Arvada as they researched the music economy and developed sixteen potential projects to further develop it, prior to carrying out four of those initiatives. The planning, implementation, and execution of the “Arvada Music Project” greatly informed how this academic experience could be utilized elsewhere within higher education partnerships with their communities. We will discuss here the valuable learnings and best/worst practices that can be carried forth from this project.

Keywords: Hometown Colorado Initiative, Arvada, Colorado, service learning, Arvada Music Project, music economy, music cities, University of Colorado Denver

Introduction

Involving students in hands-on projects to enhance the learning experience is certainly nothing new as a curricular strategy. Whether through a lab project or a field study, engaging students in such active learning experiences has proven to be educationally beneficial.¹ The aim of one such experience at the University of Colorado Denver was to expand a relatively new area of study by introducing a service learning type of student project intended to engage them in improving their local community, particularly its music economy.

This particular project, completed in partnership with the Hometown Colorado Initiative, involved students in the Music Cities course working within the city of Arvada, Colorado for one year to conduct research and design plans to enhance the community’s music economy. While it may or may not have been a unique, or even successful, endeavor, much was gained from the experience in terms of learning how to further enhance and improve this type of instruction and curriculum. For example, what should be kept in mind in pursuing other similar projects, and how can they more effectively achieve their intended outcomes? Those were among the questions answered as a result of participation in this academic endeavor.

The Music Cities Course and the HCI

The College of Arts & Media (CAM) at the University of Colorado Denver first offered a Music Cities course in the fall of 2015. Subsequent to that semester, it has been made available to students each spring semester. In the summer of 2017, various CU Denver instructors were contacted in regard to upcoming projects being planned by the Hometown Colorado Initiative (HCI), in partnership with the city of Arvada, Colorado. The HCI’s mission is to “connect communities in Colorado with the wide-ranging knowledge and discipline of the University of Colorado faculty and students to address local issues that advance community livability and quality of life.”² The program is very similar to the University of Oregon’s Sustainable City Year Program,

which pairs students with Oregon cities, counties, special districts, tribes, or partnerships for an entire academic year, during which students “work on partner-identified projects through existing courses to provide ideas for real solutions to community challenges and sustainable development.”³ In essence, students are immersed in research projects in the community as a type of service learning exercise aimed at enhancing their abilities while “giving back” as they apply what they’ve learned in the classroom to their surrounding community.

While HCI had already partnered with Arvada on projects to, among other objectives, address attainable housing, parking and travel demand, and water conservation, the city was also interested in gaining analysis of its music and arts economy. Given the alignment between that objective and the curriculum in the Music Cities course, it made sense that students from that class would be best equipped to deliver what Arvada and the HCI were seeking in their call out. Once that became apparent, introductory meetings between CU Denver faculty and Arvada city officials were held to cement expectations and establish communications.

Arvada, Colorado

The city of Arvada is home to approximately 119,000 Coloradoans.⁴ It’s the seventh most populated municipality in the state, and the city’s Olde Town historic district is located only seven miles from the state capitol in Denver.⁵ The median age in Arvada is 41, as compared to the Colorado average of 36.⁶ 80.4% of its citizens are White/Caucasian, 14.5% are Hispanic, and 2.0% are Asian.⁷

It’s not as if the city had a weak music or arts scene. For many years, The Arvada Center has been a significant cornerstone to the community’s arts and humanities endeavors. Among other activities, the Center hosts theater, music, and visual arts events, maintains a prestigious gallery, and offers arts-related classes.⁸ Among the music offerings, its Summer Concert Series has included many national touring acts, including Pat Benatar, Los Lonely Boys, Air Supply, and others.⁹ Established in 1976 as a municipally owned and operated facility, on July 6, 2015, the Arvada City Council voted unanimously to change their relationship and establish the Arvada Center for the Arts and Humanities as an independent nonprofit responsible for its own operation and fundraising.¹⁰ Presumably to shift focus to the arts community outside of the Center, the Council subsequently, in 2016, established a new Arvada Arts and Culture Commission.¹¹ The goal of that Commission was to “create a strategic plan for public art in the community as well as to foster closer relationships with all artists living and working in Arvada.”¹²

Outside of the Arvada Center, the music scene had in recent years suffered some setbacks. As one example, for

more than a decade, the D Note, located in Olde Town Arvada, had been a prominent music venue, frequented by many visitors from inside and outside of the city.¹³ It’s closing on January 3, 2014, had apparently left a void in terms of spaces for local artists to perform.¹⁴

The Arvada Center transition, the closing of the D Note, and other changes in the city were brought up in initial meetings as concerns that had affected the music economy in the recent past. On the other hand, faculty were also informed of changes ahead. The completion of a planned “G Line” commuter train that would connect Denver to Arvada and other cities was still at the time under construction, though completion was going to be considerably delayed.¹⁵ A route stop in Olde Town had already been constructed.

These transitions and others were convincing enough that it was an opportune time to consider the future of the music economy, and that of the arts in general, for the City of Arvada. And with the HCI’s assistance available, participation in such a study by the Music Cities students made logical sense as it got underway.

Phase One: The Research Stage

The project began in earnest in the fall semester of 2017. An initial challenge was the fact that the Music Cities course was not offered that semester. As an alternative, four students who’d completed the class the prior spring semester were selected to conduct the research as an independent study course. The objective of this first phase of the project was to analyze the city’s music economy and develop recommended projects that would be intended to strengthen it. The team would ultimately need to deliver sixteen recommendations from which, based on the city’s selection, the priority projects would be mutually determined. With that in mind, the students initially focused on research and discovery of the priority issues and concerns relating to the city’s music and arts economy.

After briefing meetings with Ryan Stachelski, Director of the Arvada Economic Development Association and the designated point-person for the partnership, the students conducted qualitative research throughout the semester. Their work included interviews with music-related business owners, meetings with the aforementioned Arvada Arts and Culture Commission (AAC), and conversations with other interested parties. The team met with directors of various key city attractions and city offices, including the Department of Tourism and the Apex Center, which, at 168,500 square feet is “one of the nation’s largest public recreation centers” and one of the higher trafficked areas in Arvada.¹⁶ Students also attended city council meetings and visited with citizens during various public events, including the city’s annual A Chocolate Affair event.¹⁷ A survey instrument was also developed to garner quantitative data for the

study.

Just prior to the partnering of HCI and Arvada, the Arts and Culture Commission had enlisted a consulting company to assist in building the master plan for the arts in Arvada. On the surface it may have seemed that the work of those consultants and the CU Denver students might be redundant. However, the two groups and faculty quickly met to discuss their objectives and found that their work would actually be complementary. The consultants subsequently included the students in their presentations, field trips, and brainstorming sessions. Students gained a great deal of helpful insights and data from observing these activities.

Once all the data were accumulated and reviewed, the students did indeed identify the sixteen potential initiatives that could enhance Arvada's music scene and economy. They presented all of those proposals during an extended working session at the end of the semester with Mr. Stachelski, four members of the Arts and Culture Commission, and the consulting team. From those discussions, four projects were selected based on their perceived value, consistency with the city's overall community vision, and whether they could, as a best estimate, feasibly be achieved within the following semester. The selected proposals were as follows:

1. The "Tour De Park" Festival

Arvada prides itself on the number of public parks within its community. All residents are within a half-mile of an Arvada Park.¹⁸ The intent with this project was to create a one-day event in which live music would be featured in many of the parks simultaneously. Attendees would be encouraged to travel between parks (some within walking or biking distance) by contests and various strategies in the programming. Arts and crafts exhibits, installations, and vendor tables would be available in each of the activated parks as well.

2. Arvada Skate Park Day

In their research, students discovered that Arvada was home to the third largest skate park in the country, a fact that they also found to be less widely known than expected.¹⁹ The team also observed that there were few venues for younger musicians to perform in the city. Based on these findings the students developed a proposed daytime event that would bring attention to the skate park and feature music appealing to a younger demographic. This event would also include exhibits of other art, while still maintaining a focus on a younger audience.

3. The Arvada Artist Database

Another finding in the student research was that there wasn't enough useful data on just how many musicians resided in the community, much less any way to efficiently communicate with them. This need existed for other arts

practitioners as well. In order to have solid data for any future requests or policy proposals put forward to city councils or grant providers, a gathering of such information would be imperative. Having the ability to communicate broadly to artists of all disciplines would also improve notifications of events and build networks. These were some of the motivations behind selecting the building of a platform that would allow artists to add themselves to a database that could be utilized by the city and any public entities. The students proposed building such a platform for the city's use.

4. The Arvada Music and Arts Newsletter

The students also felt that an "old school" (hardcopy) communication piece needed to be developed not only to enhance the arts community in Arvada but to also serve as a marketing piece to citizens as well as visitors. The newsletter was envisioned to be a sort of guide for anyone to find at a hotel, visitors center, restaurant, etc., to readily find out about the arts and cultural events taking place, profiles of local musicians and music venues, or any other content that might better brand the city's music and arts scene. This project would involve working with the Arvada Visitors Center.

Phase Two: Project Development Stage

Phase two of the project began when the spring 2018 Music Cities course was underway. Twenty-three students were divided into four teams, each to work on one of the four initiatives. The first step, of course, was to have them review the research of the prior semester and meet with city officials for briefings and updates.

During the semester, two of the teams met with more citizens and community leaders as they developed marketing plans for the Tour de Park and Skate Park events. A meeting with Brenda Berg, the Special Events Coordinator for the city, for example, proved fruitful in understanding her expectations and priorities. Additional meetings with the Arvada Festivals Commission also provided useful feedback to the students. About halfway through the semester, both teams visited the Arvada City Hall and conducted in-person presentations of the general outlines of their plans and gathered further feedback from an even larger Festivals Commission group. Their feedback at that time also proved fruitful.

The team working on the database project engaged directly with two members of the Arts and Culture Commission, Marty Myers and Pete Simon, who also proved to be extremely helpful to the development of the platform. This project had perhaps the most difficult issues to resolve. For example, to whom would the gathered data belong? Who could ensure privacy, prevent misuse, etc.? A website would need to be created to perpetually be available to artists new to the community or missed in the initial call-out to add their information. But would that page reside on the City

of Arvada website, the Arts and Culture Commission's, or both, and who would maintain it? A meeting with IT personnel was of course necessary to resolve those issues and others.

The newsletter project team perhaps had the least difficult task. Because there was no such preexisting marketing piece, they were given relatively free rein to develop ideas after gathering initial feedback from Jean Gordon of the Arvada Visitors Center, with additional suggestions along the way. While the boundaries for the newsletter format, design, and content might have been less limited, the biggest challenge with this project was the implementation and distribution of the document.

The teams met regularly, inside and outside the classroom, sometimes during the class sessions and sometimes outside of them. This group work, though, did not replace any portion of the usual Music Cities curriculum, which continued in the same manner and at the same pace as previous offerings of the course. Teams experienced the usual challenges that typically come with group work: some students consistently missed meetings, contributed less than their share, etc. And as one might expect, leaders organically emerged within the teams the more they worked together.

Project Conclusion and Takeaways

At the end of the semester links to the marketing plans for the two events and a mock up for the newsletter were included in the final report delivered to city officials. In addition, a meeting was held with leaders of the AAC, during which they were presented the passwords to the database website and given a demonstration of how it operated. The reports were generated through coordination with the HCI and designed by one of the students from phase one of the project.

As with any first-time experience, there was plenty to learn from activating students in the community as part of the Music Cities course, particularly from an educator's perspective. Since a post-project survey or evaluation form was not delivered to the students or city officials, the observations are for the most part anecdotal.

At the conclusion of their work, students essentially left the city of Arvada with a to-do list. There were probably means to ensure a better hand-off than that final presentation and delivery. Earlier involvement by the individuals who would take on the duties, a more detailed timing plan as part of the documentation, or a follow-up schedule involving subsequent Music Cities courses are among the possible solutions.

Though it would apply with any partnership involving an educational institution, the academic calendar can affect projects like these. For example, momentum was lost during holiday breaks and exam periods. The two festivals/

events would need to be held in the summer time. But since the marketing plans were being built in the spring semester, it meant that they would have to wait until the following summer (of 2019), when it would be difficult to re-involve the students who prepared the plans and also possibly lose momentum during the long wait.

Again, a first-time experience intrinsically means that one could find many opportunities in hindsight. But the benefits of the student experience can't be overlooked. Students had the opportunity to engage with public officials to address real-world and real-time problems. They organized as teams to achieve outcomes. Their professionalism and presentation skills were put to the test more effectively than a simulated environment would have allowed. It was in many ways a unique experience that forced the students to creatively problem-solve and to enhance their critical thinking skills. For those reasons alone, the work done by Music Cities students for the City of Arvada was worth the time and effort.

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The Development of the Artist-Fan Engagement Model

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Abstract

In an industry where the music consumer has unprecedented access and prefers ongoing interaction with music artists, it is important to identify how these relationships can be best leveraged. This would include engagement between a music artist and their fans through various social media platforms (e.g., Facebook, Instagram, Pinterest, Snapchat, Twitter, Tumblr, YouTube, etc.). The Artist-Fan Engagement Model was developed as a theoretical framework to help explain this relationship between music artists and their fans. The model, created using hedonic consumption and parasocial interaction theory (PSI) as its foundational underpinnings, explores how the effects of music and artist help drive fan engagement, whether through access or ownership of recorded music.

The development of the Artist-Fan Engagement Model, along with the initial study results from 2012, is discussed. However, given the sweeping changes within the music industry since the time of the original study, various components of the model are now being revised to better reflect current market realities. A second round of research is planned for late 2019 with the goal being to determine how the research outcomes have changed since the initial study was conducted.

Keywords: artist, fan, engagement, recorded music, marketing.

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Stewart's publications include an essay on LeAnn Rimes' album *Blue in Please Allow Me To Introduce Myself: Essays on Debut Albums* (Ashgate), and book chapter, "TV, Radio, and Music Research," in *Research Methods in Communication* (Third Edition) (Vision Press). Stewart, along with her co-authors Maria Ivey of IVPR and Dorren Robinson (Belmont University) are preparing a textbook: *Music Publicity: A Practical Approach*, scheduled to be published by Kendall Hunt in Fall 2019. Additionally, Stewart serves as a book editor of the Springer International Music Business Research Series. She also participates as a panelist at numerous academic and industry conferences. Stewart's entertainment industry experience includes a thirteen-year stint at Curb Records where she served as Director of Marketing, and AKG Acoustics, as U.S. Marketing Manager. Stewart holds a B.S. in Business Administration from Oregon State University, Masters in Business Administration from the Drucker School of Management at Claremont Graduate University, and a Ph.D. from The University of Alabama. She is a 2017 graduate of Leadership Music.

Constructing Credibility: How Aggrandizement Helps Perform an Identity of Legitimacy and Self-Worth in a Creative Industry

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Abstract

This study contributes to an understanding of the role of aggrandizement in constructing a credible identity within an industrial context characterized by uncertainty and risk-taking, the popular music industry. Specifically, this paper focuses on the extent to which creative personalities draw on real and imaginary justifications to portray themselves as having attained greater success than they have actually achieved in order to construct a credible identity both to themselves and to others. As a positive self-illusion lends psychological benefits as well as the means to achieving self-fulfilling high performance, we conclude that aggrandizement may enhance the individual's performance both professionally and personally. Although the extant literature highlights how positive self-illusions can influence identity construction, the role aggrandizement plays in this process within a creative context does not appear to have been researched.

Keywords: aggrandizement, identity construction, self-illusion popular music, music industry, creative industries

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What They Post, Where They Post, and When They Post It: A Content Analysis of Social Media Use of the Top 50 Artists in 2018

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Abstract

Social media is an essential tool within the promotional mix for almost every recording artist today. Curating content on multiple social platforms can take many forms ranging from fan interaction and selling product (owned or via brand sponsor), to amplifying traditional press coverage, or could extend to public statements on social issues or political perspectives. These channels can be an extension of the artist's personal voice or can deliver much more curated content managed by an artist team speaking on their behalf. In either case, social media is a direct channel for content distribution. Top artists manage millions of connections across YouTube, Facebook, Instagram, and Twitter alone, while billions of potential fans collectively occupy these platforms. Artists are often encouraged to develop their own brand voice on social media, however examining what others share can provide guidance and direction when establishing a content library and/or a social posting calendar for an artist without one established. This study explores the social channels for the top fifty artists as determined by *Billboard* in 2018. The content analysis breaks down the mix of content that the official artist social channels share, the frequency of these postings, as well as similarities and differences in usage across platforms over the course of a calendar month. This analysis can be utilized as a guide when developing a strategy for artists looking to establish their own voice on social media.

Keywords: social media, Facebook, Twitter, Instagram, YouTube, content calendar, music industry, artist promotion

Social media is a part of our lives and is often seen as an essential element for brands, celebrities, and musicians. The effective use of social media allows for a direct-to-fan channel and opportunity to connect with followers for personal and promotional purposes. The use of social media can enhance what artists do offline though not all artists effectively use the biggest of platforms. Today we see millions of users on social media on platforms globally. As an artist, or representative of an artist, the use or non-use of each platform should be carefully considered. Understanding how frequently an artist should create content for social media to maintain a position of visibility is important.

Social media has been studied for years in the context of communication. Researchers have looked at the uses and gratifications model (Whiting and Williams 2013) from the social media user perspective and other studies have focused on individual artists and social media use leading up to releases (Morris 2014). Further research by Ronen Shay and Morgan Van Der Horst (2019) studied the use of social media use by brands.

This exploratory study is connected to the artist marketing, fan connection, and brand building in determining a social posting calendar to deliver targeted messages to fans via controlled social channels. How often should artists post content to their social channels? Does a schedule hold true across all platforms or should posting schedules be different across different outlets? To answer these questions, we must first look at what artists are posting now. In determining this, the artists deemed to be at the top of the business ought to be the first artists studied. We could quantify the top artists in a number of ways including by streams, album sales, an artist's concert gross, number of tickets sold, or any number of other measures. Though there will likely be some similarity across these measures, this study uses the

artists that *Billboard* presented as the top artists from 2018 as measured by radio airplay, sales data, and streaming data (Billboard 2019).

Social media is seen as an essential element in virtually every current artist promotional strategy and this study focused on the frequency of posts across four major social platforms. The research centered on developing a content calendar for major artists by examining what the Top 50 artists post via their official channels. A consistent message via these channels will keep artists, their work, and celebrity status in front of an audience. The frequency of posts was evaluated over the course of one calendar month, February 2019. This month of twenty-eight days allows for four equal weeks of content to be posted. The Grammy Awards also occur in February so we might anticipate a spike in social activity surrounding this event among the biggest artists in the music business.

The study looked at the top fifty artists of 2018 as determined by *Billboard*. The selection of the Top 50 was to allow for a potentially larger variety of social media posting strategies among the top artists. Artists studied are indicated by *Billboard* chart position in Table 1. The top artists are largely male with only twelve female artists represented. There were also only five duos or groups represented.

The data from each artist-owned or official social platform were manually coded, and though this study primarily looks at frequency, additional elements from each post were captured for future analysis. Every tweet, Facebook post, Instagram picture or video, and YouTube video for all fifty artists was analyzed and coded. There were 4,503 total pieces of social media content that satisfied the criteria to be studied. This data set by platform for the month of February 2019 was composed of 2,857 tweets, 800 Instagram posts, 749 Facebook posts, and 97 YouTube videos.

The posts that were studied were designed to be the permanent posts for the artist and not content that expires after a limited time. Instagram or Facebook stories expire after a day and live streams may not be archived. As such, only items posted to pages that were intended to last more than 24 hours were studied.

YouTube

In the month of February 2019 there were 97 videos uploaded to the official artist accounts. Counted in these 97 are audio streams and/or lyric videos presented on the artist channels. The average number of uploads to YouTube across the sample was 1.97 videos per month or about one video every two weeks. If we drill down slightly deeper we see that 20 of the 50 artists, or 40%, did not post anything to their official artist accounts within the month. There were 14 accounts (28%) that only posted one time, while 7 accounts (14%) posted twice per month. This latter

Table 1. Top 50 Artists of 2018 as Ranked by *Billboard*.

1. Drake	26. Nicki Minaj
2. Post Malone	27. Demi Lovato
3. Ed Sheeran	28. 6ix9ine
4. Taylor Swift	29. Chris Stapleton
5. Cardi B	30. Shawn Mendes
6. XXXTentacion	31. Florida Georgia Line
7. Imagine Dragons	32. Lil Baby
8. BTS	33. Ella Mai
9. Bruno Mars	34. Bebe Rexha
10. Camila Cabello	35. G-Eazy
11. Migos	36. Luke Bryan
12. Travis Scott	37. YoungBoy Never Broke Again
13. Eminem	38. Kenny Chesney
14. Ariana Grande	39. Bazzi
15. Kendrick Lamar	40. Thomas Rhett
16. Maroon 5	41. NF
17. Juice WRLD	42. Beyoncé
18. Khalid	43. Lil Wayne
19. Dua Lipa	44. Lil Pump
20. Halsey	45. Kane Brown
21. P!nk	46. Jason Aldean
22. J. Cole	47. Kanye West
23. The Weeknd	48. Luke Combs
24. Justin Timberlake	49. Logic
25. Sam Smith	50. 21 Savage

figure represents the average for the sample. Four accounts (8%) posted to YouTube 3 times for the month and there were 5 accounts (10%) that posted at least 4 times within the month. The heavy YouTube users for this sample included BTS (9 videos) sharing some behind the scenes footage, Ariana Grande (14 videos), and Lil Pump (12 videos) with several audio tracks, and Florida Georgia Line (18 videos) presented a series of videos where they took the viewers behind the song. Maroon 5 posted four videos for the month, 3 of which centered on the road to their Super Bowl performance.

Facebook

The Facebook activity of the top fifty artists was much higher than that of YouTube. In total, artists and their teams posted 749 times. Some of the posts did include multiple images per post and for the purposes of the study this was counted as one piece of content, thus one post. Of the artists, there were 7 (or 14%) that did not post for the month. Nearly half (20 artists, 40%) posted 4 or fewer times for the month which is an average of one post per week or less. There were heavy Facebook users in the group with Lil Wayne posting 76 times for the month, often posting about

other artists. Nikki Minaj and Dua Lipa were also heavy Facebook users with over 50 posts per month. Across the sample the artists posted 14.98 times per month or approximately one post every other day.

Instagram

On Instagram artists posted slightly more than they did on Facebook and collectively posted 800 times across the month. Posts were individual photos, individual videos, or multiple images and videos in one update. The range of posts per day for the entire group was as low as 10 on February 2 and was highest on February 11 when 49 posts took place for the group the day after the Grammy Awards. Overall the artists averaged about 4 posts per week or one post every other day. The group of artists could be further segmented into light users, medium, and heavy users of the platform. There were 15 artists (30%) that posted fewer than once per week. Over half of the artists (54%) posted between once per week and once per day (4 to 28 posts per month) and 16% of the artists posted an average of more than once per day on Instagram.

Twitter

Twitter is intended to be a platform for shorter messages and exchanges. As such, the use of Twitter based on the number of posts per artist was significantly higher than other platforms. In total the top fifty artists of 2018 tweeted 2,857 times for the month. This is an average of 2.04 tweets per day per artist. Not all artists actively used Twitter and slightly more than one-third (34%) of the artists posted fewer than 10 tweets for the month. Almost half of the artists (48%) were moderate Twitter users sending 10 to 100 tweets per month and nine artists (18%) sent more than 101 tweets per month. One artist account sent 537 tweets for the month.

Conclusion

In analyzing the heavy social media users studied here, the female pop artists were the heaviest users of social media. Despite the fact that only 12 female artists were represented in the top 50 artists, they represented 8 of the top 10 artists as ranked by tweet volume and six of the top seven artists by number of Instagram posts. Female artists had a very dominant position with a high volume of content being created and distributed across their social channels.

This exploratory study was designed to provide some context when creating a social media content calendar. If we were to take the top fifty artists and focus on their social media use across the four major platforms we would see content calendars that call for posting to YouTube once every two weeks. We'd expect Facebook and Instagram posts to occur about every other day and we'd see an average of two tweets per day.

Future Research

This study is only a starting point for future research in social media. This study did not delve into every single opportunity these social platforms present to artists. As mentioned, this study focused on posts intended to be permanent and did not study stories and live streams. Artists do use these streams and stories that expire so future research should include their use and would likely need to be completed in real time as opposed to a historical exploration of content. Artist use of Snapchat would also provide an additional platform to examine. Additional research across international social platforms will also provide more breadth to the locations where artists distribute their social content. As more artists from outside of North America become impactful artists on the *Billboard* charts, additional social platforms should be studied, especially those from Asia.

The top artists in music do not need to rely on social media as much as developing artists because of their visibility headlining top tours and their mentions in press headlines. This type of study for emerging artists would provide an additional lens for artists that do not benefit from an already established fan base. This study did not evaluate the effectiveness of each post, only the frequency by which artists are posting. This engagement is an important aspect to add to future work because more content does not imply the content is better at reaching fans.

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Using Movies to Teach Music Business

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Abstract

For the last four years I have taught an elective course in Music Business that uses feature and documentary films. The course has been offered as a standalone music business elective and a course linked with a general education humanities class. Specific scenes are used as case studies on artist management, record label contracts, touring, live show productions, career paths, and other topics. Common themes of artist careers are explored as is how Hollywood portrays the industry in film. Special attention is given to how the movie industry portrays the music industry, artists, and their stories, verses the reality of those stories. In this presentation I will share how faculty can create similar courses or use film in existing courses. Topics may include:

- Course structure to maximize the student's understanding of the industry
- Choosing the right films
- Making films available to students
- Technical issues related to class presentations
- Finding appropriate related readings
- Hidden course fees
- Assessing student learning, including paper topics and grading rubrics

Keywords: music business education, music business pedagogy, general education, music industry case studies

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America's First Unprofessional Songwriter: Stephen Foster and the Ritual Economy of Copyright in Early American Popular Music

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Abstract

This article explores Stephen Foster's understanding and use of copyright. It examines what his copyright strategy can reveal about his professionalism as a songwriter and about his worldview as an important influencer of early American popular culture. It adapts the anthropological theory of ritual economy to theorize how Foster's economic decision making, as revealed in copyright and related business records, can offer material evidence of his worldview. Foster's failure to secure copyrights for his early work, to establish himself as the author of his most popular songs to the music buying public, and to capitalize upon favorable songwriting contracts are considered. These sources may also illuminate how the precedent Foster set has shaped the discourse on professionalism in American popular music.

Keywords: copyright law, early America, Music Modernization Act, music history, music business

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Technological Disruption and Music Copyright

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Abstract

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, 686)

American March King, John Philip Sousa, expressed himself in the above terms before the Committee of Patents of the U.S. Senate and House of Representatives in 1906, during the preparatory work for the 1909 U.S. Copyright Act. In 2000, Metallica drummer Lars Ulrich, made the following contents before the U.S. Senate Judiciary Committee during a hearing on music downloads:

Napster hijacked our music without asking. They never sought our permission. Our catalog of music simply became available as free downloads on the Napster system.

The two statements are almost a century apart and yet the complaint is almost identical: there is a new technology that is being used by certain companies to make music available without remunerating creators. As we can therefore see, and contrary to popular belief, the internet has not been the only technology to create a disruption in an industry like the music business that relies on copyright protection. This paper examines different technologies that had a disruptive effect on the entertainment industry in general, and music in particular, analyzing the legal solution that was implemented. We will discuss the importance of this disruptive effect, and we will argue that in the case of the internet it is of lesser magnitude than that of previous technological advancements. We will also see that there are many similarities between the arrival of the internet and that of other technologies, both in the effect that they had on the industry and in the legal solution adopted, which generally meant extending copyright protection to the newly developed forms of exploitation. However, we will also comment on a major difference: how quickly, at least in comparison to previous

technological advancements, legislation was passed in order to regulate copyright in the internet, and we will argue that this swiftness might have paved the way for online services to be developed after its adoption that benefited from legal loopholes.

Keywords: music copyright, technological disruption, music downloading, music streaming

Victoriano Darias is a music industry veteran from Spain who has worked for the International Federation of the Phonographic Industry (IFPI) and the European Grouping of Societies of Authors and Composers (GESAC). While he stills consults and provides legal advice to a variety of clients, including songwriters and artists, trade associations, and content producers, he has developed in the past five years a career in academia. He currently combines his role of Director of Academic Affairs at Berklee College of Music (Valencia campus) with the teaching of courses on the music industry, its legal aspects, and music and the media. He is also the program director of the Master in Intellectual Property & IT Law at Universidad Internacional de La Rioja (UNIR), Spain. Darias holds a Ph.D. from Universidad de La Laguna (Spain), a Master in Music Business (M.A.) from New York University, and another one in European Union Law (LLM) from the College of Europe (Belgium). He has published two books in Spanish, one on the legal aspects of music in the internet, and a second one on music and the media.



Teaching Digital Marketing and Social Media Strategy for the Entertainment Industry

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Abstract

From the largest media organizations, to individual artists and freelancers, digital marketing and social media strategies continue to become increasingly important in the entertainment industry. New technology and the rapid convergence of entertainment-related disciplines both require that students are equipped with a strong knowledge base in their field, as well as the ability to implement content distribution and promotional strategies in rapidly changing technological environments. This session will provide an overview in best practices in digital marketing and how these practices can be implemented into curriculum. The presentation will provide a framework to address overarching theories as they compare and contrast with more traditional marketing theory, and then scaffold principle elements into a campaign. Topics will include setting objectives, goals, and how to measure the results through analytics and key performance indicators (KPI's). Specific tactics in search engine optimization (SEO), email marketing, blogging, long form “evergreen” content creation and distribution will be outlined. Social media promotion is of course a principle focus of digital marketing, and its planning, scheduling, and implementation will be covered in the time allowed. Emerging media such as augmented reality, virtual reality, and gamification and how these technology concepts can potentially be integrated into class content will be discussed.

Keywords: digital marketing, social media, search engine optimization, entertainment industry education



Justin Sinkovich has worked in digital marketing since 1999 when he co-founded the Webby-winning music discovery service Epitonic. Sinkovich continued to focus on digital marketing professionally, particularly in the music industry. While serving as head of digital distribution and promotion at Touch and Go Records, he began teaching e-commerce at Columbia College Chicago as an adjunct instructor. He started teaching full time at Columbia in 2009 and his principle focus has continued to be in this area. He currently teaches New Media Strategies at the graduate level, and a practicum digital marketing agency class that travels to the South by Southwest Interactive Conference. He continues to consult and freelance in social media and digital strategy as well.

How Marketing Professionals Use and Staff Social Media in Entertainment and Event Venues

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Abstract

This paper reviews the results of a recent survey of entertainment and event venue marketing professionals. The survey was emailed to 890 venue professionals. There were 74 unique venue marketing professionals who responded (8.3% response rate) and answered most of the 55 questions covering various topics about the use, staffing, and perceptions of social media. The insights from this paper should assist entertainment and event venue professionals in comparing their priorities when it comes to social media use. The findings will also be helpful to anyone who might be responsible for the marketing of an artist or concert by shedding light on the benefit of integrating social media efforts with the venue or promoter. In addition, educators in the music and entertainment industry should benefit from an increased awareness of the strategic use of social media and shed light on the opportunities to prepare students for jobs in this area.

Keywords: social media, venue staffing, event venue, entertainment venue, IAVM, International Association of Venue Managers, arena, stadium, performing arts, PAC, theatre

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Staying Relevant: How a Radio Behemoth Has Weathered the Storms of Change to Survive in the New Media Market of the 21st Century

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Abstract

Any company that expects to survive in the 21st century—especially in the music industry—will need to adapt to the ever-changing business landscape. Few companies have exhibited the survival instincts that iHeart Media has over their almost fifty years of existence. From exponential growth and government regulation, to name changes and rebranding, this company continues to adapt to the morphing media models of our times. Even given the recent filing for bankruptcy restructuring, iHeart Media has remained a strong force in the industry and provides an interesting historical perspective into some of the major music industry transitions of our times.

Keywords: iHeartMedia, radio, media, Live Nation, Clear Channel, music business

This paper will be published in the *College Music Symposium*.

Kim L. Wangler, B.M, M.M, M.B.A, joined the faculty of Appalachian State University in 2005 as the Director of the Music Industry Studies Program. Ms. Wangler teaches music management, marketing, and entrepreneurship. She has served in the industry as President of the Board of Directors for the Orchestra of Northern New York, House Manager for the Community Performance Series (serving audiences of over 1,000 people) and

as CEO of Bel Canto Reeds—a successful on-line venture. Ms. Wangler currently works with several entrepreneurial musicians through Ars Nova Music Management and serves as Vice Chairman for the Cultural Resources Board for the town of Boone and on the Board of Directors for MEIEA. She was recently appointed to the first Music Industry Chair on the Board of Directors for the College Music Society. Ms. Wangler is published through Hal Leonard, Sage Publishing, and the MEIEA and NACWPI journals.



Lessons Learned from the Master of Space and Time: Leon Russell

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Abstract

Leon Russell provided the musical soundtrack for many individuals over six decades in the music industry. His musical influence can be heard on records ranging from Frank Sinatra to the Rolling Stones. His potential influence however, does not end with the final notes of a song. Throughout his professional career, Leon Russell laid out a framework that could benefit not only future generations of music and entertainment performers and entrepreneurs, but also individuals looking to succeed in any segment of industry. This presentation will examine the personal and professional lessons demonstrated throughout the career of Leon Russell and present ways to implement these lessons into action. The information gathered for this project was collected from written interviews, recorded interviews, and video footage. Additional insight has been solicited from individuals who were associated personally and professional with Leon on the span of his career.

Keywords: Leon Russell, music industry education, entertainment industry education



Andy Gillentine is a Professor in the Department of Sport and Entertainment Management at the University of South Carolina. In 2017, he was awarded the Sport Management Scholar Lifetime Achievement Award by the Applied Sport Management Association. He was named Distinguished Sport Management Educator in 2012 by the North American Society of Sport Management and in 2009 received the Sport Management Outstanding Achievement Award from the National Association of Sport and Physical Education. He is nationally recognized for his expertise in sport management curriculum and program development. He is recognized as one of the leading experts in the study of the legal, managerial, and marketing aspects of tailgating. He has conducted research projects for numerous sport organizations that have resulted in over fifty publications, four books, and over one hundred national and international presentations.

Now Available on Cassette—Again: Record Retailer Experiences of Current Cassette Tape Sales

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Abstract

Cassette tape album sales have increased 23% in 2018 to 219,000 cassettes sold, according to a January 2019 *Billboard* report citing Nielsen Music figures. This continued interest in the cassette has found retailers stocking their shelves with the format, some for the first time and others after a long absence. The study provides a more current understanding of music cassette tape sales from record retailers' perspectives. This qualitative study utilizes twenty-four in-depth, semi-structured interviews with retail employees to better illustrate and comprehend reasons behind the upward trajectory in cassette sales. The insight of participants from fifteen different U.S. states ultimately generated four primary themes: customer profiles, customer preferences, sales experiences, and future sales. Findings included that cassette customers hailed from a younger demographic, playback persisted due to new product availability, cultures formed in certain locales, and most retailers were optimistic about future sales of the format.

Keywords: cassette, cassette tape, record retail, analog, cassette sales, recorded music, music industry

This project was funded by a MEIEA research grant.

Introduction

For many who grew up with the cassette tape as a primary music source, the format could be viewed as anachronistic playback technology. Some of its most important qualities—namely, its portability—were pivotal in making music listening more personal and economical, while its use as a recordable format provided the opportunity of easy audio recording. For decades, cassettes were traded, mailed, sold, and compiled (as mix tapes), but for many of its users from its heyday, such actions are largely memories of years' past. The cassette has long fallen out of favor with the general public in the United States with the more recent popularity of digital playback technologies via MP3 players, computers, and smartphones.

This is not unlike its analog video counterpart, the VHS tape, which was supplanted by the DVD, itself commonly replaced by streaming video subscription services. The last new VCR was manufactured by Funai Electric in 2016 (Rosenberg 2016). However, the audio cassette has not completely faded out, as the sale of new pre-recorded music tapes has steadily increased over the past few years in the United States. Furthermore, brand new cassette decks and portable players are still being manufactured, thus supporting (and prolonging) playback possibilities. In 2016, 129,000 units were sold, an increase of 74% from the year prior—and nearly a four-fold increase from a low point seven years earlier; in 2017, 174,000 units sold (a 35% increase), and in 2018, 219,000 units sold, an increase of 23% (Beach 2016; Funk 2007; Newman 2008; Brown 2010; Onsgard 2016; Olivarez-Giles 2017; Caufield 2018, 2019).

Additionally, the cassette persists as a saleable format in the used arena. The recent upward trend in sales of this audio format—popularized in the 1970s via the Sony Walkman's introduction, exceeding the sales of vinyl records by 1983 (Winters 2016) and reaching its peak in the late 1980s (Rudser 2011)—is quite notable, given the prominence, ac-

cessibility, and omnipresence of affordable, digital devices and streaming services. Despite having been dethroned as a sales leader by the more technologically-advanced compact disc nearly three decades ago (Bair 2017), and not attaining the same desirable cachet as the recently-resurged vinyl record (Sax 2016), the cassette tape has nevertheless forged ahead, maintaining its status as yet another option for retailers of physical media, albeit sustaining only as a single-digit percentage of most stores' overall music sales. According to BuzzAngle Music's 2018 year-end report of U.S. music consumption, cassette sales were 0.2% of overall physical format music sales, at 118,700 of 74 million units, a 0.1% increase over 2017 (Lidestri 2019). The goal of this paper is to develop a more comprehensive account of how and why retailers have embraced the sale of the cassette tape in the present. Through national retail programs such as Cassette Store Day, which collectively promotes cassette tape sales via special events and releases, to the number of musicians and record labels that have opted to release new titles on cassette, the cassette tape appears to have been given a new lease on its otherwise archaic functionality, persisting as an additional analog option, in the face of rapid technological progress for consumer playback.

Some of this persistence was also aided by its exposure from visual media, namely from 2014's "Guardians of the Galaxy," of which its "Awesome Mix Vol. 1" and 2017's sequel "Awesome Mix Vol. 2" soundtracks were some of the top selling cassettes in 2018, in addition to the "Stranger Things" soundtrack, plus reissues by Britney Spears, Metallica, Elvis Presley, and the Wu-Tang Clan (Caulfield 2019). This list of reissues may not be all that surprising, given that 52.5% of 2018's cassette sales were classified as "deep catalog" in BuzzAngle Music's year-end report of U.S. music consumption (Lidestri 2019). By conducting in-depth interviews with two-dozen independent record store retailers throughout the United States, this paper aims to provide a deeper, current understanding on the state of cassette tape sales. As it stands, it appears that the cassette tape holds two distinctly different titles—a recorded music format of the past and a recorded music format for the future.

Literature Review

Despite the cassette's slow growth over the past several years, news of the cassette tape's re-emergence continues to generate fresh headlines, and their associated stories. Prominent outlets such as *Popular Mechanics* sported the headline "Cassette tapes are back, don't you dare call them obsolete" (Detwiler 2018) while *The Guardian's* "It's cool to spool again as the cassette returns on a wave of nostalgia" (Iqbal 2019) headline alludes to a possible reason for its recent popularity. The *Pacific Northwest Inlander* even questioned the re-emergence of the cassette tape as a re-

cent source of physical music media, with its headline of "In the era of streaming music, how is it possible that cassette tapes are making a comeback?" (Weinbender 2019). In fact, Weinbender (2019) explains a reason for the cassette's re-entry into desirability—its staying power: "The tangibility is exactly what makes them special. At any time and without any advance notice, an artist's music can vanish from a streaming platform. A tape, as long as it's stored properly and treated with care, can last forever" (para. 21).

Rouner (2019) highlighted a specific scene's use of cassette tapes (headline: "Hiss and tell, Houston noise bands celebrate the cassette"), Koster's (2019) story examined the recent cassette sales revitalization (headline: "Music cassettes, once left for dead, are making a comeback"), and Leitko's (2018) story headline gives the reader permission to still embrace the cassette, even noting that it's "...the go-to format for weirdos and outsiders hoping to put out a record as anything other than ones and zeroes" (para. 2). Shuker (2016) notes the cassette's rise in format history, becoming a preferred format for developing countries and for the then-emerging punk and rap styles, both of which embraced a do-it-yourself ethos. Artists have also embraced the cassette tape, not only for its functionality as a format, but as a marker of a time period. This is evidenced by the New Kids on the Block's recent MixTape tour, which included imagery and icons of cassettes, harking back to the compilations created by consumers during the New Kids on the Block's heyday of the late 1980s (Brock 2019). An Instagram post by rapper Nas in June 2019 featured a video clip of a cracked cassette tape sculpture in promotion of his forthcoming release, *The Lost Tapes II* (Estiler 2019). Even athletic apparel manufacturer Nike announced a "Cassette" version of its React Presto model shoes, donning a cassette image on its insole (Dwyer 2019).

Furthering its presence in the media, the cassette was also the main subject of a documentary released in 2018 by Gravitas Ventures, titled *Cassette: A Documentary Mixtape* (Seven 2019). And it even became part of a storyline for acclaimed series, *The Handmaid's Tale* (Abdulbaki 2019). Additionally, news stories have been published about new blank cassette tapes being produced by at least two companies, Springfield, Missouri-based National Audio Company, and Avranches, France-based Recording The Masters (Mulann Industries is the parent company) (Holman 2019). It is this renewed interest in cassette tapes—from the media, consumers, retailers, and artists—that inspired the launch of this study. In an arena where streaming is dominant, vinyl has made a new impact, and CDs are less desired, what is the cassette retailing experience like in this dynamic marketplace and what is to be expected of its future?

Research Questions

Three research questions drove the present study’s line of inquiry:

- RQ1: What are the characteristics of current cassette tape customers?
- RQ2: What are current cassette tape sales experiences of record retailers?
- RQ3: What are record retailers’ cassette tape sales forecasts?

Methods

This exploratory qualitative study’s data were collected from 24 telephone interviews of employees at brick-and-mortar record stores located across the United States. A sample size of 24 participants is considered to be acceptable for phenomenological, in-depth interviews (Creswell 2013). These semi-structured interviews averaged about 22 minutes each; the shortest was 10 minutes, 54 seconds, the longest was 35 minutes, 32 seconds. Approximately 11-14 questions were asked of each participant from a prescribed interviewer’s guide. Participants were recruited from across the United States via direct email inquiries sent by the researcher. Potential participants were located from their on-line advertising of cassette sales; some had posts on social media accounts (Facebook and Instagram), while others had cassette sales information published on their stores’ websites. Furthermore, contact information available on websites for Cassette Store Day 2018 (www.cassettestoredayusa.com) and Record Store Day 2019 (www.recordstoreday.com) featured lists of cassette retailers.

A total of 351 U.S.-based stores were contacted, with a participation rate of 6.84% (n=24). Per the institutional review board protocol, the study’s participants were required to be a minimum of 18 years of age, be currently employed at a record retailer with cassette sales, and agree to the institutional review board’s (IRB) informed consent document prior to the start of the interview. All interviews took place via telephone from February 2019 to June 2019. Interviews were recorded with the participant’s advance consent, via a digital audio recorder. Interview recordings were subsequently transcribed, and the transcriptions were validated by the participants via member checking. Validated transcriptions were then reviewed and coded in two separate occasions, incorporating grounded theory methodology (Corbin and Strauss 1990), with a variety of themes eventually emerging from the data. These themes are presented in the following section. Participants hailed from all regions of the country, including the Western U.S. (n=12), the Midwest (n=7), the South (n=3), and Eastern states (n=2). A total of 15 different U.S. states were represented in the participant population.

Results

Of the 24 participants interviewed, the average record store had been in business for 20.1 years. The estimated average of new and used cassette stock at these participants’ stores was 24.4% new cassettes and 75.6% used cassettes; ranges varied from 1% new and 99% used cassette stock at one store, to 65% new and 35% used cassettes at another. The estimated average cassette share of the stores’ overall music sales was 6.87%; this range also varied substantially among retailers, with cassettes racking up 35% of a store’s overall sales on the top end, to less than 0.5% on the bottom. Numbers of cassette units in stock was also highly variable among the stores that reported their figures (n=15), with fewer than two dozen units on the low end, to in excess of 10,000 units (used and new combined).

While most stores stocked cassettes in some quantity and capacity from their opening day, six reported deciding to stock cassette tapes more recently, at least a few years after their business launched. The most popular music genres sold on cassette were (in order of mentions) hip-hop/rap, classic rock, metal, punk, indie rock, and blues. Other genres mentioned included (in no particular order) hardcore, alternative rock, jazz, R&B, disco, ska, country, reggae, hard rock, noise, and soul. Most stores featured accessories related to cassette purchases, including blank cassette tapes (19 stores) and cassette players (used and/or new), either as portable Walkman-style units or cassette decks (16 stores).

Upon review of the data, several primary and secondary themes emerged (Table 1). Examining the characteristics of current cassette tape customers, the *cassette customer profile* theme was established to illustrate the current customers of cassette tapes. These customers were largely described as *younger*. With ages typically ranging from teenagers to early 30s (some ranges were described by participants as “16-25,” “18-early 30s,” “15-35,” and “16-30”), the demographic of cassette purchasers largely skews towards a cohort that may not have originally used cassette tapes as a playback format. Rather, some may be recently discovering

Primary Theme	Secondary Themes
1. Cassette Customer Profiles	Younger “Hipster” Cassette Culture
2. Cassette Customer Preferences	Tangibility Value Pricing
3. Cassette Sales Experiences	Social Media Theft Consideration Sales Floor Reconfiguration Playback Persistence Cassette Accessories
4. Future Cassette Sales	Optimistic Outlook Pessimistic Outlook

Table 1. Themes from responses.

it for the first time. One retailer shared, “Our cassette customers are, I would say on average, are going to be a younger DIY kid.” Another retailer stated, “The people buying the used tapes are definitely younger...There’s a generational transfer going on...People bringing them in [to sell to the store] are like over fifty, and the people that are buying them [from the store] are under thirty.” This other response was linked to vinyl’s recent rise in popularity: “The only thing I am seeing is that, yes, younger people are buying cassettes right now, and I saw that right when the crest of LPs started to gather steam.”

In addition to—or sometimes in concert with—the *younger* description, retailers also used the term *hipster*, another subcategory of the *cassette customer profile*, to describe their typical cassette customers. The definition of a *hipster* is difficult to detail, as it can wildly vary as a subjective descriptor and could be regionally specific, or genre specific. Nevertheless, the term was used by several retailers in their descriptions of cassette customers, as evidenced here: “It’s kind of hipster. That may be the one culture that, I can say that the bulk of the cassette customers are hipsters. And I can’t say that about the other formats in my store...” Another retailer noted, “For cassettes...you get hipsters. They’re coming in. They’re twenty years old. They’re all hipstered out and buying cassettes.” And the *hipster* term was implemented in another participant’s description, stating, “They definitely are kids that are going to be kind of ahead of the curve on what’s cool.”

Other retailers offered non-specific demographics; from their perspectives, there was no dominant *cassette customer profile*, but rather a variety of customers interested in tapes. “It’s like there’s no single age or race or gender that I can narrow it down by. It really is kind of a wide mix of people who asks about them,” said one participant. Another said, “So it doesn’t seem to be skewed to any particular, you know, age demographic, as far as I can tell.” Echoing the earlier responses was this retailer: “It isn’t specifically one demo of consumer, it’s four or five.”

Some participants noted that there was still a market for tapes for customers in their 40s, 50s, and 60s—age brackets more likely to have originally interacted with cassettes in their youth. One retailer stated that a reason for the older age brackets’ interest may stem from their playback options; chiefly, their vehicles are still equipped with cassette players, making it an appealing option: “Well, there are a few people in their 50s and 60s that still have their old players or maybe even still have a car that has a player in it that might be buying cassette tapes that they remember from their younger days or bands that they remember from their younger days and kind of revisiting that.”

A third subcategory of the *cassette customer profile* theme is the existence of a *cassette culture* near the retailer’s locale

and what such culture entailed. While some retailers felt an absence of a *cassette culture* in their vicinity, many said a *cassette culture*—of some kind—existed. Nevertheless, defining *cassette culture* proved difficult, given the range of responses. One retailer, who disassociated the cassette from *cassette culture*, said, “I think the culture comes from just the kids wanting to be analog...I think it’s all about the analog, and not about the format.” Analog was the theme of another retailer’s opinion on *cassette culture*, as evidenced here: “I would say it’s people that find the analog sound of the cassette tape superior to the CD, and the ease of being able to duplicate your recordings in the privacy of your home and disseminate them fairly affordably.”

This participant felt that *cassette culture* variance was dependent on its associated genre. “Every niche, there’s a little bit of everything for everyone. I think cassette culture’s very much one of those things. You know, obviously, there are genre attachments. If it’s DIY, lo-fi scene, that totally makes sense. If it’s hip-hop scene, [it’s] sort of reverence to ’80s culture, that kind of sense. Which I think are two entirely different things.” Another retailer also segmented the *cassette culture* concept, stating that “it’s probably maybe a couple different subcultures. I think that there’s the nostalgia crew. There’s the kids that just have the crummy cars and that’s kind of a whole different segment of those.” The *cassette culture* concept was also parsed by a different retailer, who described it as “insular and isolated” by genre:

I think just also the buying of prerecorded music on cassettes and then also buying blank [cassettes], and making mix tapes, and putting your band stuff on there, and that sort of thing—I think that there’s two distinct cultures there, but they definitely overlap in terms of a lot of bands who are putting their music on cassette that might be smaller bands, local bands who can’t afford to press on CD or press on vinyl yet...It tends to be hip-hop culture, punk rock culture, and then the indie rock landscape, are the three that we see doing that, and as a result, their clientele we see buying the new tapes, at least.

But *cassette culture* was a bit more defined in other instances, including this retailer’s response, in which a local high school had fostered its own *culture* through one of its student organizations:

I’ve definitely had young people come in here that are part of a cassette club at their high school. Just blows my mind. What they do is make mix tapes. That’s why sometimes they want a cassette player that is a dual cassette player, so they can make copies. They’ll put music, or buy cassette tapes,

or make their own kind of cassette tapes and pass them around to the members of the club.

In terms of *customer preference* for cassettes, many retailers noted that customers were inclined to use cassettes for their *tangibility*. This may be due to a desire to interact with a physical music format as opposed to digital files and streams. “They want that tactile sense of playing the music from something other than just pushing a button on a screen and calling up whatever they want,” said one participant. Another retailer found that the genres available on cassette attract audiences that would prefer to collect a physical product:

I think the audiences who support those genres tend to be collectors. They tend to want to collect maybe everything that a label, or an artist, or a band that they admire put out, which therefore, means CD, cassette, and LP. Also, I think in some of those genres too, for instance, with punk rock stuff, the cassettes, for the most part are a cheaper format. It still allows the audience to get into the music in a physical, tactile fashion and be buying something that’s affordable, which would be the cassettes.

As stated in the above quote, another *customer preference* for cassettes was affordability in its *value pricing*. Since cassettes are often less expensive than their vinyl or compact disc counterparts, they are an enticing offering to customers. Many retailers noted that their used cassettes were priced between one and five dollars, and that new cassettes ranged from five to fifteen dollars; this pricing was usually lower than a comparable vinyl LP record and, for some titles, the compact disc. This retailer said, “I think maybe... having a title people are familiar with, with the price range of a cassette, is probably the biggest factor.” Another retailer compared its pricing to a vinyl record, stating, “I think part of it is that some of these kids, too, are just like, ‘I’m not gonna pay \$25 for an LP, I’m buying cassettes.’” A third retailer echoed this sentiment, also making a comparison to other formats: “Our main cassette tape buyers are just... looking for those full albums in a lower price range. It’s kind of an easy thing to get exposed to a full album at a fraction of the cost of a CD or LP.”

However, retailers noted that many independent and self-funded artists also preferred the *value pricing* of cassette replication as an economical entry point. The ability to mass produce cassettes at a lower price point than vinyl records or compact discs has made the cassette desirable for artists with limited funds for pressing recordings. Said one retailer, “I think they’re a great [format]... especially for bands that are starting out or local bands. It’s an easy thing for newer bands to take on tour [and]...not as big of an in-

vestment for customers. They’ve become an easy way to introduce newer music to an audience...that might stay away from streaming...It’s just a lower risk for the bands and the customers.” And this comment by a third participant also reinforced *value pricing* via a lower entry point for funding an album on cassette: “And for a small band that nobody knows yet? One, they don’t have any money. Two, it’s so hard to move 300 LPs. And three, it’s just...the cost. And as a small band, you can make your own tapes, you can have a limited run. You can go on a little week tour...We have an album, let’s put it out on cassette, make 50, 75 of them. And then, boom, done, that’s it.”

In terms of current cassette tape *sales experiences* of record retailers, some have engaged in *social media* posts to generate awareness of the fact that they stock cassette tapes in their stores. However, most participants said they do not promote the sale of cassettes much differently than they would for the other available formats for sale. Regarding cassettes, this retailer stated, “If I get ’em, I put ’em on Instagram and link it to the Facebook page. Otherwise, I don’t really do much promotion at all here.” Another retailer also used Facebook and Instagram for social media posts about cassettes, saying, “My main way of marketing stuff is Instagram or Facebook. I do a lot less of it with the cassettes, but if I get a cool stack of old vintage cassettes in, I’ll pop a video or a photo up just like I would for the used vinyl or the new vinyl.”

Two more subcategories of the *sales experience* theme emerged, discussing ways in which stores have configured their sales floor to accommodate the merchandising of cassette tapes. The first is *theft consideration*, as cassettes are physically smaller than CD and vinyl formats. One retailer said they hadn’t knowingly experienced cassette *theft* but knew of other stores who have: “It’s a lot easier to grab a cassette and put it in your pocket without me seeing, than an album. The newfound resurgence brings some negatives too.” Another retailer had to revert to their former system of cassette sales, due to the increase in popularity, in an effort to avoid *theft*: “We’re moving back toward that system again where some of the more desirable ones, we don’t feel like we can leave them in the case, and so we have a filing system where we have the tapes behind the register and then just the empty case with the paperwork where the customers shop that.”

The next subcategory is *sales floor reconfiguration*. Due to the influx of additional cassettes for sale, some stores had to accommodate this format for the first time, whereas others had to expand their existing shelving and display cases. (Note: Some stores did not report much *reconfiguration* at all; their setup was either easily expanded upon or did not require any change.) Just under half of the stores reported making changes to their sales floors to accommodate recent

cassette sales. For example, this participant was inspired by the record retail chain Tower Records' display methods: "Now I've mimicked the Tower Records racks that I remember and all the cassettes are in those kinds of things now. So now they're on a wall rack, it's about six feet high." Another participant spoke about finding a specific type of display cases, Napa Valley cassette storage units, to aid in the expansion of their store's cassette inventory:

I started to actively look for those, which are also quite expensive now and create walls where I could put the cassettes up there. That was kind of the only way to show them. Even now, it's overflowing to the ground onto the counters. It's all over the place, it's a lot of cassettes... All the time, I'm looking for more of these Napa Valley or its equivalent cassette storage units. And, for whatever reason, I mean you could pick these up for five bucks if you wanted them [prior to now]. And now like \$60, \$100, for just a wooden storage unit... It's amazing to me why they got so expensive, but I think it's tagging along with the cassettes. People will now want a place to display them. There's not enough to go around now.

An additional subcategory of the *sales experience* theme is *playback persistence*, of which retailers revealed the ways customers continue to play their cassettes. The retailer may also enable the customer to continue playing cassettes through the sale of accessories, such as portable players, cassette decks, head cleaner, and blank cassettes. Several retailers spoke of the continued use of automobile cassette players as a reason why cassettes continue to sell in their stores. One retailer said, "The other story I hear the most is... 'My mom gave me their old car and it's got a cassette deck in it,' and they're a poor kid and they can't afford to upgrade the stereo system so it's easier to come buy cassettes rather than redo a [car's] stereo system." A similar account came from another retailer: "I hear kids also saying sometimes some of the vehicles that have been passed down to them still have cassette players, so they're eager to come in and buy cassettes for their cars. I heard that a few times expressed in the shop." A different retailer also provided an identical observation: "I would say all of them, the majority of them are probably under thirty. It's usually just based on need. Like they get a second-hand car and it comes with a cassette player in it, and that's their only source of music for the car so that's what they go with."

However, it is not just teenagers or younger adults who are purchasing cassettes for playback in their cars. This participant noted that middle-aged customers are also making purchases for similar reasons: "Maybe, like 30s to 40s or maybe even to 50s, where people are getting them. Like, 'I

remember this tape,' or, 'I was looking for this tape,' or, 'I want this tape for my car or truck.'" Interestingly, this retailer had a specific theory as to the longevity of the cassette player's functionality in cars, in particular, finding that the reliability and stout engineering of Japanese components has kept such players viable, two or three decades after their manufacture:

And one of the reasons is... the legacy of [the] '80s and '90s Japanese audio engineer... And of course it's all the \$1,500 cars. So when you're an 18-year-old kid, how in God's name else are you going to encounter the technology? What, 'cause your grandpa has a Nakamichi in his living room, or something? The only way these kids are ever gonna see a tape deck is in these cars. And these cars are still on the road. So it is a direct legacy of '80s, '90s Japanese audio engineering that you have all these kids that actually have access to a cassette player.

A second example of *playback persistence* is the sale of *cassette accessories* by these retailers, enabling the user to play cassettes, or enhancing the customer's current cassette use experience. As mentioned earlier, 19 of the 24 stores (79.2%) interviewed sold blank cassette tapes and 16 stores (66.7%) sold used and/or new cassette players or recorders, in portable or stereo component forms. This retailer offers differing lengths of blank cassettes for particular types of recording: "Yeah, we have a bunch of blank tapes, I keep a bunch of short tapes around for people to use for four-track projects, we have boomboxes, we have refurbished tape decks... We have two guys in town that fix tape decks for us."

Another participant spoke of how blank cassette tapes were sparsely available in their locale. "We do actually have quite a few original blank tapes that people come in and buy. And I guess they're not really easy to find in this area... We have quite a few that we still have in storage." The sporadic nature of blank tape availability was echoed by this participant, who was located in a completely different region of the United States: "Blank tapes we used to, we used to carry them and we certainly will whenever we can find them... We used to have about [400] or 500 here. And now we have absolutely zero. They [go] really quick, but we like to make everything cheap."

Providing customers the technology to play their cassette tapes was common in many stores' responses, adding to the subcategory of *playback persistence*. Types of cassette players sold by retailers ranged from inexpensive, simplistic portable units, to higher-fidelity, component stereo recording decks. "We do sell cassette players from time to time," said one retailer. "Right now, the only ones we have are like

the Jensen ‘Walkmans’ that we purchase brand new. However we do refurbish, buy, and sell cassette players whenever we can find them in working order.” Another participant, who sold cassette decks, said they have been popular sellers at their store: “Well, we do have decks...In the beginning, cassette decks would come in and I’d pass, no one cares about cassette tapes. Now, I’ve been picking those up when I can. Recently, the biggest seller I’ve had has been cassette decks. I haven’t sold a record player or a receiver in a little bit, but cassette decks, I sold like four in the last month. That’s kind of blowing up.”

The *future cassette sales* theme arose from record retailers forecasting the future existence and retail viability of the cassette tape. Approximately 63% of the retailers interviewed reported what could be characterized as an *optimistic outlook*. Some of these responses include, “Oh, I think they’ll sell as long as I get ’em, as long as the guys are still making ’em,” “I would say at least [for] the next ten, fifteen years. I don’t see them going away anytime soon,” and, “I think there is an opportunity with cassette and I’ve had numerous conversations with label representatives that they should be considering reissuing catalog titles...on cassette.” This retailer believes that cassettes will maintain a position in the marketplace due to the increasing prices of vinyl:

I think as long as the prices on vinyl keep going up, then cassettes are definitely going to be a thing... Yeah, I mean vinyl is at an all-time high and it’s almost embarrassing, the prices that some people are trying to charge for records...So if I was a person with limited means, I would definitely be going for the cassettes.

However, not all found the cassette tape likely to persist in sales at their stores. About 37% of retailers interviewed reported what was interpreted as a *pessimistic outlook* on *future cassette sales*. Some of these responses included: “Yeah, it’s definitely declining. I think that was just a one-off fluke. I don’t think it’ll go away completely, but I think it’ll go away for the most part...I don’t think they’re going to last,” and, “Comparatively, I have more faith in LPs sticking around than I do cassettes. Maybe even CDs.”

This participant felt that cassettes will become over-commercialized, possibly to the point of extinction: “My feelings are that big business destroys everything and they’re gonna take something that, again, started from the streets, just like hip-hop, or punk rock, or doo-wop, and they’re going to monetize it and take advantage and exploit it until it’s dead.” Another participant offered similar sentiments of a record label pricing a cassette above its physical format counterpart:

One weird thing I’ve seen happen now too, this happened...I can’t remember when...where the label was putting out the LP, CD, and cassette, and the [cassette’s] cost and the list price was actually higher than the CD cost and list price. That’s the first time I’ve seen that and was kind of taken back by that in thinking like, “Wow, that’s crazy that a new cassette now is coming out and it’s costing more than a new CD.” When I see that also it puts up warning signs, feeling like...there’s a major label I believe, that if you’re doing that, then you’re negating part of the reason of why the cassettes are selling.

Discussion

In an era which digitally-streamed music technologies playable on a multitude of portable devices are being adopted at a rapid pace by the listening public, the rise in cassette sales further emphasizes that physical music, even on a format once deemed obsolete by many, still has its place in some listeners’ media spheres. In response to RQ1 (*What are the characteristics of current cassette tape customers?*), numerous retailers’ profiles of primarily younger customers may offer longevity for the format, as some of these customers may only recently be finding their way into the physical music media realm. Launching or further establishing their collections, coupled with the excitement of tangible discovery as they peruse brick-and-mortar stores, such younger customers appear to be the driving force via their interest in yesteryear’s technology. This parallels Weinbender’s (2019) article on the actual ownership of physical music, and the cassette’s attraction. However, cassettes also fulfill the role of affordability and usefulness as a format for older adults, whose playback mechanisms—specifically in their automobiles—may not accommodate other formats. In addition, cassettes seem to provide nostalgia across segments, in the many reissues of largely classic artists from decades earlier. The materialization of a cassette culture, however loosely defined it may be by the various retailers, may also sustain a sales drive for the format. Maintaining this community of like-minded format connoisseurs could be necessary to ensure interest remains stimulated; the onus of said maintenance may rest on the shoulders of the retailers.

While cassette tapes are still a slim fraction of most retailers’ overall sales, some have embraced the “return” of the format. One unique element in response to RQ2 (*What are current cassette tape sales experiences of record retailers?*) was how certain retailers had to rethink their cassette displays. Such aforementioned reversion to setups used decades earlier found retailers turning to the past to revise their store for future sales. Perhaps much to the fortune of these customers’ preferences for an older format, the man-

ufacturers have continued to produce new players, blank cassettes and maintenance items, which have in turn enabled retailers to sell such accessories, better ensuring the format's longevity.

Overall, the outlook on cassettes seems to be one of positivity (*RQ3: What are the cassette tape sales forecasts by record retailers?*) and hopefulness. Retailers may be inclined to endorse any format that finds revived favor, as it is their stock-in-trade. But, the aforementioned reported statistics buoy this sentiment, with increased sales pointing towards a rosy future, as consumers seek interaction with their music and opportunities to engage with listening experiences in the analog domain. With some stores building their used and new stock, as labels add more cassette titles to their catalogs, and independent artists turn to the cassette as an economical means of tangible music distribution, this might not be a misplaced outlook. After all, the cassette has its merits, that other physical, analog audio formats may not share: vinyl is not as portable, 8-track players are arguably more archaic, and reel-to-reel recorders are more complicated to operate. Noting its advantages in 1992's *Cassette Mythos*, McGee wrote, "The audio cassette is the perfect vehicle: inexpensive, portable, and malleable" (p. vii).

Still, for some retailers, the boom is over, and the industry has already reached "peak cassette." For them, the possibility of the cassette tape returning as a true analog companion to vinyl records never materialized, amid less-than-promising sales. If the format remains in their stores, it may only be viewed as a niche product. Such positions could be due to the genre(s) of music which the retailer focuses on, or even the area in which they are based.

Limitations and Future Research

This study was largely limited by its geographic scope. By only conducting interviews with United States-based retailers, it does not make any attempt to paint a wider, more vivid international image of cassette sales, and thus could mostly be applicable within its domestic boundaries. Studies of other countries' engagement and sales of cassette tapes would elucidate the phenomenon on a much grander scale than a sampling of U.S.-based retailers. Other countries could embrace or eschew physical music formats in ways that may parallel or run counter to U.S. trends. These comparisons would be of great interest.

A study of why music artists engage in the current production and sale of cassettes could incorporate several genres and highlight both the commonalities and divisions of these genres, or it could be a case study focusing on a particular genre and its specific interaction with cassette tapes. Additionally, a study of how and why record labels engage in cassette marketing and sales could bolster such discussion. Because some of the retailers had mentioned that the cas-

sette sales demographics sometimes reached beyond that of the young adult, studying older audience segments (e.g., Generation X or Baby Boomers) could be of value in understanding their usage experiences of cassettes, and how this may influence the current physical music marketplace.

The study also generated an interesting tangent of the current sales of other analog formats such as VHS videocassettes, reel-to-reel, and 8-track tapes. Five retailers reported current sales of VHS tapes, while seven stores reported they either currently sold reel-to-reel tapes (with some even selling reel-to-reel recording units) or had sold them in the past and would sell them again if they acquired more. And ten retailers reported sales of the 8-track cartridge, another analog tape-based format, likely thought as obsolete by most music audiences. One of the reasons given for 8-track purchases was that owners of classic cars may still have 8-track players in them. The reel-to-reel and 8-track formats could also spark additional interest from younger audiences already inclined to use the cassette.

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Music, Death, and Profits: Variables Contributing to the Surge in Sales After an Artist's Death

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Abstract

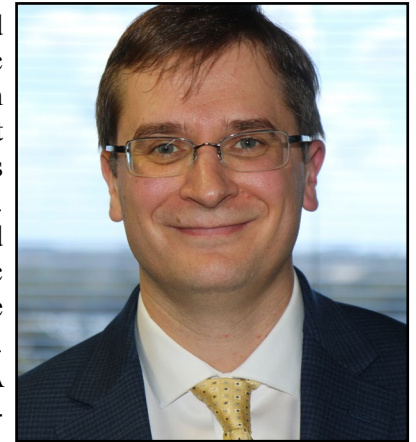
The passing of notable artists such as Prince, David Bowie, and Tom Petty has generated a surge in music sales associated with them. However, the impact of the death of these artists on sales that follows their deaths is not well understood. We aim to understand what happens to long-term effects on post-death sales and whether there is a return to pre-death levels. We use standard fixed effects panel estimations to assess the impact of an artist's death on the sales of the artist's albums and the rate at which album consumption decreases thereafter. We leverage a dataset of daily album sales for 81 artists, associated with 109 bands, who died between January 31, 2015 and December 1, 2017. Our findings show that the rate of sales does not return to pre-death levels but instead is in most instances persistently higher even several years after the death shock occurs.

Keywords: music consumption, artist death, death shock, after-death music sales, posthumous music sales, portfolio management.

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Sweetwater Sound: The WHY, HOW, and WHAT Behind the Success

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Abstract

Sweetwater founder and CEO Chuck Surack started out as a musician and later launched a mobile recording service. He became an expert in the Kurzweil K250—the first synthesizer to incorporate digital technology—and then sold the instrument and the custom sample libraries he developed for it to top recording artists along with other equipment they asked for and gradually grew his customer base. Surack’s music retail company, Sweetwater Sound, is located in Fort Wayne, Indiana. It has grown into the largest online seller of musical instruments and pro audio equipment in the United States and he expects to be doing a billion dollars in sales per year by 2020.

In his book *Start with Why*, Simon Sinek asserts that it is important for a company to first communicate WHY it exists before explaining HOW the vision is realized and WHAT is offered to customers (Sinek 2013). Sweetwater’s business practices can be viewed in the context of Sinek’s model, beginning with how well the company communicates its WHY—that it is a company composed of musicians and gearheads that exists to help its customers achieve their musical dreams. HOW that vision for customer service is achieved is expressed in Sweetwater’s motto, “Always do the right thing,” and in the cultivation and training of its Sales Engineers. WHAT customers experience is an exceptional level of customer service.

A report is included on an experiment conducted with customers and employees, and a series of interviews done with Chuck Surack and the two vice presidents involved in hiring employees.

Keywords: Sweetwater, Apple, Chuck Surack, Simon Sinek, music retail, customer service

The Sweetwater Story

We begin with the story of Sweetwater’s founder and CEO, Chuck Surack, and will then go on to look at three aspects of the success of his business: WHY Sweetwater is in business, HOW it is run, and WHAT it offers to customers. Sweetwater bases its business on relentless customer service. The company’s guiding principle is to always do the right thing for the customer, which is at the core of what it calls “The Sweetwater Difference”.

Surack started out as a saxophone player and played on the road for a number of years. In 1979 he started a mobile recording service from his Volkswagen van, which he would park outside venues, record shows, and then mix the tracks in his mobile home. By 1981 he had moved the studio to a small building on Getz Road in Fort Wayne, Indiana.

A major turning point in his career grew out of the purchase of a Kurzweil K250 synthesizer. It was the first keyboard to have sampled sounds, and offered realistic strings, brass, and choirs, which he used with clients who wanted to sweeten the recordings made in his studio. Ray Kurzweil’s first invention was a reading machine for the blind, and he designed the K250 with accessibility in mind, in particular for the needs of Stevie Wonder. The controls of the keyboard were very tactile, and everything was controllable with buttons in order to avoid having layers of menus accessed on a tiny LED screen. There was an empty slot inside the instrument and Surack figured out how to reverse engineer the instrument and to increase the number of sounds by loading it with his own samples.

By 1985 he had written a computer program to edit the sounds and had become a Kurzweil dealer. He wanted to trade sounds with people, but no one was making their own. He established the Sweetwater Sampling Network to sell sounds for the instrument, and his customers soon included Stevie Wonder, Dolly Parton, Kenny Rogers, and Bob James. He became a technical resource for recording artists and by 1990 had five people working in his house and tour buses were showing up at all hours. He started selling Mark of the Unicorn Professional Composer notation software

and then began offering the recording equipment requested by his customers.

In 1990 Sweetwater had moved into its first commercial location. A year later Surack had twenty employees. In 2006 they moved to the location they are in today where they have been growing steadily by 17-28% each year since 2010. By 2016 Sweetwater had doubled in size and become the largest online seller of musical instruments and pro audio gear.

A permanent display in Sweetwater's lobby includes some of the equipment that Surack used since the early days of his recording business. It makes it clear that he is a gearhead, and his Boy Scout uniform hanging from the VW van's door represents his respect for the Boy Scout Law: "A Scout is trustworthy, loyal, helpful, friendly, courteous, kind, obedient, cheerful, thrifty, brave, clean, and reverent." Surack says these character strengths will stand a person in good stead in both their professional and personal lives.

Sweetwater is now adding about 70,000 new customers a month. There has been significant growth across all product categories, with the biggest increases being in pro audio, synthesizers, drums, guitars, and microphones. In 2017 they had \$619 million in revenue, sold 107,000 guitars, had 700 students in the Sweetwater Academy, and 1,132 employees. In 2018 they had \$725 million in revenue, sold 128,000 guitars, had 850 students, and 1,531 employees. By the end of 2019 they will have 1,550 employees, 500 of those being sales engineers.

The company doubles in size approximately every five years and is now entering its third phase of expansion. It has always been concentrated in one location, but this time considered creating a new facility in another state. In the end the tax incentives offered by Indiana and concerns Surack had that they might not be able to maintain the Midwestern values in its culture convinced him not to move. "We pedal fast and our clock runs a little faster than most other people's clocks. I think there's a real quality of life and an appreciation of employees that work hard that's probably part of Midwest values...I think the people here are just good and hard-working" (Surack 2019). This led to the decision to remain in Indiana and invest \$76.4 million in Sweetwater's 163-acre facility in Fort Wayne. By the end of 2020 the company will have added new space for product storage, gear testing and photography, offices, staff amenities, and customer pickup, along with 350,000 square feet of new warehouse space and a 30,000 square foot event center. They will be creating 1,000 new jobs by 2024.

Start With WHY

In his book *Start With WHY* Simon Sinek asserts that there is an advantage to communicating WHY a company is in business before explaining WHAT it does and HOW it does it. WHY is a purpose, cause, or belief. Sinek says that

it should appeal to the non-verbal limbic center of the brain. He says that people make decisions there based on non-verbal emotions, after which the rational mind finds good reasons for them. Sweetwater's business model can be viewed in the context of this model, and whether it communicates to customers WHY it is in business.

Sinek cites the example of Apple since so many people are familiar with that brand. Apple started as part of the counter culture in 1976. Its two founders, Steve Jobs and Steve Wozniak wanted to empower individuals. Jobs said that, "There are monster computers lurking in big business and big government that know everything from what motels you've stayed at to how much money you have in the bank. But at Apple we're trying to balance the scales by giving individuals the kind of computer power once reserved for corporations" (Jobs 1997). For him, computers were "bicycles for the mind" that could help advance humankind. Apple used to start with WHY before it talked about HOW it did things and WHAT it sold, unlike other computer companies that start by talking about the specs of its products and why they are better than the competition—an approach that Sinek says turns products into commodities and drives prices down. Starting with WHY helps companies connect with people who believe in the same things that they do, who then turn into loyal customers willing to pay a higher price and/or put up with inconveniences.

Jobs was fired in 1985 but invited back in 1997. When he returned, he made it clear what Apple's core value was when he introduced the "Think Different" campaign:

Our customers want to know who Apple is and what is it that we stand for. Where do we fit in this world? What we're about isn't making boxes for people to get their jobs done, although we do that well, we do that better than almost anybody in some cases. But Apple is about something more than that. Apple's core value is that we believe that people with passion can change the world for the better. We've had the opportunity to work with people like that, with software developers and customers who have done it, in some big and some small ways. We believe that in this world people can change it for the better, and that those people that are crazy enough to think that they can change the world are the ones that actually do. And so, what we're going to do in our first brand marketing campaign in several years is to get back to that core value. A lot of things have changed. The market's a totally different place than it was a decade ago, and Apple's totally different, and Apple's place in it is totally different, the products, manufacturing, and distribution strategy are totally different, and we understand that. But core

values shouldn't change. The things that Apple believed in at its core are the same things that Apple stands for today. (Steve Jobs 1997)

Apple introduced the Macintosh computer in 1984. It was the first mass-market personal computer with an integrated graphical user interface and mouse. It was intuitive for customers to use because they didn't need to know a lot of text commands like those used in Bill Gates' MS-DOS operating system developed for the IBM PC. Jobs was a music lover, and Apple wanted to build products that Apple employees themselves would use. The iTunes store and iPods had the capacity to put a thousand songs in your pocket and moved the music business from albums to singles. The success of the iPod financed the development of the iPhone.

Surack and other members of the executive team admire companies like Disney and Ritz-Carlton that exceed customer expectations (McDonald 2019):

Apple was a great company during the Steve Jobs years. I like their design philosophy in general—the simplicity, and that they were remarkably different from Microsoft. In fairness, the rest of the world has caught up with them. Everyone copied them and is nipping at their heels, and there are a lot of great companies making a lot of great products today. There have been some others through the years. Everyone talks about Nordstrom. There used to be a hard drive company called APS whose philosophy I loved...I love anything that's done well, anything to extremes. It's the same with events I like to see, whether it's sports or music. I don't care what the genre is, I just want to see it done really well.

I admire some of the higher-end cars and what it takes to engineer, market, and sell them—who their customer base is. I'm really impressed by cars like Porsche. I also like Hondas. In the aviation world there's a line of airplanes called Cirrus Airplanes. They have redefined personal aircraft from my point of view. Everybody was flying Cessnas and Bonanzas. This is a modern new airplane with a parachute and modern avionics. They're very customer service-centric.

Yamaha is a phenomenal company. I went to visit them three or four years ago and met their president. I had always thought their products were dead reliable and sounded good. But after going over there and seeing the kind of things they do technically and the way they think I came away dumbfounded and even more impressed. People have no

clue what they do, from simple things like having a room where they heat a product up and then freeze it, and then heat it up and freeze it again, just to see what the effects are of the cycle. They vibrate the products. That's not that unusual in manufacturing, but it doesn't happen in our industry. There's a reason that Yamaha products are more reliable than other brands. (Surack 2019)

WHY

Chuck Surack started out as a touring musician. Like many Sweetwater employees, he remains an active performer playing one hundred shows a year in two bands. Sinek says that employees who understand WHY a company exists, and believe in the same things, work harder and stay on longer. In the careers section of its website Sweetwater explains its WHY for prospective employees: "Since 1979, we've helped music makers all across the world build their dreams. We are a team of gear heads who are committed to doing the right thing for our customers." In interviews Surack explains that two thirds of his employees are musicians themselves, and that he wanted to offer his friends the type of retail experience that he had always sought as a customer.

When asked WHY he started the company, Surack answered:

I'd been on the road for five years and wanted to come home, and recording was something that I knew how to do. I loved playing music...and being around musicians, I'm a musician myself. There wasn't that sort of recording studio service in the area. I was fortunate that there was a job that was my vocation as well as my avocation...The big 10,000-foot view of WHY is I just love helping people fulfill their dreams. I don't think of myself as selling equipment as much as I sell the dreams and aspirations people have...I love watching people get successful with their music, whether it's commercially successful or just personally successful. I'm thrilled with that, helping them fulfill their dreams. (Surack 2019)

Jeff Radke, Executive Vice President of Sales and Chief Sales Officer, was working for another company when he first met Surack:

The very first time I called on Sweetwater, a rep took me to his house. That was something I wasn't used to. I walked in and met Chuck, there were dogs sleeping by the stairs. I got a chance to talk with him, I think it was just him at the time. His WHY was that he was a musician and a studio owner and wasn't able to find a company that could help with

a sale adequately, to find out what was available, what he should have, and support him after the sale if he had problems or questions or something broke. There were a lot of retailers, and still are sadly, who just sell boxes...He kind of stumbled into it with the K250 and becoming a dealer for Kurzweil. His idea was that he could provide what he had been missing. He is able to take care of customers long term by actually caring about them and developing relationships, not just selling boxes, but rather being a place where they can call back later and say, "Oh, my God, this thing doesn't work," or "I've got this new issue," or ask a question and get to talk to the same guy. (Radke 2019)

Seth Godin says you can't market to the bulk of people in the center of a product adoption cycle because they are really good at ignoring marketing messages (Godin 2007). You should instead try to reach the innovators and early adopters who are the only ones interested in new things, because they will listen and if they like it will tell other people about your product or service and do your marketing for you, which can lead to its acceptance by the mass of consumers in the middle of the bell curve (Figure 1).

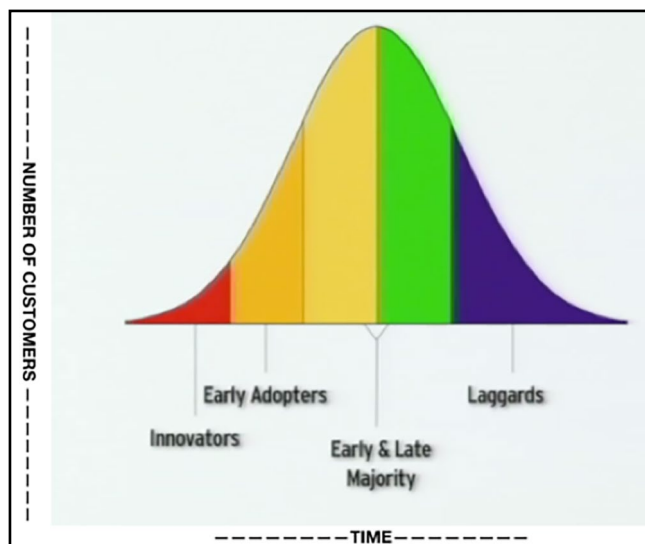


Figure 1. Adopter curve (Godin 2007).

Apple began to communicate less about their WHY after Steve Jobs died, and Sweetwater is talking primarily about HOW they offer great customer service. Maybe WHY is only needed to connect with early adopters, when the vision can be expressed by the founder before they get too busy running a growing business.

HOW

There is much more emphasis placed on the Sweetwater website and printed marketing materials on HOW it offers the highest level of customer service and support—an ap-

proach that is expressed in the term "The Sweetwater Difference". The approach to building its customer base is in line with Godin's strategy: "At Sweetwater, we have one single goal in mind: to make you a satisfied customer. That single focus, driven from every aspect of the company's operation, is the key to our ongoing success. If you're a satisfied customer, you'll come back to us when you have additional gear needs in the future, and you'll tell your friends about us. Then if we can make them satisfied customers, the cycle continues."

On "The Sweetwater Difference" page it says, "From day one Chuck was committed to providing a retail experience for his customers that was unparalleled, the sort of experience he always sought as a customer."

HOW the Sweetwater Difference is achieved is encapsulated in the motto, "Always do the right thing." Jeff McDonald, Sweetwater's Senior Vice President of Human Resources recalled how it came about:

When Jeff Radke, Jeff Ostermann, and I sat down eight or nine years ago to write a concise, accurate and enduring mission statement, "Do the right thing" was already a very deeply embedded part of our culture. We didn't go hire a bunch of consultants to come up with a mission statement and a slogan. We sat and tried to boil down and encapsulate what we've always done. From the very first month I worked here it was, "Just use common sense, use good judgment, and do the right thing." We looked for the common denominator in everything we had written. It was "Do the right thing." That's what we do every day. It was easy to get there, and the process was organic. (McDonald 2019)

When asked where "Do the right thing" came from, Surack says it was not from a sudden flash of insight but rather just the way he grew up in his family and church:

Growing up as a Boy Scout is what really set the tone for me. A Boy Scout learns to be trustworthy, loyal, friendly, courteous, kind, obedient, cheerful, thrifty, brave, clean, and reverent. Those are amazing principles to live by personally and professionally. I learned to always give back and help others, leave the place better than you found it, to make things better. The Japanese have a term *kaizen* which means continual improvement. That's where my head is, that's where my heart is, and so when I started the recording studio in 1979 out of the VW bus, I always tried to find ways to add value for the customer. That meant things like charging for a little less time than I actually used, giving them extra cassettes or albums, just being all in, all in, all in.

Fast forward forty years later to today and it's the same thing, whether that's the two-year warranty that we offer, fifty people in our tech support department, or the 55-point guitar inspection. None of our competitors do any of that. It's a way for me to add extra value. (Surack 2019)

Sweetwater employees also strive to exceed expectations. When asked where that habit came from, Surack replied that it, too, came from his childhood:

That goes back to Boy Scouts and just always doing things the best that you can. If it's worth doing, do it well. Don't just do it halfway or part way...I've always tried to do the right thing, it's pretty simple. I can't imagine *not* doing the right thing, frankly, I wouldn't know how to do that. I can remember as a five-year-old when I made potholders and would sell them for fifteen cents for one or two for a quarter. If you didn't exactly go up and down correctly you would miss a loop, which was a mistake. If that happened, I would pull the whole thing apart, even if it was the last step. I would pick it all the way apart and fix it, because I wasn't going to put it out if it wasn't perfect. That was "Doing the right thing." (Surack 2019)

When hiring for Sales Engineer positions, Jeff McDonald looks for people with technical skills who are also good communicators:

Soft skills are on the decline, and SAT scores are down even though they dumb-downed the test. I think it's a result of cell phones. One of the tests that we give in marketing and sales is to give applicants an email from someone interested in some product and ask them to compose an email reply. We look at how fast they can type. We're not trying to be elitist, snobbish, or academic about it, we just look at what they're going to do all day. They're going to talk to fifty people on the phone, go into our CRM system and take really good notes about those conversations so that the next time they talk to the same person they can refer back to what their last conversation was. It's not going to work if they can't listen, type, take good notes, and send you an intelligent email when you ask a question. They have to be able to follow directions and process information.

We give them a letter that's filled with spelling and grammatical errors and ask them to correct it. Obviously, computers have spell checks, but we want to

see if they can string five sentences into a paragraph and know when to start the next one. In the fourteen years that skill keeps dropping. Does that mean the students are dumber? No, not at all. They can run circles around me on a computer. It's just a different skill set.

Let's go back to the WHY to come full circle. If the WHY is Chuck saying, "I want to help my friends make better music," then how do you do that? How do you make that experience better? It starts with listening to what the customer needs and wants so that you can help them, and then in the clearest and most professional, friendly way you can, help them. Any way you cut that it's going to involve communicating back to them. If you can't do that, then I don't care if you get 100% on the technical test, because it's not going to do me or the customer any good. The guy that got the best score ever on the technical test that we give as part of the interview process was a Ph.D. that taught music technology. He was the worst Sales Engineer in Sweetwater's history. He had all the knowledge, but he couldn't communicate it to the average customer. First of all, he didn't want to talk to them. He wanted to write them a 10-page dissertation on whether they should buy an SM57 or an SM58. It was a train wreck. He knew everything, but he couldn't communicate except on his terms. After about a year and a half he realized he couldn't talk to the customers, they were too dumb. If you can't communicate you shouldn't be in a job that's all about trying help people make a decision, because that's why they're coming to us. We're the experts who can help them with that. You have to be more than an expert, you have to be an expert communicator. (McDonald 2019)

In his interview, Radke reinforced the importance of both written and verbal communication skills:

Something many (most?) students probably haven't thought about much is that they will need to have highly developed communication skills...in every way. That means being able to write in a professional way, type very rapidly, and perhaps the most difficult of all, be comfortable and delighted to speak with hundreds of people every day. Voice-to-voice and person-to-person is the most effective way to communicate, period. (Radke 2019)

Sweetwater Sales Engineers grow their base of 4,000 to 6,000 customers with whom they are on friendly terms.

Sales Engineers are knowledgeable and authentic and provide unbiased recommendations. In every touch customers have with the organization they talk to the same person, whose goal is to form a personal relationship based on trust, loyalty, and expertise. Employees are expected to tell the truth and admit and fix any mistakes they make, and to let customers know when they don't have the answer to a question and then get the information for them.

Those hired for Sales Engineer positions go through Sweetwater University—an intensive thirteen-week training program which is said to be like a master's degree program in music retail products. There are 300 classes and 100 teachers, and the pace is described as “drinking from the fire hose.” Surack has always been more interested in developing relationships and turning customers into friends. It is not unusual for a Sales Engineer to inform a customer that there is a less expensive and possibly more effective way to fulfill the need than the one they called wanting to buy. The day he was interviewed he had talked with a group of new Sales Engineers in one of their first days at Sweetwater U:

It sounds awful from a business guy, but I don't care if we make money on the first, second, or third sale, what I'm interested in is doing the right thing for the customers, treating them well. The money, referrals, and repeat business will come. I just want to be able to lay my head on the pillow at night and know that I've treated people the way I would like to be treated. My real point to them is that I am empowering them to think the same way. I promised them that they would not get in trouble if they replaced something, or paid for an Uber ride, or bought lunch, and that in fact that they would get in more trouble if they DIDN'T do that, and that if they ever get into any bit of trouble from any manager they can just pull the Chuck card and say, “No, no, Chuck said I wouldn't get in trouble.” (Surack 2019)

Jeff Radke is another member of the executive team who talks with employees as they begin their training. He explains the technical information covered in Sweetwater U.:

I meet with everyone and help them start to mentally prepare the mindset, understand how the approach should work, the WHY of what we do in Sweetwater U. and why they should pay attention in order to get them off on the right foot. Sweetwater U. is constantly evolving. We did another major revision for this year. We tried to steer it a little away from brands and products and back to understanding the technology more broadly. For example, If I understand how an optical compres-

sor from manufacturer A works, then I will be able to apply that to the ones made by manufacturers B, C, and D. Roughly half of the classes are about the technology side, and we cover every aspect of it so that every Sales Engineer is well-versed in all our products since we are so relationship-oriented. The areas of study include analog, digital, keyboards, MIDI, synthesis, drums, guitars, lighting, and the DJ market. Recording and PA is still our heart, if you will, so we also cover the live sound, recording, and pro audio side of things. That's the technical part, and we have manufacturers come in and teach that. (Radke 2019)

One of the sales techniques that Sweetwater uses is called “The Perfect Conversation” which flows like an upside-down triangle, where a lot of information is gathered over the course of a phone call and possibly funnels down at the end to a recommendation of a specific product that best matches the customer's need. At that point price is no longer the main consideration. Radke explains that HOW the company does business and differentiates WHAT it offers customers at some point in the conversation. This seems to align with what Sinek says in his book about solidifying customer loyalty through balancing HOW and WHAT with WHY the company is in business:

The way we sell is very different from the norm, which is when the customer asks, “What's your price?” you get them a price. If we did it that way, we'd actually be doing them a disservice, because we wouldn't be figuring out what they really needed. For example, they may have read in a forum or heard from a buddy about some great microphone, or seen one in a studio. When they ask us how much it would cost our response is going to be, “That's a great mic. What are you going to be using it for?” We're going to find out what gear they own, if they're in a band, if they're going to use it live, what they're going to attempt to do with it, what their budget is, all the critical things for them, and in the process of that we're also going to let them know who we are. If they want to buy a guitar, we're going to talk about the 55-point guitar evaluation, and the fact that we have a temperature and humidity-controlled warehouse, luthiers on staff, a whole guitar workshop, and about the relationships and training we have from vendors. Helping the Sales Engineers learn how to communicate with the customers is a huge part of that part of Sweetwater U... Maybe my customer plays guitar but her son is a keyboardist. Maybe he was an infant when the

Sales Engineer started dealing with her, and now he's starting to take lessons. Unless I continue to maintain that relationship, I'm never going to know that her kid is playing keyboards now. I have to keep asking those questions.

I also really have to keep differentiating, from a business perspective, how Sweetwater is different. One of our senior guys, Kenny Bergle, has been here about twenty-six years. He can be talking to someone he's been dealing with for fifteen years and I will occasionally hear him say something like, "That's a great thing about Sweetwater," and then he'll talk about tech support. If you've got a problem with your system, we'll take care of it. We're not going to be like the manufacturer who will only take care of the thing that is theirs, we'll help you solve the problem with your system. If there's a clocking issue and you have an Apogee converter and Avid's Pro Tools and they're not communicating well we're going to help fix that, we're not going to say, "Well, it sounds like the other guy's problem." We're just going to take care of it. The Perfect Conversation always includes qualifying, differentiating, and selling ourselves. Mac Hatton can talk about working at a big studio in Nashville. Now all of a sudden, we are differentiating ourselves and we're not just a kid in a black t-shirt and ripped up jeans that you typically find employed in a music store, we're serious professionals who are studying on an ongoing basis. (Radke 2019)

Sweetwater Sales Engineers are paid on commission and it is up to each one to decide how much money he or she wants to earn. Radke came to Fort Wayne with a history of helping employees set goals, something that they are given more autonomy to do at Sweetwater. Each Sales Engineer is given the tools, support, and freedom necessary so they can all think and work as if they are operating their own store:

The life skills part could include me going over *The Seven Habits of Highly Effective People*, which I think is great not only here but for outside of work. I do a class on goal setting. Most humans never set any sort of written goals at all. I talk about why it's important and help them understand the process, and hopefully get them in the position where they'll be doing that for themselves and for their families. One of the things that we do that is really unusual, I don't know of anyone else that does this in our industry, is that the goal setting helps Sales Engineers set their own goals, and then our Chief Financial

Officer and I build the company goals off of that. They will say how much money they are going to make, how many calls they need to make because of that, how it's going to be weighted from month to month in order to work around their vacation plans, the attachment rate, return rate, talk time—all the meaningful metrics. We're not just preparing them to go out on the sales floor, we're preparing them to run their own business. (Radke 2019)

Sweetwater spends more time training its employees than many Guitar Center salespersons last on the job, and as a result has the best trained salespeople in the industry. In addition to ongoing continuing education there is a Sales Resource Center where employees can check out equipment to try out at home:

It started in my office in the old building where I had equipment that Sales Engineers could check out for a while. Now it's much more organized, there's over a half a million dollars' worth of stuff in there, like big PA speakers, a little system for a coffee shop gig thing, tons and tons of pedals, guitars, you name it. We have an SSL console that you can check out. It took four guys and three vehicles to figure out which one it would fit in. They got it into this guy's house, and now he has other Sales Engineers coming over and they've got it plugged in and are listening to it and getting in deep and really understanding it and figuring out which customers it would be good for, how it sounds with their monitors. The same thing goes with microphones. You can take home five really nice condenser microphones and then when you're talking with a customer the next day you can say, "I was using a 251 and a U47 and a C12 and here's what I liked about each one in different situations. I'm using Genelec monitors." The customer realizes that you are actually using that stuff in your studio instead of dealing with some dude hanging out in a music store. (Radke 2019)

Sinek says that employees who share the same vision as the management of WHY the company is in business are more productive and stay on for a longer period of time. Sweetwater employees seem to share the company's ideals, which makes it possible for customers to talk with the same Sales Engineer each time they call. The shared vision seems to be reflected in the fact that there is a low rate of employee turnover:

I think part of our power as a company is the continuity. Year-to-date I think we're at maybe 4% turn-

over, which is ridiculously low. Retail turnover is 50, 60, 100%. Our average tenure is well over five years, maybe over six years at this point. If I'm a customer I have the comfort level of having an inside person that is going to take care of me. (Radke 2019)

WHAT

WHAT a company does is what ends up as the being seen by customers. The Sweetwater Difference of doing the right thing manifests in a number of ways, starting with conversations customers have with Sales Engineers to help them pick the right gear, followed by ensuring that their orders ship smoothly and are received with satisfaction. Jeff McDonald explained some of the advantages that Sweetwater's scale and investment in training offer over independent music stores located in communities across the country:

If you go to your larger independent store looking for a guitar, they *may* have both Fender and Gibson and some inexpensive \$200-\$300 guitars in order to offer a lesson program. They're not going to have fourteen brands of electric guitars. They might have Taylor or Martin or Gibson, but probably not all three, unless it's a really bigger store. They surely don't have 300 microphones and every DAW known to man. Part of it is just that we can offer so many more products. We have 34,000 products on the website, where a typical independent music store has probably a couple hundred. The customer can see everything they're interested in, and the people they talk to are experts. The Sales Engineers come from a music tech program, then we put them through thirteen weeks of classroom training, and then they have three hours of formal product training every week after that. Almost every day there are vendors here for a day who set up a petting zoo to let the Sales Engineers talk to them about new products and get trained on them. Within two years the graduates of your program are within the top 2%-3% of audio experts in the country. There's no way you could do that in a store. The customer thinks, "34,000 products, the sales people are experts and really nice and fast, and I don't have to get in the car and go to a store to find out that they don't have PRS guitars there." (McDonald 2019)

Sweetwater's distribution center has a million-dollar conveyor belt and orders are said to be filled with 99.9% accuracy. Most orders include free FedEx shipping and arrive nearly anywhere in the U.S. in a matter of days since the company is located centrally. Most of the business is done

by phone, but they also have a brick and mortar music store on site that is fully loaded with demo studios and the Midwest's most comprehensive selection of audio equipment and musical instruments.

The Piano Showroom features Yamaha and Roland acoustic and digital pianos. Customers can sell their gear on consignment or trade it in for in-store credit in the Gear Exchange. Guitars go through a 55-point inspection before going on sale, so they often leave Sweetwater in better shape they were in when they arrived from the manufacturers. Photographs are posted online of nearly every guitar from multiple angles so that customers can see each individual instrument in the Guitar Gallery along with serial numbers, so they know exactly which instrument they are getting.

The Product Optimization department adds extra value like custom sound sets, pre-installs firmware updates, and performs other gear tweaks. Sweetwater sells its own Creation Station Computers which are pro audio Windows PC audio production stations. Tech support is free and available around the clock, including help with making one product work with the others in a customer's system. Sweetwater has developed an online knowledge base called SweetCare that includes more than 10,000 articles.

Instead of trying to make more money off customers by getting them to purchase extended warranty coverage, Sweetwater automatically includes a free two-year "Total Confidence Coverage" warranty with nearly every product. Most repairs are handled in-house. Sweetwater is also involved in education. They offer workshops and year-round master classes.

The Performance Theatre has three sound systems: a 7.1 surround JBL system, individual jacks at each seat for headphones, and a virtual acoustics system with 80 speakers embedded in the walls allowing the acoustic environment to be instantly reconfigured to simulate a variety of different spaces. Employees and the public can perform in Crescendo Club located at the end of the dining facility. The Downbeat Diner offers restaurant quality food at cafeteria prices and the Crescendo Café provides ice cream, espresso, and baked goods.

There is a Concierge Service that helps visitors, arranges tours, and handle employee perks like dry cleaning and assistance in planning family outings. A general practitioner is available in the Health Clinic to treat illnesses and provide annual checkups for employees and their families. No paperwork has to be filed with insurance companies. Employees and the public can get haircuts, manicures, and massage therapy at the Wavelengths Salon+Spa, and play free pool, virtual golf, and arcade games in the Game Area.

A metal slide is a fun way to come downstairs from the sales department on the second floor. The building is green and LEED certified. It includes locally-sourced recycled

and rapidly renewable woods, natural light, water conservation, and a high-quality ventilation system. There is a personal trainer in the Fitness Center, and employees can enjoy the racquetball court. They can also check out video games, and DVDs.

The 24,000 square foot outdoor Performance Pavilion was needed to provide a place where all employees could meet together. It also operates as a performance venue that accommodates 3,500 people and is also used for shows open to the community.

GearFest takes place over a Friday and Saturday in June and is the largest music trade show in the United States that is open to the public. It is free and there are plenty of presentations to attend and celebrities to meet. 15,000 people turned out last year to see the products shown by hundreds of companies. You can drop off your guitar when you arrive and pick it up at the end of the day with a new set of strings installed at no charge. GearFest guests may also camp overnight.

Sweetwater has built up its website to be a major information resource for people interested in musical instruments and pro audio, whether or not they are in the market to buy something. Their comprehensive Glossary is a great resource for definitions of terms, and the newest area of growth is in videos demonstrations:

The idea behind them is not just to sell products, it is way more educational. They make about eight to ten of them a week, and there are four to five thousand on the website. You get to hear the product and see some performance and learn about the features. There's definitely an educational aspect. Some are generic and less product-specific. For example, there's one for keyboard players who aren't organists who want to learn some tricks on what to play to get an authentic organ sound. You would be shocked how many people get on the website every week and watch the new InSync videos. We get a ton of input from customers. Do we want them to buy the products? Sure, but it's not a car dealer thing where we yell, "We've got the new Buick X, come on down today!" and talk about price. Instead the person just says, "If you want more information, talk with your Sales Engineer" at the end. (McDonald 2019)

Maintaining the Culture

In his book Sinek says that the greatest risk to a company is success. As a company grows the founder is not able to make all the decisions and has less contact with employees. Surak says that there are others in the company that can share in making decisions and would be able to take

over and maintain the culture in the future: "I've got a phenomenal set of lieutenants on the Executive Team that have been with me a long time—thirty years for most of them, and they know how I think. I've been pretty clear. It would be pretty easy for people around here to know what Chuck would do if I were gone. I think it's going to continue for a long time" (Surack 2019).

One way that the Sweetwater culture is maintained is through coaching. McDonald explains one aspect of ongoing supervision of Sales Engineers:

Once they're released to the sales floor, they get constant follow-up from at least two different sales managers who observe what they're doing and look at all the numbers and listen in on phone calls. That typically goes on for three to four months. Then they go to a coach, who is also a sales manager, who will continue to monitor how they're doing. There isn't a formal schedule after that, it becomes much more individualized after six months. Some people need a lot of help, others are self-sufficient and do pretty well. Even Sales Engineers who have been here for fifteen to twenty years are still meeting with a coach. Our theory is that you can always learn something, grow, and do better. It's part of Chuck's whole *kaizen* philosophy." (McDonald 2019)

In addition to the supervision that sales managers perform, Radke has developed a system of clustering Sales Engineers in groups:

When I first got here I knew everyone and what they were doing outside of work, knew their families reasonably well, but we got to the point where I couldn't do that, which I find very frustrating but it's just the reality once you start to grow. Somebody could be doing really well here at Sweetwater from a work perspective, but their life could be falling apart outside, which would eventually cause them to leave. I wanted to build a safety network and make sure that anyone that was coming in could maintain that family vibe. I started dividing the sales team into "neighborhoods." Every neighborhood starts out with about ten people and may grow to fourteen or fifteen before I have to divide them up again. Within each neighborhood there are a couple of leaders. We are very big on autonomy here. I want to hire really smart people that have the right character, give them the tools, and then turn them loose. If I have to micromanage somebody, I made a mistake or they are having serious issues that we have to work through. The whole

sales team nominates leaders, then the leaders are elected. They are typically going to be people who are well-respected and doing things the right way, they're being good teammates, 99% of the time they are already being good mentors to the new folks. I divide the leaders into neighborhoods so that there are two in each group, so that one person can be leaned on if the other isn't in, and they can work together a little bit to help the neighborhood. It's not a layer of management, it's a layer of leadership. They are the people who would probably have seen someone struggling and offered to help, saying something like, "I heard that last conversation and it didn't seem to go right, how about we try this?"

Within each neighborhood there's a range of tenure. There's room for brand new people and some very senior people. There's a spread of technical abilities as well, for example, having a crazy strong guitar guy or gal in every neighborhood, so if you get a question and don't know how that vintage neck compares with another, you can turn to that person and ask the question. There will be a big boy or gal PA person in each neighborhood. We take the loud people and spread them out, so we don't have eight of them shouting each other down in one neighborhood. We take it down to another level and start to look at the personalities within the neighborhood when deciding who to seat next to who. I might want to put someone who's been a little shy on the phone next to someone who has no problem dialing the phone and making those calls who can kind of mentor them. I have people who request to sit next to a particular person in order to learn from their style, or because "I work a lot with them, and we challenge each other constantly—can we stay together?" I move neighborhoods every year, so they move geographically on the sales floor. I keep the core mostly together, but inevitably as we grow, I have to start more neighborhoods, which gives me an opportunity to create more leaders.

I view those leaders as the Senate of the sales floor. They get some additional neighborhood leader lunches where we'll have someone from the Marketing Department come in and give them some behind-the-scenes perspective as to what's going on. We will lean on them a little bit at the beginning of the month when we have a postmortem of the previous month. We'll put a subset of the leaders, along with key stakeholders from Marketing and

Merchandising in a room to talk about what went well, and what didn't—which bundle or promotion was not effective, or what would be cool to do, so they're having direct feedback into the company's future in terms of how we market and the products that we have. We also have subsets of leaders do focus groups with the vendors. A lot of them come to us because we touch so many customers and ask what they are missing, what product should they be developing. These folks get some direct insight from the Sales Engineers to help them build products that will be great for our customers. We have 24,000-25,000 inbound and outbound calls per day. That is more points of contact than any manufacturer has over a long period of time, and we do that in one day. So, if they can talk with someone who is in touch with eighty customers a day, they are going to get some really good feedback.

One thing that keeps the small-company vibe alive and healthy is that the people in the neighborhoods take care of each other. If a call comes in for me and I'm out that day, that call will be offered first to my neighborhood before it goes to the whole sales floor, so they get really used to taking care of each other's customers all day long every day. Very often the Sales Engineers won't even take a split off of a sale to another Sales Engineer's customer, which they should frankly after maybe spending an hour with someone on the phone. They just say, "It's a karmic deposit, I know you'll take care of me next time, let's just roll." I've never experienced an environment like that anywhere else. In my previous lives I was a Director of Sales for AKG and was a regional sales manager. I've seen tons and tons of retailers, it just doesn't work like that elsewhere. The other reason that it really works here is that we hire very carefully, train really well to prepare them so I don't turn anybody loose after saying, "Here's how you write an invoice, here's how you write a quote, go sell something!" which is how I got thrown into it when I started. Our Sales Engineers are very well-prepared when they go in, and now they've got the system around them where their neighborhood's going to take care of them. If I'm gone today, I know that all my messages will be checked, all my emails will be checked and forwarded to my neighborhood. (Radke 2019)

Experiment

An experiment was performed about the awareness of

Sweetwater's WHY and HOW. Questionnaires were distributed to 81 employees and 70 customers on June 21 and 22, 2019 at Sweetwater's GearFest. Customers were asked:

- Item 1: "What is "The Sweetwater Difference?" with the choice of possible answers being
 - 1: offering low prices
 - 2: Having the biggest selection
 - 3: Fastest delivery
 - 4: Doing the right thing (the "correct response")
 - 5: Including candy with shipments.
- Item 2: "Why is Sweetwater in business?" with the choice of possible answers being
 - 1: To offer low prices
 - 2: To help musicians achieve their "dreams" (the "correct answer")
 - 3: To make money and grow
 - 4: To offer the widest selection
 - 5: To be the best in the Midwest.
- Item 3: For how many years have you been a Sweetwater customer?
- Item 4: On a scale from 1 to 5, how much do you think of yourself as a musician?
- Item 5: On a scale from 1 to 5, how much do you think of yourself as a gearhead?
- Item 6: On a scale from 1 to 5, how likely is it that you will purchase something from Sweetwater in the future?
- Item 7: What is one thing that Sweetwater could do better for you?
- Item 8: What do you like best about Sweetwater?

Employees were asked the same questions, with the following substitutions:

- Item 3: For how many years have you worked at Sweetwater?
- Item 6: For how many more years do you plan on working at Sweetwater?

Afterwards, those customers who knew that Sweetwater's WHY is "musicians helping musicians" were asked how they knew the "correct" answer. They said they had figured it out on their own, that it wasn't something they got from promotional materials. Employees who were asked the same question said it is clear from the culture rather than being something taught during training. When interviewed, Surack said, "I don't think you're going to get a real clear opinion from employees about WHY I started the business. It's not something we talk about." Had the question been open-ended I expect there wouldn't have been as many cor-

rect answers, which had been the case during an earlier pilot study when I asked customers and employees for a free response for WHY Surack had founded the company without prompting with a choice of answers to choose from. That had resulted in a variety of answers from employees, such as:

Sweetwater started out as a remote recording studio using the gear in the lobby. Chuck is a gadget freak, has his own home studio, and is passionate about riding the technology wave that is stretching out into the future. It's a company that offers superior customer service and satisfaction. Our motto is to "Do the Right Thing."

It's all about passion for Chuck. All the different companies that he's involved with, he only does the things he's passionate about.

I don't know why Chuck made the company.

We're a company that sells musical equipment.

We treat customers like friends.

However, when given a multiple-choice question on the questionnaire distributed during GearFest, most employees and customers picked the option stating that Sweetwater is made up of musicians helping other musicians achieve their dreams. Customers learn the WHY indirectly from conversations with Sales Engineers as they relate their own experience and provide personal recommendations of products that they have used themselves. Employees don't need to have Sweetwater's WHY drilled into them in training or supervision, it is just a core part of the culture of listening to customers and helping them find the best products for their applications. They know that most of their colleagues are musicians and that Surack himself continues to perform regularly.

The Sweetwater employees that were surveyed reported having worked at the company for an average of 5.58 years ($s = 5.89$ years) with a range from 0 years (the current year being their first) to 26 years. Employees also reported wanting to continue working at the company for an average of 14.22 ($s = 9.13$ years) additional years with a range from 0 to 50 additional years. Many simply answered that they planned to stay until they retired. Most employees stated that they work in phone sales ($n = 43$), 11 reported working in-store sales, 10 reported working in an unspecified position, 4 reported working in merchandising, 2 each reported working in the warehouse, guest services, and maintenance,

and one each reported working in service, concierge, bus driver, IT, and sales training. Further, 32 of the 81 employees responded with the highest rating (5 on a 5-point scale) for how much they identify as a musician; another 26 reported as the next highest level (4), and another 21 answered in the middle (3).

Employees demonstrated fairly consistent patterns of responses pertaining to WHAT the Sweetwater Difference is, and WHY the company is in business. That is, 77 of the 80 employees who responded to this question answered that the Sweetwater Difference was “Doing the right thing” (Choice #4 for Item 1 on the questionnaire) and 78 of the 81 employees who responded to the question of why Sweetwater is in business responded with the selection “To help musicians achieve their dreams” (Choice #2 for Item 2).

The following two charts (Figures 2 and 3) compare the responses of customers with only the upstairs phone Sales Engineers, the group that goes through the rigorous Sweetwater University training.

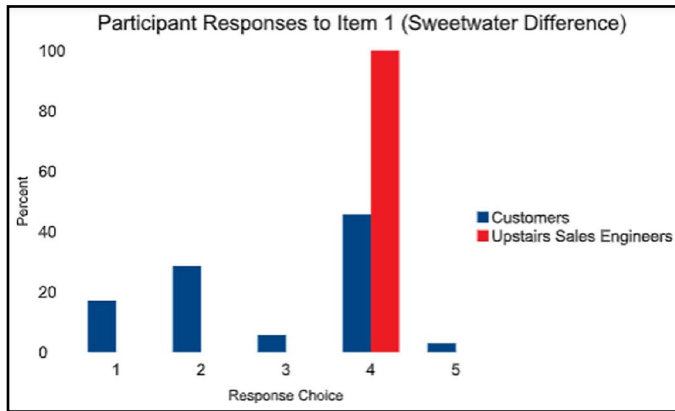


Figure 2. Participant response to Item 1 (“What is the Sweetwater Difference?”).

- Response 1: Offering low prices
- Response 2: Having the biggest selection
- Response 3: Fastest delivery
- Response 4: Doing the right thing
- Response 5: Including candy with shipments

Generally, employees provided substantive answers as to what they like best about Sweetwater (78 of 81), but only 41 of the 80 employees who responded to the item about what the company could do better provided substantive answers. These responses did not differ substantially across employee positions. Many customers and employees commented that they had difficulty coming up with something that the company could improve on and left that answer blank on the questionnaire. They had no such problem writing down something that they liked about it.

Customers reported having been customers for an average of 7.43 years ($s = 6.56$) and also a high likelihood of making a purchase from Sweetwater in the future, 60 of the 70

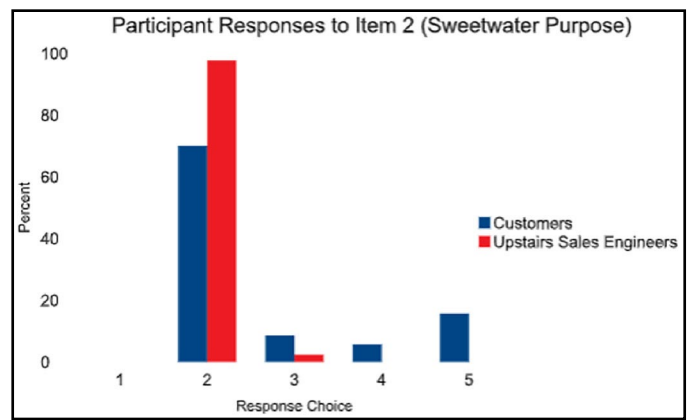


Figure 3. Participant response to Item 2 (“Why is Sweetwater in Business?”).

- Response 1: To offer low prices
- Response 2: To help musicians achieve their dreams
- Response 3: To make money and grow
- Response 4: To offer the widest selection
- Response 5: To be the best in the Midwest

respondents responding with a 5 on a 5-point scale. In terms of customer identification as musicians, only 19 responded being a musician on the highest level (5 on a 5-point scale) while another 28 responded with a 4; another 11 customers stated they identified as musicians as a 3. Conversely, 24 customers identified as being a gearhead with a 5, with another 17 with a 4. Customers demonstrated a less consistent pattern with 32 of the 70 customers responding that the Sweetwater Difference is “Doing the right thing.” Of the remaining participants, 20 responded that the Sweetwater Difference is having the largest selection and another 12 responded that it was offering low prices (response choice #1). More customers—49 of 70 respondents—stated that Sweetwater is in business “to help musicians achieve their dreams.” The next most-selected response, with 11 participants, was “to be the best in the Midwest” (Response #5).

Percentages of these responses are represented in Table 1 for the common items between both the employee and customer surveys such that the two groups may be compared. Table 2 includes the percentages for both the employee and customer groups pertaining to their responses to the questions about what they like best about Sweetwater and what the company can do better. When considering both groups, employees were much more able to state the Sweetwater Difference than were customers, but the highest selected response for customers was still “Doing the right thing,” as was also the case for employees. This same pattern was found for the item pertaining to Sweetwater’s reason for being in business, albeit much more pronounced for the customer group. Customers and employees did not appear to differ substantively in their self-ratings of being musicians or gearheads with the majority of responses in both groups reporting fours and fives on a 5-point scale. Finally, both

groups were approximately evenly split in their ability to provide substantive feedback as to what Sweetwater could improve upon; the majority of both groups yielded substantive responses to what the company does well.

More phone Sales Engineers (28) responded substantively to what the company could do better compared to all other employees (13), as was predicted by Jeff McDonald. In addition to having the highest level of training, Sales Engineers had been with the company the longest and are therefore presumably the most familiar with Sweetwater's *kaizen* philosophy of continually improving how it operates.

Survey Item	What is the Sweetwater Difference?		Why is Sweetwater in Business?		How Much of a Musician Are You?		How Much of a Gearhead Are You?	
	C	E	C	E	C	E	C	E
1	17.1	0.0	0.0	0.0	7.1	1.2	5.7	4.9
2	28.6	1.3	70.0	96.3	10.0	1.2	17.1	6.2
3	5.7	1.3	8.6	1.2	15.7	25.9	18.6	18.5
4	45.7	96.3	5.7	1.2	40.0	32.1	24.3	27.2
5	2.9	1.3	15.7	1.2	27.1	39.5	34.3	43.2
Total N	70	80	70	81	70	81	70	81

Table 1. Percentages of customer and employee responses to common items (note: C = Customer, E = Employee).

Survey Item	What Could Sweetwater Do Better?		What Do You Like Best About Sweetwater?	
	C	E	C	E
Was Constructed Response Substantive?				
No	58.8	48.8	4.3	3.7
Yes	41.2	51.2	95.7	96.3
Total N	68	80	23	81

Table 2. Percentages of responses to subjective items (note: C = Customer, E = Employee).

Correlations

A number of notable correlations arose in the data for both customers and employees with the latter group demonstrating a great deal more consistency than the former, and their self-identification as musicians correlated more strongly and positively with their likelihood of making a future purchase ($\rho = .416$; $p < .001$). Additionally, a point-biserial correlation revealed that the extent to which customers identified as musicians correlated positively with whether or not they articulated a substantive answer as to what Sweetwater could improve upon ($\rho = .358$; $p < .01$).

Employees demonstrated much more consistency in their responses with a number of correlations arising within this

group. Whether employees could identify the Sweetwater Difference was moderately correlated positively with their ability to state why Sweetwater is in business ($\rho = .39$; $p < .001$), their self-identification as gearheads ($\rho = .264$; $p < .05$), the number of years they wished to continue working for the company ($\rho = .319$; $p < .01$), and whether their responses to what the company does best were substantive ($\rho = .307$; $p < .01$). Further, employees responses to whether they could state why the company was in business were moderately and positively correlated with their self-identification as gearheads ($\rho = .299$; $p < .01$); self-identification as a gearhead and as a musician were also moderately and positively correlated with one another ($\rho = .334$; $p < .01$). Employees' responses to the number of years they worked for the company moderately and positively correlated with their self-identification as gearheads ($\rho = .243$; $p < .05$) and their desired number of years to continue working for Sweetwater ($\rho = .256$; $p < .05$). Finally, employees' self-identification as gearheads correlated more strongly with the number of years they intended to continue working for the company ($\rho = .469$; $p < .001$). All correlations are shown in Tables 3 and 4.

The question for customers about the likelihood of making a future purchase was designed to measure customer loyalty. Sweetwater describes itself on its website as a team of gearheads who are "committed to doing the right thing for our customers." It is the author's opinion that emphasizing more that they are musicians (two thirds of them are) who want to help musicians achieve their dreams would be a better statement of WHY they are in business and resonate more with customers. The greater higher correlation between customers who self-identify as musicians and the prediction of making a future purchase compared with the loyalty of those who self-identify as gearheads seems to support that. Another indication that Sweetwater identifying itself as musicians rather than gearheads might lead to more feelings of shared common ground and belief in the same vision with customers is that both employees and customers have a slightly higher average for the rating of how much they identify as musicians (4.1 for employees, 3.7 for customers) compared with how much they rate themselves as gearheads (4.0 for employees, 3.6 for customers). Employees rate themselves higher on both scales than customers.

We thought that it was rather interesting that there were no significant correlations between the number of years as an employee or customer and whether a substantive answer was offered as to what the company can improve on. The relationship between years as a customer and the same outcome was somewhat stronger than for employees, but not strong enough to be significant. This seems to be a sign that new and longtime customers and employees are highly satisfied with the way the company operates. Comments from

	Sweetwater Difference	Sweetwater Purpose	Number of years as a customer	Musician self-identification	Gearhead self-identification	Future purchase?	What can Sweetwater do better? (Substantive response?)	What does Sweetwater do well? (Substantive response?)
Sweetwater Difference	—							
Sweetwater Purpose	-0.025	—						
Number of years as a customer	0.116	-0.167	—					
Musician self-identification	0.113	0.069	0.045	—				
Gearhead self-identification	0.022	0.050	0.135	*0.266	—			
Future purchase?	0.202	-0.080	0.029	***0.416	0.230	—		
What can Sweetwater do better? (Substantive response?)	-0.081	-0.212	-0.134	0.125	**0.358	0.054	—	
What does Sweetwater do well? (Substantive response?)	-0.266	-0.141	0.179	0.000	0.000	-0.066	0.187	—

Table 3. Correlation matrix for customers (note: *p < .05, **p < .01, ***p < .001).

	Sweetwater Difference	Sweetwater Purpose	Number of years as an employee	Musician self-identification	Gearhead self-identification	No. of years to continue working here?	What can Sweetwater do better? (Substantive response?)	What does Sweetwater do well? (Substantive response?)
Sweetwater Difference	—							
Sweetwater Purpose	***0.390	—						
Number of years as an employee	0.157	0.055	—					
Musician self-identification	0.147	0.040	-0.029	—				
Gearhead self-identification	*0.264	**0.299	*0.243	**0.334	—			
Number of years to continue working here?	**0.319	0.129	*0.256	0.115	***0.469	—		
What can Sweetwater do better? (Substantive response?)	-0.059	0.071	-0.021	0.218	0.101	0.030	—	
What does Sweetwater do well? (Substantive response?)	**0.307	-0.038	0.082	0.129	0.104	0.129	0.202	—

Table 4. Correlation matrix for employees (note: *p < .05, **p < .01, ***p < .001).

customers to the last question about what they like about the company included statements such as, “They are helpful and friendly,” “Best customer service hands down,” “They do everything extremely well,” “Sales reps know exactly what direction to point me in,” and “Feels like they care.” Employees answered the same question with comments such as “Making a difference in customers’ lives and the amazing and smart people I work with,” “Privately owned company that operates with morals,” “Very easy to build your business on your own terms,” “The challenge and reward of helping other musicians,” and “They treat their em-

ployees like human beings and are concerned with doing the right thing, not just making money.”

WHAT Else

Surack has donated to over six hundred causes and serves on the boards of many non-profit organizations. He and his wife support almost everything in the region that is music or arts related, along with human welfare, feeding the hungry, and sheltering the homeless.

Sweetwater has partnered heavily with the University of St. Francis and Purdue University Fort Wayne to establish

new music technology programs. This year 45 students began taking classes in its new on-site 8,000 square foot facility that includes a world-class studio, editing suites, and equipment library.

Surack wants to help create jobs in the area and has started the Sweet Family of companies. Several positions on the executive team are involved with maintaining the Sweetwater culture and its holistic approach to business and employee renewal. David Fuhr is Senior Vice President of the Sweetwater Experience and focuses on customer service, Kelly Byrd is Director of Leadership Development and Personal Growth, and Gerson Rosenbloom is responsible for the integration of the new Sweet Family companies into the Sweetwater culture. The eleven different brands are based on the same principle of doing the right thing every time:

- Sweetwater Sound, Inc.: The main operation
- Sweetwater Academy of Music & Technology: Thirty teachers for instruments and recording giving individual and group lessons. There are also free acoustic jams and ukulele sing-alongs
- Sweetwater Studios: A state-of-the-art production house, designed by Russ Berger, staffed with producers, engineers, and session musicians
- Mynett Music: An instrument service supporting school music programs
- SweetCars: Sales and detailing of low-mileage luxury, sport, and exotic vehicles
- SweetHelicopters: Charter service for business and pleasure. Surack himself is a licensed pilot and occasionally commutes to work in one of the nine aircraft
- SweetAviation: Rental, flight school, thrill rides
- Aviation Specialty Insurance: Coverage for corporate and private aircraft and fleets, flight schools, and drones
- Longe Optical: Five locations, and the first and only vision care provider in the nation to offer an entirely in-house digital eye care experience
- Sweetwater Performance Pavilion: A 24,000 square foot covered outdoor venue for 2,200 seated or 3,500 standing patrons
- The Clyde Theatre: Chuck and Lisa Surack invested \$9 million in the restoration of the Clyde Theatre, a standing music venue for 2,000 people. It does the right thing for touring musicians as well as audiences by offering a high-quality sound system, dressing rooms, and hospitality facilities

Conclusion

Sweetwater does not put nearly as much emphasis on communicating WHY it is in business as it does on HOW the business operates. Not following Sinek's suggestion of

starting with WHY does not seem to be negatively affecting the business as evidenced by its rapid growth, however, which seems to be limited more by the rate at which it can recruit, train, and provide workspace for qualified employees. However, even though Sweetwater does not explicitly state the company's vision as much as it talks about its dedication to customer service, both employees and customers recognize WHY the company is in business and HOW the business is run when prompted. Customers and employees seem to have internalized a good balance between the company's WHY, HOW, and WHAT, which is what Sinek says leads to loyal customers—the type that Sweetwater works to cultivate through serving customers and developing personal relationships.

Chuck Surack's commitment to doing the right thing and providing the type of retail experience that he himself would want, combined with the recruiting of employees who fit the culture and who then undergo extensive training has built a system and organization that delights customers and builds brand loyalty. Sweetwater has been growing rapidly and steadily over the years and seems to be in an excellent position for continued success. Surack is not predatory by instinct and wants other music stores to succeed in order to grow the music business. He is open about his methods and invites others to apply the same principles.

Disclosure

Ball State University is in Muncie, Indiana, which is located between Indianapolis and Fort Wayne, where Sweetwater is located. The company considers our Music Production and Telecommunications programs to be among their "farm clubs" and they employ seventy of our graduates. As a member of the music production faculty I have developed a friendly relationship with Jeff McDonald and the Human Resource department, and teach an open online class that is designed to prepare students for the technical exam (<http://willshare.com/courses/mmp280>). The textbook for the class is Sweetwater's ProGear product catalog, which students use to work through one product category per week.

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Robert Willey teaches music industry, songwriting, computer music, and senior projects at Ball State University. He has written books on music production, Brazilian piano, Creole fiddle, and the music industry, and is an expert on the music of the two most important composers from Texarkana: Conlon Nancarrow and Scott Joplin. He is currently working on mobile apps to support locally-owned businesses and to stream radio stations from around the world.



How the Drop Changed Pop: The Influence of Dubstep in Modern Pop Song Form and Production

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Abstract

Around 2011, the electronic music genre referred to as “dubstep” began to influence American pop music. This paper argues that as a result, pop music song arrangements have shifted to include instrumental focal points which replace the traditional chorus. This paper will trace the effect of dubstep through an examination of *Billboard’s* pop music charts over an eight-year period, analyzing song form trends that support this argument. Additionally, this paper will recognize certain production techniques in pop music, tracing their evolution back to dubstep’s initial impact on the charts. Further consideration will be given to the future direction of pop song form and production as a result of this influence.

Keywords: music production, production analysis, electronic music, pop music, dubstep.

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