Mindful Music-Syndicalism: Strategies for Growth in Alternate Sound Landscapes amidst Disappearing Airwave Diversity

Abstract

This paper argues that the June 2003 FCC ruling in favor of increased Media consolidation is a threat to the health of our music environment and Democratic free exchange of ideas. Using Garrett Hardin's 1968 essay "Tragedy of the Commons", Mindful Music discusses music as a threatened species on the radio through reduction of diversity and overgrowth of homogeneous product. Mindful Music looks as viable alternate outlet for musicians – with an emphasis on local strategies – and ultimately, considers adopting a non-profit model to support gigging musicians through a state-wide umbrella organization that channels funds to venues, via their sister non-profit entity, or directly to artists.
Today listeners are increasingly conscious of the infrastructure in place for aspiring musicians. Musicians and listeners understand producers as the ‘extra’ musician, the compositional brains; or conversely, the lack thereof indicates a specific musical ambition: to produce your own sound. Everyone knows how technology has redefined the ability of an individual to become a recording artist and consequently has reshaped hierarchies of professionalism. It is now, more than ever, possible to experience a band solely based on their recording and never experience a live show. Of course, even this term is morphing, since electronic music is as live as any other performance, but requires a different environment. The massive use of accessible music technology, home audio software, affordable microphones, portable MIDI device and digital effects can be seen as a reaction to a larger environmental truth: outlets for music are becoming increasingly homogenized.

On the one hand, audio equipment is simply more accessible to musicians, who therefore produce massive amounts of home-brewed albums. At closer look, the success and high use of these tools reflects the disjuncture between the quantity of musicians and opportunities previously available. Major labels retained expensive analog and digital equipment, controlled and bargained play lists, and the streamlined marketing of a paucity of product. In the music field, an unwieldy blockade stops musicians from “getting their music out there,” which was initially a matter of access to equipment and distribution channels, and now, more than ever, is a product of media ownership deregulation. Fewer companies can now own more media outlets. Musicians simply do not get played unless media conglomerates want them to be. These conglomerates are run by companies who control the production end, and now, the output as well, via radio. Fewer people hold the strings for the broadcast of mainstream music production. I will argue that the massive outpouring of independent and amateur artists, who make their music accessible to listeners through online and indie outlets, is not merely a product of excitement for
the new technological access, but in direct response to the way cultural output of musical art has been tightly controlled by entertainment elites.¹

Using the arguments of the environmental movement, which has convincingly asked us to reconsider our relationship to our worldly resources, I will consider music a cultural resource. In Garret Hardin’s well known essay The Tragedy of the Commons (1968), he traces the movement from a society with common pastoral space to one in which each man seeks to maximize his gain. This pattern is sustainable until a society becomes unstable, wiped out by tribal wars, poaching, or disease. He writes:

A fair defense can be put forward for the view that the world is infinite or that we do not know that it is not. But, in terms of the practical problems that we must face in the next few generations with the foreseeable technology, it is clear that we will greatly increase human misery if we do not, during the immediate future, assume that the world available to the terrestrial human population is finite. “Space” is no escape.²

A strikingly similar phenomenon is geometrically populating the musical airwaves. The dominant products- Britney Spears, NSync, Christina Aguilera, Hilary Duff- are figuratively herded in the radio ‘commons’ taking up an increasing amount of the limited space. (The example is even more chilling when we note their start as Disney children entertainers.) The shepherds grow their roster-flock by branching out to multiple media streams including MTV reality programming, blockbuster movies, magazines, record stores, Walmarts, Best Buys, until their sheep become fatty with expensive robes and push the others out. When looked at with an economic gaze, this makes excellent sense. The record labels and agents are maximizing their product and saturating the market with a multi-pronged approach to entering the consumers shopping cart. Looking at the music “environmental health,” this is devastating to the “music diversity” of our audible landscape. Like an Australian lantana vine- planted to feed cattle- it strangles the diverse rainforest trees; it is dangerous and unsustainable.

¹ The retention of knowledge and control over access is termed “cultural capital” by Pierre Bordieu in Outline of a Theory In Practice and examined in John Guillory’s Cultural Capital: The Problem of Literary Formation in terms of canonizing certain works. This topic is too large to discuss at this time, but is important in understanding one particular type of power record labels wield.
The mass mediation of music has subjected it to the "same processes of commodification, rationalization and bureaucratization as other aspects of modern economic production." Surely, the economic possibility in music must be accepted. Still, its utility, as with all arts, must be examined with a different set of criteria than say, to that of a stapler. The implications of squeezing out certain musics have different socio-political consequences. Making various office supply designs available to the consumer is an entirely different endeavor than providing choice in music. The similarity lies in the danger of reducing competition. But, in the musical sense, this reduction parallels larger suppression of diasporatic or marginalized cultures by the dominant. Moreover, the power to control the airwaves with certain musics is an entirely different matter of monopolization- since it encompasses the control over physical sales but also the mental consumption of a certain viewpoint. A stapler does not hold the same symbolic gendered, ethnic, and racial meanings. Staplers don’t speak English in Spain.

If we accept that media conglomerates take on a bully shepherd role, elbowing out any competing music product, then they have a particular set of powers to do so. Their ability to slough off hybridity in musics is enabled by established organizations such as the Federal Communications Commission (FCC). The FCC is an independent United States government agency, directly responsible to Congress. Established by the Communications Act of 1934, the FCC regulates interstate and international communications by radio, television, wire, satellite, and cable. The FCC’s jurisdiction covers all 50 states, the District of Columbia, and U.S. possessions. On June 2, 2002 the FCC passed, by a 3-2 party-line

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4 Possessions is an FCC coined term and interestingly vague legally, with strong cultural imperialist implications for territory deemed as such. Federal Communication Commission. <www.fcc.gov/aboutus.html> (27 November 2005). (1)
vote, deregulation of media ownership and the ability for media to cross-own radio, newspapers, and television stations serving the same viewership.

The agency “left some of its curbs in place. It continued the ban on mergers among the top four TV networks, for instance. But it sided with the corporations on the two issues they’d lobbied for the hardest.” It raised the 35 percent cap on television viewership to 45% and allowed cross ownership of broadcast and newspaper properties except in markets with three or fewer TV stations. It also made it easier for a company to own two or three TV stations in a single city.

Karen Young, a grassroots activist from Chicago, remembers “a time when DJ’s could still put their personal stamp on their programs.” She worked as a college radio disc jockey in 1975 and later in the early 80’s at WBAB in Long Island. While WBAB’s executives chose the current songs for the play lists, “The DJ’s got to choose the old ones” and “had plenty of time to air them.” This was “great for the audience, because they got exposed to more different things, and it was great for us because we were able to put our own passions into it.” She then witnessed the effects of media consolidation on Chicago:

After Fox acquired its second television station there, it killed off all that the station’s locally produced programs, including an acclaimed children’s educational series. After Viacom, through a merger, wound up owning both of Chicago’s all-news AM stations, it converted one of them to sports talk. And now that Clear Channel Communications owned six Chicago radio stations, Viacom seven, Disney four and the Salt lake City-based Bonneville international Corporation five, the result, according to critics, was cookie cutter formats all along the dial.

The aftermath of media consolidation in its most neutral sense is this: fewer people are holding fewer conversations.

All three Republican commissioners (of the 5 on the FCC), said their research showed that consumers today enjoy unprecedented diversity and richness of content, and that old restrictions, in the Head Commissioner Michael Powell words, were, “a bygone ‘black-and-white era’ before the existence of the Internet and cable and satellite TV.” The determination was that any restrictions on ownership must be based on “concrete evidence,” a task which could only be done as after-the-fact damage control.

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6 Layton, 6.
7 Layton, 6. Interesting to note the use of “consumer” in this context. This is a topic that can not be covered in the scope of this paper, but is key to the policy formation around the issue of viewership. As long as citizens are
We can then understand the FCC and its media mogul bedfellows as what Hardin calls "The Myth of Administrators of the Commons," whereby "The life cycle is launched by an outcry so widespread and demanding that it generates enough political force to bring about establishment of a regulatory agency to insure equitable, just, and rational distribution of the advantages among all holders of interest in the common."\(^8\) The trajectory of this movement to regulate continues as follows:

This phase is followed by the symbolic reassurance of the offended as the agency goes into operation, developing a period of political quiescence among the great majority of those who hold a general but unorganized interest in the commons. Once this political quiescence has developed, the highly organized and specifically interested groups who wish to make incursions into the commons bring sufficient pressure to bear through other political processes to convert the agency to the protection and furthering of their interests. In the last phase even staffing of the regulating agency is accomplished by drawing the agency administration from the ranks of the regulated.

The process of administering for the offended soon becomes of the offended since the administrators themselves are distinguished above their ranks. The FCC's responsibility to protect the airwaves gets overshadowed by the media power's need to remain in their position of control.

Radio fits the example of the commons in that "airwaves were generally regarded as public property." Yet, "governments have often been involved in the development of radio" usually for "military purposes" and "have generally been required to make decisions about who could use frequencies and to police those decisions."\(^9\) This raises some important differences including: (1) the rift in the perception of radio waves as public space and the actual regulation of programming by the government; (2) the hybrid nature of commercial and public radio (such as NPR), each having different public/private intentions (yet both funded by corporate money); and (3) the regulation of radio from its inception (unlike the common

\(^8\) Hardin, 1244. Certainly, the idea of radio waves being the modern common is problematized massively by the internet, online radio stations, and file sharing. The attempt to regulate the internet air space is driven by a desire of those in power to maintain it, and not from the common shepherd, as in Hardin’s example. It is still a useful model for understanding the power systems in place for media regulation.

pastoral land). The “offended,” in the case of radio, do not fight for their part of the common space but instead create new space such as internet, pirate radio, and college stations. The closer relationship between the idea of the commons is with the mental landscape, the rights of citizens.

AdBusters was hip to the idea of the mental environment and currently lets readers subscribe to their “mental landscape newsletter,” or sign the “media carta”, to combat mental media pollution. Their website explains:

When will we reach the breaking point? Our minds have become a virtual dumping ground of pollutants -- manipulative ads, distorted news, untold violence, spin and hype. We can cope with the media onslaught to a degree. But all signs suggest that the cumulative effects of this toxic culture -- on our stress levels, our moods, our relationships, our worldviews, even our mental health -- could become one the most pressing issues of our generation.10

The type of pollution radio sprouts is one of deafening homogeneity. The cumulative effect of radios repeated messages is not of chaotic bombardment, but more like grass lawn after grass lawn, killing off the organic richness of species that grew before sameness reigned king.

The question becomes, why is radio doing this? What is the intention of controlling play lists to a handful of stars, and cross-pollinating viewership of newspaper articles, webpages, music videos, and movies with the same crop? The obvious answer is it raises the probability of purchase: there is economic gain to be had by manipulating, or lessening, the choice in what we desire.11 The other answers are murkier- and not ‘empirically’ provable- perhaps key to why policy based on cultural concerns is so difficult. Part of the answer of why radios tend towards monopolization, I would say, is because America is reluctant to claim a culture. It is after all, the mixing bowl of immigrants funneled into apartment buildings with foreign flags draped over porches. Culture is treated as an economic issue because they are so inextricably linked, if not conflated.

11 See Michel Foucault’s discussion of power and the regulation of desire in History of Sexuality (New York: Vintage, 1990). “Nothing that was not ordered in terms of generation or transfigured by it could expect sanction or protection. Nor did it merit hearing. It would be driven out, denied, and reduced to silence.” (4) His discussion of bourgeois hypocritical repression of sexuality removes the ability to know what we desire.
The word freedom and term free market allows for a seemingly hands-off approach to American culture, predicated on the idea of free speech and the separation of religion (and by extension culture) and state. Our culture is paradoxically defined by the free market approach. Hamburglar with a blaring iPod holds hands with Mickey Mouse in Levi’s, skipping in a mall; these are the American mascots of culture, symbols of economic success. Successful products are American culture. The tendency to consolidate business for economic gain, to expedite sales, results in a spin-off consolidation of product and choices in our music culture. Naomi Klein’s lucid critique of corporations influence on culture notices: “The astronomical growth in the wealth and cultural influence of multi-national corporations over the last fifteen years can arguably be traced back to a single, seemingly innocuous idea developed by management theorists in the mid-1980’s: that successful corporations must primarily produce brands, as opposed to products.”12 The shift in marketing ideology propelled an undeniable change in culture:

The effect, if not always the original intent, of advanced branding is to nudge the hosting culture into the background and make the brand the star. It is not to sponsor culture but to be culture. And why shouldn’t they? If brands are not products but ideas, attitudes, values and experience why can’t they be culture too?13 The clincher is her assessment of how this shift was possible. “The project of transforming culture into little more than a collection of brand-extensions-in-waiting would not have been possible without the deregulation and privatization policies of the past three decades.” The corporation, for example, is treated legally as an individual and is therefore privy to the same constitutional freedoms of free speech. The power, of course, of the ‘individual’ corporation to voice their ideas is well, a fog horn.

The rhetoric of free market exchange allows for a seemingly neutral governmental role in music production, but as the June 2003 FCC media deregulation ruling proves, it is slanted strongly to serve the conglomerate entertainment businesses such as Viacom, Time-Warner, Disney, Fox, and Clear Channel. Moreover, no one is held personally accountable for the effects of this ruling on the local music community. The FCC is draped behind legality and an untouchable governmental buffer (reinforced by a media blackout on the FCC ruling) similar to big business limited liability structures whereby legal entities

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13 Klein, 30.
take action with little risk to any singular person. Noam Chomsky goes as far to call this the workings of an unchecked propaganda machine:

The mass media serve as a system for communicating messages and symbols to the general populace. It is their function to amuse, entertain, and inform, and to inculcate individuals with the values, beliefs and codes of behavior that will integrate them into the institutional structures of the larger society. In a world of concentrated wealth and major conflicts of class interest, to fulfill this role requires systematic propaganda.\(^\text{14}\)

Since the levers of power for media are held by state bureaucracy, and the monopolistic control over media often supplemented by official censorship, it is clear that the media serves the “ends of the dominant elite.” “This is especially true,” Chomsky continues:

...where the media actively, periodically attack and expose corporate and governmental malfeasance, and aggressively portray themselves as spokesmen for free speech and the general community interest. What is not evident (and remains undiscussed in the media) is the limited nature of such critiques, as well as the huge inequality in command of resources, and its effect both on access to a private media system and on its behavior and performance.\(^\text{15}\)

The media which purports to protect free speech, a democratic forum for ideas, is quietly supporting the leaders holding the marionette strings. Play lists are dictated by overhead companies; ‘local’ DJ’s are recorded in headquarter sound studios and only change programming to overdub with the city name at the location where it is broadcast.\(^\text{16}\) The DJ’s themselves become automatons of the vision of the leadership, which is problematic, particularly in the discussion of valuing hybridity and representation.

What perhaps is the most troubling part of this trend is not that it happens, but it claims it doesn't.

The Center for Digital Democracy is keen on this issue. Their writer Andrew Spencer Goldman writes, "O.J. Simpson news, Princess Diana news, JFK Jr. news. And during the end days of radio, print


\(^{15}\) Achbar, 53. Parenthetically, it occurred to me that Chomsky could himself be the mouthpiece of the government, placed as a strategic safety valve to voice discontent, while not ever really moving the sentiment forward. I suppose this is an appropriate meta-conspiracy theory given Chomsky’s propensity towards intelligent, political paranoia.

\(^{16}\) I’d like to credit two inspirational people here: Director Elisa Thomas and Co-Producer Brian Knoth. Their 2003 documentary done out of Emerson College Boston, called \textit{America: a broken record}, first enlightened me on these issues. I volunteered as a transcriber for them typing many interviews from local musicians they interviewed across the country soon after the FCC ruling. The documentary details can be found at www.dragonflyroar.com. The documentary looks at the effects of media consolidation on commercial radio, music, and ultimately, American culture. Featuring a mix of musicians, politicians, and producers, \textit{America: a broken record} explores the social implications of a culture whose outlets for music are controlled by a very few. Participants include: Gary Smith (producer/manager, Fort Apache); Scott Frampton (Senior Editor, CMJ Magazine); FCC Commissioner Jonathan Adelstein; Michael Bracy (Future of Music Coalition); Rob Cross (Program Director, KROCK New York); and artists include, Billy Bragg, Tanya Donelly, Andrew Bird, Matt Pond PA, Akrobatik, The Washington Social Club, and others.
and television, we grumbled that the quality of our culture—politically, socially, creatively—was declining, but were unable to say exactly why. Through a corporate filter, we lacked the perspective necessary to identify (at any mass level) the role that highly concentrated media plays in sedating a vibrant democracy.\footnote{Andrew Spencer Goldman, "When New Media Turns Out: What Will Happen to Independent Culture When the Web Goes Big Business?" \textit{Center for Digital Democracy}, 30 August 2001: (1). \texttt{<www.futureofmusic.org/articles/newoldmedia.cfm>} (21 November 2005).} It is difficult to not see the information we are given as the reconfigured opiate, with our new patron saint of, sigh, Paris Hilton. But, as Goldman continues, "Then came the internet. The infinite, diverse, honest, new medium that proved there was more to America than television and radio may have indicated...Providing an unprecedented tool of communication, the Net emancipated the potential previously constricted by lack of access to a viable outlet.” This is certainly true, paradoxically and physically, given the same technologies ability to track a citizen’s whereabouts within the new cyberspace.

Still, the internet has garnered unprecedented communication ability between organizations and individuals previously unknown to one another, particularly in the case of musicians. Goldman rightly warns: "With our new Internet experience being filtered through the giants of the satellite, telecom, and cable industries, the future of the web as a friendly territory to alternative culture is doubtful."\footnote{Goldman, 1.} And, of course, we will continue paying the companies to have access to alternatives.

Under the rules adopted on June 2, 2003, a single media corporation can conceivably control market share of up to 45% of American citizens. This allows a possibility for a very few powerful individuals to slant news and information to directly benefit their economic and political goals.\footnote{John J. Rehdner, "FCC Media Ownership Rules Changes Ominous,” \textit{The Pantagraph}, 6 June 2003, Opinion. (A14)} When seen through the prism of the 9-11 tragedy and the consequent changes to our democratic freedoms, such as the Homeland Security Act and the Patriot Act, the media giant’s ability to control what we see and read is ever more troubling. The rules were changed "despite the fact that 98% of the letters and

\textbf{FCC Ruling}
emails that the FCC received from citizens were in opposition. In addition, more than 100 congressman and two of the commission’s own members were in opposition, and wanted 30 more days for public debate.” Currently there is no legally enforceable right to buy space in a newspaper or time on radio or TV. Media owners have the right to freely censor others. Media giants can own radio stations, newspapers, magazines and book publishers, movie studios and theaters, cable systems and programming, DVD and video manufacturing and rental. “This drives out creative diversity of new talent with hyped superstars and formula programming, cross-promoted by the conglomerate’s subsidiaries.”

Sound familiar?

The state of Pennsylvania, with the help of a grass roots organization Common Cause, managed to have their U.S. Court of Appeals overturn the 2003 decision by the FCC’s Republican majority from allowing broadcasters to buy daily newspapers in their market. But in January 2005, the Department of Justice announced that the FCC would not appeal the case to the Supreme Court. In addition, President Bush “vowed to veto legislation that would roll back the FCC’s moves, creating yet another obstacle to any legislative action. A two-thirds vote of Congress is needed to override a veto.” Commissioner Jonathan Edelstein said “Radio is a very sick canary in the coal mine and we’re about the infect television with the same disease.” Quoting Reagan administration FCC Chairman Mark Fowler, Edelstein added, “If (TV) is the toaster with pictures, soon only Wonder Bread will pop out.” Yes, alternative media streams exist through the internet, but have they been weeded out of mainstream radio and television programming?

The stake to the heart is the media coverage afforded to this very issue. When the FCC was considering this deregulation the major media players declined to cover it, thinking it would only set off a

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20 Rehdner, A14.
22 Doug Halonen, “No Appeal in Ownership Case: FCC, Justice Department Will Not Turn to High Court,” Television Week 24, no. 5 (31 January 2005). (25)
24 Ted Cox, “The FCC and Media Ownership: Where Do We Go From Here?” Chicago Daily Herald, 12 June 2003, Suburban Living TV and Radio. (4)
grassroots movement against the deregulation they wanted. "When the FCC passed deregulation last week, it was suddenly the top story in the world. Yet when Congress started debating efforts to roll back the FCC’s actions, later in the week, it was back to being fringe news—a business story, not an important public-policy issue." What the media do best is create an environment conducive to selling product; they tend to naturally filter out unpopular viewpoints. This is true for music broadcasting; artists who will earn money and move product in the media mogul’s interest have air space to grow. The success of the artist is purported to be a product of meritocracy, but as the reactions to media consolidation prove, consumers are becoming savvier to the alternate culture, or simply a culture, that is not merely profit driven.

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One of the most successful tools for diversifying music awareness and distribution streams is the internet. Independent labels have the ability to access consumers directly, circumventing mainstream means of distribution. The independent self-titled debut album from Clap Your Hands Say Yeah landed on the Billboard Top independent albums chart in August 2005. The band found a national distributor to indie retailers called Junketboy, a company owned by the Coalition of Independent Music Retailers. The dance-rock act sold 12,000 copies of its debut, and has shipped more than 25,000 copies since July 2005, fulfilling most orders itself from a Brooklyn, NY apartment.

Artist Danger Mouse’s landmark “Grey Album” had 1 million downloads for his remix of JZ’s “The Black Album” vocals over the Beatle’s “White Album”. “I knew I could never release the album commercially,” said the 26-year-old artist, whose real name is Brian Burton. Burton did promote the CD, but did not sell it, on his Web site. It became a media sensation and “people protested about this

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25 Cox, 4.
record because it was not made commercially available” a phenomenon the artist summarizes as “What I made was a fucked up recording. It confirms that people want what they can not have.”

CD Baby, “a little online record store that sells CDS by independent musicians,” has single-handedly changed the independent artist’s landscape. By paying a minimal initiation fee, independent artists can sell, promote and network online. Currently, over 47,000 artists sell their CDs through the store, and 4.7 Million has been paid to artists since the store’s launch in 1998. CD Baby keeps 10% of proceeds and delivers 90% of sales to the artist, an unprecedented amount for both standard royalty and consignment options. Indie online labels have also spring up, such as Jade Tree, which started by releasing a couple of records the owner liked, and has grown into a full-time record label.

For the most part, indie newspapers are still a challenge for musicians to access beyond the local listings section. Established indie papers, such as the Boston Phoenix, or Chicago Reader, are inundated with requests for coverage. Their role in promoting local artists in some ways is unfairly leaned on them. Indie bands are not equipped with a promotions team and are often dealing directly with newspaper staff. Still, the newspaper continues to play a vital role for band exposure, although online outlets have arisen to create more alternate communication through sites like myspace, an online music host and blog space used primarily by musicians because of its audio capabilities.

College radio remains the singular air wave outlet available to unsigned artists. Even this resource is quickly being bought out by corporate interest, calling –for many- the integrity of the stations into question. For radio stations being eaten up by advertisement, listeners wonder if it will be a matter of time before play lists are altered. Pirate radio- regular and online- are fringe options but suffer the same issue with gaining exposure on par with independent bands. There are a growing number of watchdogs on the issue of exposure and mainstream radio consolidation, including Prometheus radio Project, Media Alliance, Fairness and Accuracy in Reporting, Center for Digital Democracy, Coalition for

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28 This requires a longer discussion of copyright laws and issues concerning reconstruction/deconstruction art and the dominance of copyright laws over the artist’s right to create. The stylistic sampling technique, the modern electric guitar, is still not recognized legally as an autonomous expression.
the Future of Music, Common Cause, MUDDA (a label started by Brian Eno and Peter Gabriel), and the American Association for Independent Musicians, to name a few.\textsuperscript{30} These are hopeful projects, like plants that have found a new internet light, but are relatively new endeavors, and could not keep musicians on track who are already squeezed out.

Parallel to the cultural implications of reducing musical hybridity is this: \textit{media consolidation is breaking down a democratic free exchange of ideas}. There is an unspoken blackout of practicing musicians with the blaring mainstream airtime and media recognition. The musical discussion is happening between fewer people. In addition, the right to quote an author in a paper is not afforded to musicians who sample. The obsession with ownership of music material supersedes maintaining a healthy discussion of ideas as in literature.\textsuperscript{31} It demonstrates the saturation of the music environment with monetary concerns. Moreover, the economic perspective of a business’ right to viewership is inordinately stressed as the predominant economic problem in music. Rarely is musicianship discussed as an issue of labor rights; where are working rights for professional non-classical musicians?

The labor rights in music have been reduced to the sandbox fights over royalty checks and diversion of money from downloaded songs away from the labels’ pockets: similarly homogenized. What this discussion silences, however, is the segment of lower to middle class musicians who struggle to get paid for their work. This is of course a struggle for all artists, but saliently for musicians, who show up on

\textsuperscript{30} Also important to mention are open source file sharing projects such as LimeWire and Kazaa. These tools have permanently altered our relationship to music and ability to access ideas. Their controversy and future can not be covered in the scope of this paper, but is key to understanding the future of music sales and distribution. Interestingly, president of CD Baby Derek Sivers said “I think long-term, music over the internet will be the main method of delivery, so it makes sense to get in there early. But remember that only 30% of the country has broadband, and apparently the other 70% are not interested. Cable and DSL companies are having a hard time converting the other 70%. So I think we’ve got years and years of CDs being the main medium.” Thompson, 1.

\textsuperscript{31} Need it be said? The issue of copyright can not be covered adequately in this discussion. This is an imminent topic particularly in light of facilitating a ‘democratic discussion’, a back-and-forth if you will. A good theoretical discussion of these issues can be found in Lawrence Lessig’s \textbf{Free Culture} fittingly available for free on an open source publisher via \textit{Creative Commons} licensing.
time, set up, clean up, and entertain an audience for a prescribed set of time are under all auspices of an employment relationship. But their employer is under no obligation to pay their employee. The royalty rights of Sheryl Crow and the broken deal with Mariah Carey distract us from the local musician, trying to make ends meet.

This is where I think there is a real need for an innovative and local cultural policy. The radio wave ownership is a beast, but if we agree that music hybridity is important and that we can achieve this now on a local level, than making this possible is the first step. Clubs traditionally ask musicians to play their first gig for free and then establish a payment plan based on the success of the show. Venues can either give musicians a cut from the door, or a lump sum, depending on their philosophy. The percentage of the door does not guarantee payment, and is a difficult squeeze for musicians when they get slotted on a weekday. The responsibility is placed on the musician to draw equally on a weeknight as a weekend, which is not reasonable. Many venues pay by giving free drink and food and compensate with regularity of gigs so you can build up a constituency. In many ways this can be more valuable than being paid. A group can build a steady viewership and make more personal CD and merchandise sales with people who come to recognize you. You also develop a regular crowd who appreciatively come to expect you each week at a residency.

The solution I propose to this erratic payment scheme is to adopt a non-profit model. I do not think it is the owner of a club’s responsibility, necessarily, to pay musicians fully. They have grave consequences as a small business expending money. Their purse is strapped by ever increasing health care costs- also amenable to large business with affordable group plans- as well as massive overhead and staff costs. What needs to happen is a movement towards creating some of the same resources available to visual artists (which of course are still insulting scarcely) through grants and residencies. I propose two strategies:

1. Music venues should set up a non-profit music branch in their business. Local Arts and Business Councils can assist clubs in this process and have lawyers work pro-bono (a service which is often already set up to help artists). This non profit would serve the sole purpose of channeling money as a fiscal agent to local musicians. State money, given by the NEA to the State Cultural Council, can be directed to
individual clubs on a yearly basis and partitioned to musicians according to their schedule. This can serve as a creative subsidy to whatever the clubs can pay the musicians themselves.

2. A non-profit should be set up to serve all music venues in a city. This umbrella organization can represent member musicians who pay a minimal fee to belong, and receive payment for their work through the foundation. For those clubs that do not have the time and resources to set up their own non-profit music fund branch, artists can receive money directly from the larger musician fund.

These models mimic the NEA Strategy to fund States who in turn distribute according to their state-specific agenda. States give money to the music fund which is more familiar with the musicians in their city or township. The non-profit status of the umbrella musician fund would also allow for individual donor support. Really, one visionary funder could make this project work. One of the main goals of such organizations could be to recruit money from successful musicians who are tuned in to the issue. It tackles the unaddressed labor problem of musicians working for free in a localized manner, and allows for community members to directly contribute to the diversity and cultural health of their musical environment. The paradox here is discussing the culture of music as a labor issue. In the lived sense, performing music must be considered this way. Media consolidation is nonetheless the more pressing democratic issue.

What is fitting about this model is that the ability to play live paid gigs is the equivalent to a residency for a visual artist. Musicians need alone time for creation, but the interplay with audience and testing out material is key to the development of any musician. Moreover, this idea can be honestly conveyed as a public service to people of communities. The art does not take place in closed off spaces, and serves the community in an audible manner.

The knowledge of a long-standing paid gig for a musician is, for the most part, what they want. Increasingly musicians’ ambitions are not to be streamlined into the brains of every couch sitting human. They yearn for a connection to their audience, communication, and an ability to make a sustainable living through their craft. What musicians offer with their art is a fleeting experience, a memory, a glimmer in a moment. Instead of a carpenter who can fix a creaky door, or refurbish an orphaned desk, musicians
offer an atmosphere and a healing, meditative, if not spiritual space. Understandably, most arts are hard
to sustain, but this is a manageable project on a feasible scale.

The non-profit could, as an established entity, create live recordings of their sponsored artists.
These recordings could serve as: (1) an evaluative tool for funders; (2) a source of revenue back into the
fund; and (3) publicity for local music venues. The relationship becomes symbiotic for funders who want
to support musical arts, musicians who want to share their craft, and venue owners who want to be
known as music hubs who support their performers. The bottom line mentality (of drawing a crowd) is
replaced with the commitment to democratic exchange of ideas via music and forging a small-scale
vibrancy of democratic participation. None of this needs traditional channels of distribution to succeed.
Communities can address the media consolidation in a redemptive and powerful manner. The beast of
policy can be improved in one neighborhood, one club, and one musician at a time.\footnote{32}

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Survival of the Fittest \\
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If we accept that media consolidation is reducing the diversity of musicians channeled to a
mainstream audience, we must then agree it is something dangerous to our society:

Culture-as-resource can be compared with nature-as-resource, particularly as both trade on
currency of diversity. Think of biodiversity, including traditional and scientific knowledge thereof,
which, according to the "convention of Biological Diversity", must be fostered and conserved to
"[maintain] its potential to meet the needs and aspirations of present and future generations"
(Convention: 1992:5). Taking into consideration the proclivity of private enterprise to seek profit
at all costs, the tendency of developed nations to have an advantage over developing countries,
the greater legitimacy of scientific over traditional knowledge, ever increasing pollution, and so
on, the major issue at hand becomes management of resources, know ledges, technologies, and
the risks entailed thereof, defined in a myriad of ways.\footnote{33}

\footnote{32} The selection process would be tricky: an interesting choice of words considering the environmental slant of this
discussion. My best guess is having a rotating staff of musicians, making the selection combined with lottery. For
those not picked one year, their lottery number would increase the following one. This could quickly fall to the same
problems of public art selection, but perhaps solvable by keeping musicians in the leadership positions, and rotating
their terms. I still advocate a type of music-syndicalism, whereby musicians learn to organize together and see their
mutual economic interests in working together. My sense is this might most easily be resolved by using the first
model, and in one club, run by an executive director with the sole power to choose the artists. This creates problems
having one person be the director and curator, and can not be resolved in this footnote. That said, I think
developing a relationship with one donor, who trusts the owner, could create a model for a non-profit channeling of
funds to bands through mission development and serving a specific set of criteria of local musicians.

\footnote{33} George Yudice, \textit{The Expediency of Culture}. (Durham: Duke University Press, 2003). (1)
In a situation where majority rules the FCC commission, and by default, the corporate airwaves run free, we have to consider this issue not so much as one of economic logic, but as a cultural-environmental crisis. The survival of the fiber of our music diversity depends on weeding out predator vines strangling practicing musicians in your city, tonight.
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New York, N.Y. - Britney Spears' launch of her own cosmetics line through Elizabeth Arden will be limited to make-up for clowns.

Britney, herself once afraid of clowns, has decided to try and help others overcome their fear by focusing on the lucrative clown cosmetics market, a spokesperson reveals.

"We believe that every clown in the world deserves to have that special Britney look." said Bailey N. Barnum of Elizabeth Arden

"This line will bring that fresh, young Spears quality back to professional clowning."

Ms. Spears commented "I once married a bunch of clowns and we had a really fun honeymoon in their miniature car. It was a lot of fun 'honking' them all. Of course, that was a gag marriage and we had all thirty of them sign annulment papers."

The new line of cosmetics, called The Bozo Spears Collection received mixed reviews from retail experts.

Sales of bid red shoes, however, have dramatically risen since the announcement was made