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“Mechanical music” as a threat against public performance

Music is, inherently, *performance*. But ever since the first notation systems, there has also existed some possibility of reification. Unlike written text, however, written music still has to be performed in real-time, by someone with specific skills, in order to really become *music*. From this historical condition stems the classical Western role-division between the *composer* and the *performer*, today institutionalised by a kind of double-layered copyright system.

Musical scores are *symbolic*, capturing discrete units while leaving a lot open for interpretation by the performer. Sound recording technologies, on the other hand, fixate *real vibrations*.¹ Consequently, music could for the first time ever be heard without the physical presence of performers – at least not in the traditional sense of the word.

The consequences of such a “mechanization” couldn't be anything less than cataclysmic; for the livelihoods of professional musicians as well as for the musical art. At least, that was the conclusion drawn by innumerable professional musicians and music researchers during large parts of the 20th century. Consider the following words, published 1989 in the *International Review of the Aesthetics and Sociology of Music*:

As the rationalization of technique continues to its logical conclusion, a specific musician is no longer necessary. Technology can create a simulated musical world without performers. /.../

Through technology, music can be removed from the web of human relationships in which it has been traditionally rooted.²

¹This distinction, however trivial, cannot be stressed enough. See Kittler [1985] p. 148 and Kittler [1998].

²Frederickson, p. 197, 216

Today these words may appear exaggerated, maybe even paranoid. However, they very well captures a conception that guided the strategies of many musicians' unions in the Western world, up until 20-30 years ago.

This paper will examine how the Swedish Musicians' Union (*Svenska Musikerförbundet*, SMF) tried to handle the problematic of “mechanical music”, and conceptualize its relation to “live music”, focusing on the period between 1970 and 2000, after first discussing the time around 1930, which seem to have been a formative period for the coming decades' struggle against mechanization. My primary source will be the opinions continuously expressed by the union leadership in the membership magazine *Musikern*.

The notion of “mechanical music” lumped together quite different technologies, while excluding others, though it was never given an exact definition. First and foremost, it included all kinds of *sound reproduction media* (gramophone, radio, tape recorders etc.), as well as the *uses of these media in the public sphere* through loudspeakers (jukeboxes, discos, DJ'ing etc.). Increasingly, also *electronic production of music* (Hammonds, echo effect units, synthesizers, drum machines, samplers) were included in the unionist notion of “mechanical music”.

On the other hand, it can be noted that instruments like saxophone or accordion never were considered parts of the mechanical menace; it seems that as long as the interface between the musician and the instrument were mechanical, as opposed to electronic, the instrument was seen as an extension of man, rather than as his substitute.

Except for the many musicians employed by the church and the military, 19th century musical life was largely characterized amateurism and direct participation. In Sweden, public concerts weren't arranged to any significant extent until the end of the century. As demands on virtuosity then began to increase beyond what amateurs could manage, a gradual process of professionalisation started.³

Thus, “musicians” as a modern (civil, urban and freelancing) profession consolidated more or less parallell with the mechanical reproduction of sound⁴ – very roughly

³ Nilsson, s. 134

⁴ The first superstar in recorded music, coming up at around 1900, was tenor singer Enrico Caruso, whose voice was in the right frequency range for a medium that still wasn't able to reproduce most musical sounds. However, the most popular medium for mechanical music at that time was rather the player piano, which was 1898 introduced in a coin-operated and soon hugely disseminated version. [Coleman, p. xviii, 4-5, 18-20; Kraft, p. 60]

around year 1900 – but caution is advised in drawing conclusions from that fact. Before sound recording music began to really transform the profession, two other media technologies did: *sound broadcasting* via radio waves, and *silent films* demanding live musical accompaniment. Providing real-time performances was still the definition of a musicians' job – and in the 1920s, new media technologies rather seemed to enlarge their labour market.

During the 1920s, the expansion of cinemas kept pushing up the demand for musicians, in the US as well as in Sweden and other European countries. Another new technical facility was the radio studios⁵, where musicians at first tended to perform without pay, as the publicity boost was seen as compensation enough. But soon lots of American musicians worked full-time in local radio orchestras.⁶

According to labor historian James P. Kraft, the prevailing view within the American Federation of Musicians (AFM) during the 1920s was that the new medium of radio would not rival demand for live performances, but rather stimulate the general desire for music. Because, in the words of its president Joseph Weber (1926), “no transmitted musical service will everlastingly displace the desire of the public for personal services rendered by the artist in the presence of the public”.⁷

Around 1930, however, musicians in America watched their world get turned upside down, as James P. Kraft shows in his study. On top of the Great Depression, the use of three key media technologies transformed rapidly. First, local *radio stations* in America got interconnected to oligopolistic networks which could supply the whole country with the same programs, thus needing only a fraction of the previously employed studio performers.

Secondly, the *use of recordings* shifted from the private sphere to the public. While private record consumption decreased drastically with the onset of economic depression, the jukebox industry of the 1930s boomed as a cheaper alternative to live performers in American bars, dance halls and other places.⁸

Thirdly, and probably most devastating for professional musicians at that time,

⁵ Radio waves first came into use for broadcasting in early 1920, thanks to the activity of amateur “hackers”. Until then, everyone had conceived radio as a point-to-point medium. See: Sawhney & Lee

⁶ Kraft, 65

⁷ Kraft, p. 62, 66-67, 69

⁸ Kraft, p. 71, 77-78

came the *sound movies*. In a few years, all orchestras employed in movie theatres were sacked, putting a very large amount of all musicians without employment.

In Sweden, as much as 40 or 50 percent of all musicians were said to make their living at cinemas, when the first sound movie was shown in May 1929.⁹ Only a couple of years later, the Swedish Musicians' Union concluded that all hope of reversing the trend was lost as Stockholm's very last cinema musicians had been sacked.

Far from everybody had expected such a devastating outcome. Early discussions about the impact of sound film on the musicians' profession oscillated wildly between optimism and pessimism. The Swedish Musicians' Union tried to make sense of the rather diverging assessments coming from the fellow unions of America and Germany. While the American Federation of Musicians proposed resolute action to stop the proliferation of recorded music in cinemas¹⁰, the German union really wanted to stick to their belief that sound film would just be a passing fad. Maybe jobs would be lost in America, but not in Old Europe with its more robust cultural traditions; such hopes were frequently expressed by numerous Swedish musicians. In late 1930, however, the last hope seems to have eroded, giving place for the metaphor of “mechanization” of music as an unstoppable natural disaster.¹¹

Pessimism and resignation took over, on both sides of the Atlantic. Joseph Weber had to admit that sound technologies had “contributed toward the complete elimination of the musician or the causing of each man employed to replace hundreds of men”, but still believed it was futile to resist technological progress.¹²

However, at the 1940 convention of the American Federation of Musicians, Weber was replaced as president by the soon (in)famous James Caesar Petrillo, who as a leader of the Chicago local had already made himself a name for a more militant struggle against recorded music.¹³ Soon this line was set off nationwide with the famous *recording ban*, lasting from August 1942 until November 1944. This strike – that

⁹ According to estimations in *Musikern* 19/1929, 1/1930 and 14/1930.

¹⁰ Declaration from Paul Deutscher, general secretary of the International Musicians' Union office, including lengthy quote from AFM president Joseph Weber, “Tonfilm, grammofon och annan mekanisk musik: Vilken inverkan kan den få på musikernas ställning och förhållanden?” (*Musikern* 2/1929, p. 1, 13-16)

¹¹ *Musikern* 3/1929, 5/1929, 10/1929, 14/1929, 18/1929, 19-20/1929, 10/1930, 12/1930, 16/1930, 17/1930

¹² Kraft, p. 82-85, Kraft, p. 109, 114

¹³ Kraft, p. 126

put a more or less total stop on record production in the US – generally aimed at limiting the use of recorded music in radio, forcing broadcasters to directly employ more orchestras. How to reach that point was maybe less clear, but Petrillo proposed giving the union some kind of collective copyright in all musical recordings, which could maybe compensate for jobs lost. After one year's strike, Decca Recording Company accepted a version of this principle and signed an agreement with the AFM, later to be followed by the other record companies. For each record sold, a fixed royalty would be paid to a special fund, which would in turn redistribute the money to let union locals finance free public concerts.¹⁴

This compromise was something unique, according to historian James P. Kraft: “No union had ever before forced employers to contribute to a fund designed to provide jobs and income for workers displaced by technology.” But still, the unionist attempts to restrict the commercial use of recordings had practically been abandoned.¹⁵ And the next recording ban in 1947-48 resulted in a setback for the union.

The fund, however, could survive with sanction from the federal government in a new version called “Music Performance Trust Fund”.¹⁶ It does still exist today, with the same objective of creating work for musicians by arranging free public concerts (11000 yearly, according to own numbers), paid for through a small fee on every record sold in America.¹⁷

Similar models were proposed by the Swedish Musicians' Union at about the same time. Admitting the mistake in assessing sound film ten years earlier, the union now wanted to preempt further mechanization, and lobbied politicians in hope of getting a protective legislation. Such a legislation would, according to hopeful unionists, include prohibitive fees on the public use of loudspeakers, which should be so high that they would bring back demand for live performers.¹⁸

The traumatic memory of sound film's devastating consequences for the profession heavily influenced the post-war strategies of the musician's unions all over the Western

¹⁴ Kraft, p. 137-161

¹⁵ Kraft, p. 160-161

¹⁶ Kraft, p. 162-192

¹⁷ See <http://musicpf.org/AboutUs.html>, <http://musicpf.org/AboutUs2.html>, <http://musicpf.org/AboutUs3.html>

¹⁸ SMF:s förbundsstyrelse: "Åter en attack mot den levande musiken" [Musikern 6/1939, p. 81-82]; Ulf von Konow: "Rättskydd för utövande konstnärer" [Musikern 6/1939, p. 86-87]; Gustaf Gille: "Biinstrumenten och arbetslösheten" [Musikern 8/1939, p. 113-114]; Gustaf Gille: "Teatermusik genom mekanisk reproduktion: Skall grammofoonplattan utkonkurrera musikerna?" [Musikern 2/1940, p. 21-22]

world, coordinated in the International Federation of Musicians (FIM). They drew the conclusion that the long-term result of technological development could in worst case threaten the very existence of musical performers. In other words, they analysed the relation between musical performance and its mechanical reproduction according to what could be termed the *theory of rivalry*, as opposed to the *theory of complementarity*. Gramophones and tape recorders, radio and television, jukeboxes and discotheques – they all came to be officially regarded, during the post-war years, as parts of one single worrying tendency.

The FIM requested the UN agency ILO (International Labour Organization) to act, apparently with some success, as the ILO in the early 1970's officially maintained:

The developments are bringing fame and riches to the minority of performers that make recordings or occur in radio or TV; to the rest of the professionals it means an insecure future and unemployment.¹⁹

The assumption that sound-reproduction technologies “inexorably leads to a smaller and smaller elite serving a larger and larger audience”²⁰ – implying a kind of degeneration of the public sphere, in the direction of passive and alienated culture consumption – was behind the strategic choices made by the SMF during the 1970s.

Passionately, these concerns were put forward in the columns of *Musikern* written by Yngve Åkerberg. He was already vice chairman of the international FIM and a prominent ideologue when he was elected chairman for the Swedish Musicians' Union in 1976. Under his leadership the union gave priority to safeguarding live music against the “onslaught of competing alternatives”²¹. Maybe he can be called “the Swedish Petrillo”.

Gramophone records and cassette tapes were derogatively referred to as “scabs” in his editorial column in 1977. For if musicians went on strike, while muzak and jukeboxes kept on sounding, who would then miss their efforts? Was there no way to silence the machines in such situations, in order to reclaim the force of the strike weapon in labour conflicts? Yngve Åkerberg believed himself to have found such a way. Here are some typical formulations of his, from the same year of 1977:

¹⁹ Quoted in Yngve Åkerberg, “Utövares rätt 2”, *Musikern* 11/73, s. 7, 9

²⁰ Yngve Åkerberg: “Teknisk utveckling på gott och ont”, *Musikern* 8-9/84, s. 10-11

²¹ Yngve Åkerberg: “Ej på våra medlemmars bekostnad”, *Musikern* 4/77, s. 8-9

Video cassettes, cable TV, TV satellites and other technical advances mean that music can be mass-reproduced and shipped over long distances on very short time. /.../
Employment opportunities are threatened regardless if one is fully professional or a part-timer etc.

Obviously, the best antidote against an all-too-unrestrained spreading of the music produced by our union's members consists in a working and effective copyright.²²

The only way to break this trend is to extend our rights, primarily through **improved copyright legislation**. Performers' possibilities to negotiate and decide over the uses of their achievements must be increased. All public uses of tape recordings, records, cassettes etc. must involve an expense for the user. Even if we can never get compensations equivalent to the price of a 'live' performance, we must be able to come into a bargaining situation.²³

I'm crass enough to dare saying that if we do not guard our market and protect copyrights, technical reproductions will in different areas replace live performances to a much larger extent than hitherto.²⁴

The message that *copyright* is the only way to subdue mechanization was put forth very strongly during the late 1970's. Copyright was *not* described as "intellectual property" with a market value, but as a *weapon against undesired uses of recorded music*, with a potential for collective labour action.

Rather than *capitalizing* on the market for recordings, the Swedish Musicians' Union wanted to *dislocate* the market, *from end products and back to performances*. If only the union could make the public use of recorded music much more expensive, the demand for hiring live orchestras would rise again, they hoped. Thus, they followed the same strategy which musicians' unions internationally had adopted around the 1930s. Meanwhile, the copyright law had expanded in a direction that seemed to provide new tools for that strategy.

Only composers/songwriters and their publishers are in a strict sense copyright holders on music. These are represented by *collecting societies* redistributing license fees for public performances and broadcasting; in Sweden by STIM, founded in 1923.

With the Rome Convention, signed in 1961 and implemented in Swedish copyright

²² Leif Domnérus, "Förbundsordförande Åkerberg efter kongressen: - Bättre medlemsservice med administrativa enheter, det ska vi satsa på!", *Musikern* 10/77, s. 27-29

²³ Yngve Åkerberg: "Ej på våra medlemmars bekostnad", *Musikern* 4/77, s. 8-9. Bold text from the original.

²⁴ Kjell Ivri: "Inför nya uppgifter. Yngve Åkerberg ger sin syn på förbundet och dess framtid i samtal med Kjell Ivri", *Musikern* 2/77, s. 8-10

law the same year, a whole new “layer” of exclusive rights, called “neighbouring rights”, had been introduced. These rights are assigned to performing artists (musicians) on one hand, and phonogram producers (record companies) on the other.²⁵

Following this, the Musicians' Union (in cooperation with the Actors' Union), created the collecting society SAMI, in order to collect money from the Swedish radio and television monopoly, and redistribute it to the individual performers who were actually broadcasted.²⁶

But the law still did not give performers and record companies the right to compensation for music heard through loudspeakers in public spaces, a right that composers and publishers had had since long through their collecting society STIM. The Musicians' Union under the leadership of Yngve Åkerberg worked hard to change that. Without questioning the role-division between composer and performer, he fervently underlined the creative endeavour on the part of the latter.²⁷

What the union sought was an expansion of the “neighbouring rights” in Swedish copyright law, which would give SAMI the same exclusive right as STIM to collect money from discos, bars, cafés and all other places where “mechanical music” could be heard in public. But it was not only about redistribution. A lot of emphasis was put on the unions' ability to totally silence recorded music in the public spaces, turning the loudspeakers into a weapon to use in labour disputes.

The overall strategic aim for the union was to *stifle* the dissemination of recorded music – usually symbolised by discos, jukeboxes and muzak – fearing that the alternative development could inevitably lead to a situation where there only remained a “tiny elite” of musicians whose mass-produced recordings would be heard everywhere.

Strong anxieties were also expressed that studio productions of “all too perfect” character would influence the expectations of the public in a harmful way: People would, the union feared, lose their feeling for “the atmosphere that is generated in the moment of performance, which is the lifeline on which we must build the musical life of the future”.²⁸

²⁵ *Lag 1960:729 om upphovsrätt till litterära och konstnärliga verk*, for preparations see SOU 1956:25, p. 358-389

²⁶ SAMI [1988], s. 10-16; SAMI [1994], s. 13-14

²⁷ Yngve Åkerberg, “Om kreativitet”, *Musikern* 2/76, s. 11

²⁸ Yngve Åkerberg: “Att ätas från bägge ändar”, *Musikern* 4/84, s. 3

In a more academic version, this argument has been formulated as a questioning of McLuhan's claim that sound technology brings about a return to 'auditory space'. Instead, Frederickson (p. 200, 204-205) argues, it causes a qualitative change in *how* we experience this space, with destructive consequences as “the occasional wrong or out of tune note becomes unacceptable when our ears are conditioned by technology”.

The union did not, however, turn directly against the private consumption of recordings. Listening to the gramophone in one's own home was fine. What the Musicians' Union turned against was use of recordings in the *public sphere*, at least when the use was seen as motivated by “crass economic reasons”.²⁹

One common target of protest during the second half of the 1970's was popular shows using recorded music on their international tours. “Israeli dance companies as well as the famous Holiday on Ice are causing huge problems as they tour between different countries, bringing recordings with them”, the International Federation of Musicians wrote in a 1977 declaration, enacted on an initiative from Yngve Åkerberg. Recordings should not be allowed to cross state borders without permission from the musicians' union in the recipient country, they demanded.

More and more the proliferation of discos was seen as the main threat against Swedish musicians, especially towards the end of the 1970's. A very large part of the union membership consisted of musicians playing in “dansband” (the Swedish name for the many bands – probably over a thousand at this time – playing a mixture between schlager and early rock, standardised for social pair dancing), to whom the trend of dancing to recorded music did not appear very encouraging.

In the year of 1978, other parts of the Swedish music industry celebrated how ABBA had become “Sweden's most profitable export industry”.³⁰ The Musicians' Union, however, was less satisfied by the commercial disco boom. They gathered their forces for a counteroffensive, with the long-term goal of securing a place for live performing dance orchestras in the entertainment business:

The new disco wave is a fact. The *dansband* market is already feeling the rivalry.

We can no more turn a blind eye to the reality that this whole development is very consciously manoeuvred by multinational and/or pure commercial interests, putting live music behind. /.../

It is not wrong that young people enjoy going to discos in order to dance and socialize.

Neither we can forbid that. But that kind of leisure activities that satisfies the need for music and culture through technical media, gramophone records etc., must be balanced by an activity that creates a direct contact with musicians and other cultural workers.

Live music must not be pushed away. Discotheques cannot be allowed to provide the only contact point for dancing youth. Disco music cannot be allowed to become the only attractive type of dance music.

²⁹ Michel Jernewall: “Vi gör faktiskt en hel del” (interview with Yngve Åkerberg), *Musikern* 12/81, p. 25-27

³⁰ Cover page of STIM's *Ord och Ton* 1/78

We have to create alternatives³¹

Arrangers and organizations that are feeling their responsibility may not, on economic grounds, give way to an indiscriminate use of mechanical music that is flattening and making passive.

That is doubtful from a cultural policy perspective, and deplorable from a unionist perspective.³²

The editor of *Musikern* mentioned ABBA as an example of “speculative music” that “manipulates” its audience, with “fast, large, easy money as main motivation”.³³ One prominent member depicted disco music as “coca cola-culture” and “imported sludge”, as the Musicians' Union held a symposium about “dance music towards the 80's”. Another summed up recent developments this way: “We have seen examples on the harmful effects of commercialism. Computers and technology are beating humans”.

Attending the same symposium were also a few discjockeys, which had just been granted membership in the union. Those objected strongly, claiming that their professional record playing was also a kind of live performance. But not all attending musicians were happy about them joining their company: “You DJ's are creating a desire that does not exist! You are the record industry's tools.”

As discos are cheaper than *dansband* for the arranger, discjockeys represent an unjust competition. That seems to be a commonly held view in the Musicians' Union at the time. Besides, the anxiety was once again expressed that young people would henceforth only be able to appreciate “perfect” studio recordings and lose the feeling for the instantness of live performed music.³⁴

Around year 1980, the Musicians' Union acknowledged that discotheques and disco music had come to stay, but they still found it necessary to resist so that the labour market for dance musicians were not to be totally demolished. At the same time, tensions between DJ's and dance musicians cooled down and discjockeys were even

³¹ Yngve Åkerberg: “Vad händer med musikernas arbetsmarknad?”, *Musikern* 5/79, s. 3, 5

³² Svenska Musikerförbundet, uttalande av 1979 år förbundsrad: “Uttalande angående samhällets kulturpolitik”, *Musikern* 6/79, s. 5. Bold in original, my italics.

³³ Leif Domnérus: “Framtidens musikliv: 'Radikala kulturpolitiska reformer – det är enda chansen!’”, *Musikern* 1/78, s. 20

³⁴ “Dansmusikersymposiet”, *Musikern* 1/80, s. 22-26. Quoted individuals: Sören Brandström, Jack Holmqvist, Marie Dieke.

welcomed as union members.³⁵ During the 1980's the union gradually came to accept that recorded music was used not only in discos, but also as background in cafés and restaurants. At the end of the 1980's, the general view of the union was that live music and discotheques were rather complementary.³⁶

“Finally!”, cheered Yngve Åkerberg in 1986 – appropriate enough, just after changing his job from chairman of the Musician's Union to CEO of the copyright collective SAMI – when his enduring lobbying finally succeeded with the desired change in Swedish copyright law. Swedish copyright law was changed. Now SAMI got the right to collect license fees for the use of recorded music in public spaces. This conciliated the Musicians' Union.³⁷

Interestingly, the initial reasons the union had for recommending such a law – *stifling* the proliferation of recorded music in public by making its use really expensive – seemingly had become completely forgotten at that time of its implementation. With the tools finally at hand, the idea of using the control over loudspeakers as a weapon for combatting “mechanization” seems to have been abruptly forgotten. From the mid-80's on, recorded music was scarcely ever portrayed as a threat against employment in the columns of *Musikern*.

Around 1985 focus was instantly moved to another kind of technological threat, now coming from the synthesizer and other electronic instruments. At the same time as the union came to terms with technical *reproduction* of music, voices were raised against its technical *production*.

Attempts to restrict the use of electronic instruments was indeed nothing new; in 1939 *Musikern* reported that the American Federation of Musicians had prohibited its members from playing Hammond organs without permission from the union.³⁸ And later in 1973, Yngve Åkerberg had written, about the supposed ongoing “rationalization” of music:

³⁵ Autumn 1982 there was said to exist 4000 DJ:s in Sweden, but only a few full-timers. Forty of them was organized in the Musicians' Union. of whom only a (Michael Jernewall, “Discjockeyn en musikalisk konferencier?”, *Musikern* 10/82, p. 4-6; Yngve Åkerberg: “Diskoforum i Stockholm”, *Musikern* 9/79, s. 30-31; “DISCOFORUM-80”, *Musikern* 10/80, s. 21; Yngve Åkerberg: “Hur kan medlemmarnas arbetsmarknad stärkas?”, *Musikern* 4/81, s. 4).

³⁶ Michael Jernewall, “Discjockeyn en musikalisk konferencier?”, *Musikern* 10/82, s. 4-6; Leif Domnérus: “Disco och live musik kan samsas”, *Musikern* 11/89, s. 18

³⁷ Yngve Åkerberg: “Nya rättigheter – äntligen!”, *Musikern* 8-9/86, s. 26-27

³⁸ “Utlandsnytt”, *Musikern* 14/1939, p. 207-208

By putting on an echo, a small ensemble may be given a sound or rather a false image of a substantially bigger orchestra. One can therefore say that echoes are replacing musicians, thus stealing employment opportunities.³⁹

During the 1970's the perceived threat of ready-made sounds on record or tape had been prioritized for challenging. But at the same time, rapid developments in the field of electronic musical instruments were taking place. That fact was impossible to overlook for anyone reading the union's own *Musikern*, which from that time on contained more and more marketing for synthesizers, drum machines and electronic effect modules, while advertisements for wind instruments were clearly on the decline.

In a small, handy case You can now carry with you a whole orchestra with strings as well as brass

If You only know the language of music, the MC-8 will play for you through a synthesizer, for example ROLAND's System 100 or 700. You can compose for a 100-man orchestra if You want to!⁴⁰

Synthesizers, mainly of the Japanese brand Roland, were marketed for their ability to mimic and replace “real” instruments. Unionized *dansband*-musicians who read *Musikern* were obviously eager to buy electronic instruments. But their union, somewhat paradoxically, held the principal view that synthesizers threatened the living standard of the same musicians. Indeed, they used this technology also to minimize the size of their own orchestras.

The question was actualized in 1984. *Musikern* gave an account of debates inside the British Musicians' Union, whose London chapter on a stormy meeting in the early 1980's had given their support for “what in practice meant a total ban on synthesizers”. As a matter of fact, a minority group of British musicians who felt that the antipathy towards electronic instruments was just too massive splintered from the Musicians' Union in order to form their own *Union of Sound Synthesists*.

Also the Swedish union leadership sometimes depicted musicians who did explore the potential of synthesizers as blind servants fooled by “commercial interests”.

Technology has found ways to bring down the price of the labour power – in this case,

³⁹ Yngve Åkerberg, “Utövarers rätt 2”, *Musikern* 11/73, s. 7, 9

⁴⁰ Text from two Roland advertisements [*Musikern* 5/76, p. 15; *Musikern* 3/79, p. 18]

the musicians – our members. And, indeed, musicians themselves often pay the investment cost. /.../

For how long will we keep playing this fatal game?⁴¹

And in 1985, the next chairman concluded the prospects for the future:

Many musicians have lost their jobs because of the synthesizer. /.../

Eventually, music can be produced as a computer product without any effort from performing musicians.⁴²

Several articles propose a well-tryed counterstrategy: “penal tax on synthesizers, like the famous levy on blank tapes”.⁴³ A statutory fee on every synthesizer sold was proposed by some, as a way to generate money to “compensate” that species of instrumentalists living under threat of extermination, or maybe to subsidize larger orchestras using “real” instruments. When the union leadership gathered in late summer 1988 in order to draft a new action program, some advocated this hard line. But the strategy was finally dismissed after considering the negative consequences it would mean for the bands who (rather than trying to make the brass section unnecessary) built their whole music on electronics.⁴⁴ Musical developments of the late 1980's had obviously made it harder to disregard those musicians.

Unionist resistance against synthesizers quickly faded away. Soon, *Musikern* introduced a special column dedicated to educate musicians about how to use electronics in their music, something that would have been unthinkable in 1985. A series of articles in 1990 (“Modern times”) straightforwardly explains how one can mimic brass instruments and sample pre-recorded drumbeats – without one single word about lost jobs.⁴⁵ Now it even seemed like the core definition of a musician's job was about to be redefined, from performing on stage to producing recorded objects.

Immediately after the expansion of copyright law in 1986, SAMI began signing contracts with business organizations in the areas of retailing and transport. From the next year onwards, they continued by demanding payment from pizzerias,

⁴¹ Yngve Åkerberg: “Att ätas från bägge ändar”, *Musikern* 4/84, s. 3

⁴² Gert-Åke Walldén: “Konferens om musiken och musikindustrin”, *Musikern* 6-7/85, s. 2-3

⁴³ Mikael Jansson, “Hotar den nya tekniken musikerjobben?”, *Musikern* 3/84, s. 6-9

⁴⁴ Leif Domnérus: “Gemensamma idéer”, *Musikern* 10/88, s. 16-17

⁴⁵ Per Boysen: “Moderna tider del 2. Syntar, sampling & sånt”, *Musikern* 8-9/90, s. 16-17

hairdressers, gyms etc; all kinds of premises considered as public spaces, including hospitals, hotel rooms, sporting arenas and youth recreation centres

The fees (that SAMI has to share evenly with the record companies' organization IFPI), is decided by counting the floor size, opening hours and how important music is for the activities according to SAMI's interpretation. In 1993, the license fees from public spaces produced more money for SAMI than was collected from radio, something that was at that time regarded as sensational.⁴⁶

But still, the distribution of the money was based on the playlists from the Swedish national radio, due to the obvious lack of data on what is played in every public loudspeaker. Not only had the aim of maximizing employment for live performances been abandoned, but also the ideal of paying every individual musician in proportion to the factual music usage. Instead using broadcast media playlists for a rough approximation means that “an unproportionally large amount of the money are given to rights holders in top 10 music”, while in fact most musicians get at best a trifle.⁴⁷

What has emerged – very slowly, and through an interplay of experiences from different kinds of media technologies – is a rather peculiar *loudspeaker economy*, characterized by a *fixed prizes* and *broadcast-based redistribution*.

Lawmakers have steadily continued to expand the authorities of collecting societies like SAMI. Since 1999, the “blank tape levy” or “private copying levy” was extended to include also some digital storage media like MP3 players and blank CD's. (SAMI demanded, without success, levies also on ordinary hard drives and diskettes.) These money are also distributed according to national radio playlists, assuming that it is the only way to approximate what recordings that people are really using these media for.

Entering of the 1990's, the stage was set for another discourse about the music economy, where technically reproduced music was not seen as a rival but as the core product. A discourse that did not focus on the *music professionals*, but on the *music industry*. It's characteristic that the Swedish Musicians' Union, together with the record industry's IFPI, started the project *Export Music Sweden* in 1993.⁴⁸

During the rest of the 1990's, enthusiastic rhetoric about recorded music as

⁴⁶ SAMI (1994), s. 13-14

⁴⁷ Recurring information box in *Intermezzo*, Malm 1997, s. 51; According to SAMI's own numbers from 1988, the span in individual yearly payments is between 50 and 50000 Swedish kronor. (SAMI 1988, s. 23)

⁴⁸ Håkan Hillerström, “Svensk musik på export”, *Musikern* 11/93, s. 16; Håkan Hillerström: “MIDEM – en av världens största musikmässor”, *Musikern* 3/94, s. 15

Swedish export product occurs repeatedly in *Musikern* – without any mentioning of the problem of a smaller artistic elite serving a larger audience.⁴⁹

This all fitted well with the emerging discourse about so-called *creative industries*, popularized by some English cities and culminating after Tony Blair's election victory in 1997 when the older department for cultural heritage was remade as *Department of Culture, Media and Sport* (DCMS), with its own *Creative Industries Task Force*⁵⁰ Creative industries were defined as businesses “which have a potential for wealth and job creation through the generation and exploitation of intellectual property”.⁵¹ Clearly, what that politics favoured in the area of music was not live performances, but end products.

Aristotle distinguished between *praxis* (the sphere of public action) to *poiesis* (the sphere of fabrication).⁵² Music has obviously – ever since the first notation systems – involved activities of both kinds; however, the *praxis* of performance has been defining musicianship. During the last centuries of the 20th century, however, a remarkable shift⁵³ can be observed – as music tended to be discussed primarily as *poiesis* (recorded objects), relegating *praxis* (live performance) to a secondary position it has probably never had before.

At least, such a shift can be observed in some rather powerful institutions within the musical economy. Paradoxically, the shift seems to have been completed with the help of the same copyright extensions that the unionists had proposed *not* primarily as a source of revenue, but rather as a *defence* of performance against mechanical reproduction. No doubt, “copyright law is a decidedly double-edged weapon”.⁵⁴

Copyright collectives emanating from the unionist fight *against* the supposed tendency of “canned music” to favour the small artistic elite, today has become economically important institutions channelling huge money to the lucky few whose recordings got substantial airtime on radio.

What happened to the safeguarding of the atmosphere of live performances, against “the onslaught of competing alternatives”? Well, the availability of recordings

⁴⁹ Tony Balogh: “Export Music Sweden”, *Musikern* 2/96, s. 10-11; Roland Almlén: “Kulturarbetarna och deras värde”, *Musikern* 11/96, s. 4

⁵⁰ Pratt, p. 119; Howkins

⁵¹ DCMS definition, originally from http://www.culture.gov.uk/creative_industries/

⁵² On *poiesis* and *praxis*, see especially Virno p. 49-55 and (of course) Arendt, who prefers the English words “action” and “work”.

⁵³ Hannah Arendt would certainly not hesitate to instead use the word “degradation”.

⁵⁴ Frith, p. 74

apparently did *not* cause people to stop attending live music.

In fact, the number of people in Sweden regularly attending concerts has shown a steady *increase* since the 1970's, indicating that the greater availability of recorded music did rather contribute to a growing passion for music in general than rival live performances. And instead of the feared extinction of professional performers, the number of people in Sweden declaring their job to be “musician” in national census *doubled* between 1970 and 1985, an increase that seems to have continued during the 1990's. That, however, has not been mirrored in membership numbers of the musicians' union.⁵⁵

“Musicians” as a category is not unproblematic. The *praxis* of public performance has been the fundamental reference in defining the musical artist's work. But the dominant definition of a musical performer used by unions in the early 1980's were much more narrow than what is usual today, including neither DJs nor synthesizer players. (Today's broader definition accepts more integration of hardware and software, even if there is clearly still a limit after which the operation of a machine will no longer be recognized as musical performance.)⁵⁶

A fundamentally different definition of the musical artist takes instead the *poiesis* of producing recordings as its main reference. This one has gained ground with the *creative industries*-discourse of the 1990's and the increased focus on music as an exportable commodity. The general lack of reflection over where focus is put causes a great deal of confusion in contemporary discussions.

It should not be taken for granted that technological development simply redefines the artists' work, from public performance to producing reproducible “content” (implying the sad story of “a smaller and smaller elite serving a larger and larger audience”).⁵⁷ A recent study based on data from Danish copyright collectives indicates that the decrease in the total sale of recordings after the breakthrough of file-sharing networks corresponds to a remarkable increase in the total turnover of live performances.⁵⁸ Major artists, booking agencies and managers are, according to press

⁵⁵ SOU 1990:39, p. 89; SOU 1995:84, p. 234; Forss.

⁵⁶ Clearly, musical performance or the uniqueness of an individual artist cannot be reduced to “sound”. It's clearly not true (anymore) that “People attend a live performance to hear the unique sound of a performer”, as claimed by one scholar in 1989 lamenting how “the artist's 'aura' has become transformed into a collection of electronic information on a diskette.” (Frederickson, p. 202.) On the contrary, the “aura” of live music seems stronger than ever.

⁵⁷ Yngve Åkerberg: “Teknisk utveckling på gott och ont”, *Musikern* 8-9/84, s. 10-11

⁵⁸ Pedersen

reports,⁵⁹ confirming a similar picture; a shift in the music economy, from “canned music” and *back* to performances. That should call for a redefinition of the artist's work focusing again on the *praxis* aspect.

At the end of story, maybe James Caesar Petrillo and Yngve Åkerberg was right in their defence of public performance as *the* fundament for musical culture. Their only mistake was the false dichotomy between public performance and mechanical reproduction, a relation that is obviously more complex, and not as constant through different media ecologies as their undifferentiated views on “technology” suggested. (Thus, also James P. Kraft is wrong in drawing the sweeping conclusion that the story of record and radio industries in the 1920s and 30s “clarifies /.../ the impact of sound technology on labour relations”.⁶⁰ Such generalizations can of course not be made.)

Hans Magnus Enzensberger warned already in 1970 against “the danger of underestimating growing conflicts in the media field, of neutralizing them, of interpreting them merely in terms of trade unionism or liberalism, on the lines of traditional labor struggles or as the clash of special interests /.../ An appreciation of this kind does not go far enough and remains bogged down in tactical arguments.”⁶¹ The importance of that observation seems to be confirmed by the story here told, about how tactical arguments from one time produced results opposed to the original intentions.

Collecting societies, to quote Simon Frith, “don't *simply* protect the interests of individual rights holders”, they also “adopt policies which may well benefit some rights holders at the expense of others.”⁶²

The genealogy of the collecting society SAMI⁶³ that I have made, shows how the initial motivation to use copyright law as a collective labour weapon to *stifle* the use of recordings in public was forgotten, in the shift towards individual *capitalisation* on the copyrights. The union accepted quantitative financial “compensation” instead of the qualitative limits on the use of technology, not unlike how Petrillo in the 1940's

⁵⁹ “Pengarna finns på scenen”, *Dagens Industri*, 2006-05-30

⁶⁰ Kraft, p. 59

⁶¹ Enzensberger, p. 52

⁶² Frith, p. 68

⁶³ What this genealogy tries to avoid, is the teleological narrative all too often told when the history of copyright is written. [First there was a group of poor creatives, then they realised that they had no rights and organized to get them, then they got their rights and kept them well, at least the internet came and darkened the happy ending...]

“decided to settle for partial victory in the war against recordings”.⁶⁴

Indeed, “the history of sound reproduction from Edison to video [to MP3] is littered with false hopes and misjudgements.”⁶⁵ Contributing to the unexpected outcomes of labour action to stifle technology has been the “the assumption that the experience of these new technologies is related unproblematically to general overarching macro-level trends”.⁶⁶ The impact of technology in the 1970's was not the same as in the 1930's.

Today we can see that the social function of public performance was not so fragile as union strategists feared. Rather, emerging musical cultures has overand over been able to reconfigure performativity.

⁶⁴ Kraft, p. 160-161

⁶⁵ Frith, p. 62, my addition

⁶⁶ Woolgar, p.6

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