

When Reflection Excludes: A History of Discrimination in the Grammys

By Ava Roche

What Does “Urban” Even Mean?

In a post-award show press conference, Tyler, the Creator - who had just won his first Grammy for the genre-defying album IGOR - explained his mixed feelings about his achievement. “On one side, I’m very grateful that what I made could be acknowledged in a world like this, but also, it sucks that whenever we - and I mean guys that look like me - do anything that’s genre-bending or that’s anything, they always put it in a rap or urban category...I don’t like that urban word. That’s just a politically correct way to say the n-word to me.” He continued, asking a very important question: “why can’t we just be in pop?”

Tyler is not the first to express this sentiment. At a 2015 Grammys after-party, Kanye West explained that “if they [the Recording Acade-

my] want real artists to keep coming back, they need to stop playing with us...when you keep on diminishing art and not respecting the craft and smacking people in the face after delivering monumental feats of music, you’re disrespectful to inspiration.”

A Rocky History

In 2011, the Recording Academy removed 29 award categories including Best Latin Jazz Album, Best Contemporary Jazz Album, Best Cajun and Zydeco Album, Best Native American Album, and Best Hawaiian Music Album. The Academy also combined three separate R&B vocal performance awards into a single award and removed two other Latin music categories. As the categories removed have historically included musicians of color, the decision led to heated backlash. In

MISSION STATEMENT

The Music Business Journal, published at Berklee College of Music, is a student publication that serves as a forum for intellectual discussion and research into the various aspects of the music business. The goal is to inform and educate aspiring music professionals, connect them with the industry, and raise the academic level and interest inside and outside the Berklee Community.

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EDITOR'S NOTE

Dear Reader,

Thank you for picking up our first issue of the new year! The Music Business Journal is celebrating our 15th anniversary this year.

Our cover story, written by senior writer Ava Roche, offers a critical look at the worrying trend of racial discrimination in the Grammys. We are honored to feature an essay by Berklee professor Dr. Bill Banfield on his thoughts about where the future of the music industry is headed. Our Social Media Editor, Marcella Nahas breaks down the concept of the Net Promoter Score and talks about how this concept can help independent artists grow a loyal fanbase. We also discuss the idea of ageism and how musicians in certain genres sometimes feel as if they need to “make it” before they reach a certain age. Finally, this issue ends with an in-depth explanation of current copyright laws and how important it is for artists to be aware of their rights.

We don't normally have themes designated for issues but often due to what is happening in the industry at a specific time certain trends are visible across articles. This issue seems to be focusing on forms of discrimination and how limiting representation of certain demographics can stifle the music industry as a whole.

This semester we have a lot of exciting interviews lined up for our podcast series “Cut Time” so be sure to check those out on Spotify, Apple Podcasts, or Soundcloud.



Sincerely,
Ananta Arora
Editor-in-Chief

MUSIC BUSINESS JOURNAL

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Discrimination Continued

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an interview with *The Province*, a Canadian newspaper, Carlos Santana said, “I think they’re racist. Period.” He went on to ask, “why do they cut only this music? Why not other music?”

Many musicians echoed Santana’s feelings, forming a coalition that protested the Recording Academy’s decision to remove these categories. In a letter to the then-president and CEO of the Grammy’s, Neil Portnow, Paul Simon wrote, “I believe the Grammys have done a disservice to many talented musicians by combining previously distinct and separate types of music into a catch-all of blurry larger categories. They deserve the separate Grammy acknowledgments that they’ve been afforded until this change eliminated them.” The following year, the Academy reinstated the Best Latin Jazz Album category and added two new categories: Best Urban Contemporary Album and Best Classical Compendium.

In the 60 year history of the Grammys, only 10 black artists have won the coveted award for Album of the Year: Stevie Wonder (1974, 75, 77), Michael Jackson (1984), Lionel Richie (1985), Quincy Jones (1991), Natalie Cole (1992), Whitney Houston (1994), Lauryn Hill (1999), Outkast (2004), Ray Charles (2005), and Herbie Hancock (2008). For over a decade, not a single black artist has won the award, despite numerous nominations. What’s more, a hip-hop artist hasn’t won the award in over 15 years, despite the genre’s immense popularity.

Music scholar John Villanova explains, “In the last 10 years, there have been 17 nonwhite artists nominated for the Grammy Award for Album of the Year...Of those 17, the only winner was Herbie Hancock in 2008. His album was a collection of covers of songs by white folk artist Joni Mitchell.” He goes on to explain various years in which black artists have been nominated in what he defines as “racially marked categories,” such as R&B and Urban categories, and “non-marked categories,” such as Album or Record of the Year. Villanova cites the 2006 Grammys as an example: “In 2006, [Ma-

riah] Carey won Best Female R&B Vocal Performance, Best R&B Song, and Best Contemporary R&B Album, losing Record of the Year, Album of the Year, Song of the Year, Best Female Pop Vocal. That’s three wins in the racially marked categories and four losses in the non-marked ones.” As alluded to by Tyler, the Creator, most black artists are relegated to awards in “Urban Music” categories, while white musicians dominate in the “big four” categories: Best New Artist, Song of the Year, Record of the Year, and Album of the Year.

Consider Beyoncé’s lack of recognition over the years. The artist boasts 70 nominations and 24 wins, but most have been in R&B or “Urban” categories. In 2016, Beyoncé’s magnum opus, *Lemonade* was nominated for Album of the Year and Best Urban Contemporary Album; she won the latter, while Adele received the award for Album of the Year. In her acceptance speech, she said, “I can’t accept this award...The *Lemonade* album was so monumental.” In a post-award ceremony interview, Adele asked, “what the f--- does she have to do to win album of the year?” Adele is right: why has the most popular artist of a generation gone unrecognized in pop categories?

Who Votes?

Qualifying to be a voting member of the Recording Academy is relatively simple; to be a voting member, one must either be an active music creator, a Grammy winner or be endorsed by a voting member.

In recent years, the Recording Academy has come under fire for the lack of diversity of voting members; a task force was created to combat this, and the organization invited 900 people to join as voting members. According to the Recording Academy, all those invited were women, people of color, and/or under the age of 39. This took place the same year that then Grammy president said that “women who have the creativity in their hearts and souls, who want to be musicians, who want to be engineers, producers, and want to be part of

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Building a Fanbase: How Net Promoter Scores Can Grow an Artist's Following

By Marcella Nahas

Introduction

Today, anyone can record an album in their home studio and release it to the world. Anyone can pay for Instagram or Facebook ads, as well as apply to be featured on Spotify-curated playlists. This is not breaking news to anyone in the music industry. If everyone has access to the same tools, how do artists stand out? How do artists develop a brand and get fans to go to their shows? The real challenge for independent artists lies within marketing: placing their product in front of the right people and convincing them that it is good enough for them to spare their time.

Independent artists have been focusing on the wrong marketing tools. Internet advertisements can help an artist gain a few likes and comments, but not create loyal fans that will follow their next steps and consume upcoming releases. With Spotify-curated playlists, the same applies; an artist may get a lot of streams for one song, but those listeners won't necessarily go to shows.

To grow organically, artists can adopt the concept and principles of the Net Promoter Score® (NPS), aiming to create a more sustainable, loyal fanbase as well as build an army of superfans. This strategy is especially useful when an artist doesn't have the support of a label, manager, or marketing company, as it will provide them with a starting point for developing a promising career.

What is the Net Promoter Score?

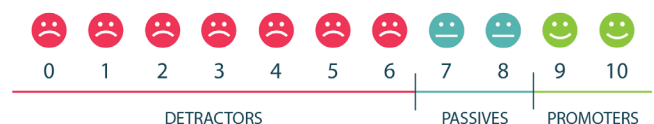
Developed by Fred Reichheld and Bain and Company, the Net Promoter Score® is a measure of "how well a company generates relationships worthy of loyalty."¹ The Net Promoter Score® value is generated by asking one question to customers: "On a zero-to-ten scale, how likely is it that you would recommend us to a friend or colleague?"² Notice that the "us" in the question refers to the business' overall brand and everything it represents, rather than just a specific product. Answers are separated into three categories: detractors (those who grade 1-6), passives (7-8) and promoters (9-10). Once all data is gathered and calculated, results will range from -100 to 100; scores above 0 are considered good, and scores above 50 are considered excellent.³ In other words,

this means that the higher the Net Promoter Score® of an artist, the more loyal their fans will be. For this article, the concept behind the Net Promoter Score® value will be discussed, rather than the actual value itself – and how this concept can help artists grow organically.

Companies from all sectors have implemented the Net Promoter Score®; from Guitar Center to Apple and AT&T. The concept of the NPS revolves around the idea that customers will recommend your product to their friends and relatives because of how much they love it. Not just because they like your product, but because it makes them feel better about themselves – and this makes them have the desire to share it with others.

Net Promoter Score® Case Studies

Apple has always been very consumer-centric, and customers are at the core of the business, so the Net Promoter Score® seemed like a perfect fit. The company reached an average NPS of 89 in 2016⁴, which is a very impressive achievement, with the best Apple stores accomplishing scores higher than 90.⁵ Apple Retail focused on training employees to become promoters themselves⁶, and help spread the message of the brand to the world. Ron Johnson, the executive who developed Apple's retail, created the following mission: "to enrich the lives of customers and employees."⁷ By establishing a deeper purpose, Johnson was able to connect to customers that shared the same values, and therefore, get them to become promoters of the company as well. He aimed to create a sense of community in the stores, in which customers would have an experience; they would "gather and learn, not just buy."⁸ Experience is key, as well as creating and nurturing consumer-employee relationships.



$$\text{Happy Face \%} - \text{Sad Face \%} = \text{NET PROMOTER SCORE}$$

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American Express also utilizes the Net Promoter Score® to satisfy existing customers, as well as to expand into new markets. In an interview for the Net Promoter System Podcast, Luis Angel-Lalanne, vice-president of customer listening for American Express, comments on how the NPS was implemented on the company, and how it helped the company get involved with over 25 markets.⁹ American Express is known for its excellent customer service and for treating its customers with premium experiences; for example, allowing access to VIP American Express lounges in airports, which are exclusive to clients. The company gathered over 7 million survey responses throughout 2019¹⁰ and analyzed the answers, giving immediate feedback to the frontline employees. This system allows the business to rapidly recover from detractors by turning them into passives and sometimes even promoters. This process is extremely important because it can transform a simple metric into action and solution.

Over 220 large and successful companies have adopted the Net Promoter Score®, and utilize it as their key metric to measure success. A similar strategy could serve as a huge advantage for the music industry. Take the biggest current artists – Billie Eilish, Lizzo, Selena Gomez – what they have in common is that everyone is always talking about them. They all grew because their fans recommended them to their friends.

People tend to trust their friends more than internet advertisements, so this strategy becomes a very valuable tool. One superfan will convert their friends and family into fans - the growth curve becomes exponential. What this means is that an artist's fans will do the marketing for them, which helps minimize the burden of marketing costs for artists.

How Can This Strategy Be Implemented For Independent Artists?

How do fans discover their favorite artists? Probably from a friend's recommendation. No artist or band has ever been successful in the music industry without having their fans tell their friends about their content – so why are independent artists not investing their time and resources into growing their community organically? Here is how it begins: by separating the NPS strategy into online and offline.

The Distinction Of A “Like” And A “Share”

Many independent artists have a solid following on Instagram or Facebook. Some may have bought followers or likes



Photo Credit: Ananta Arora @aroraaphotography

to grab the attention of potential fans or record labels, however, most people would consider this a fake following. There is no real meaning or intention behind likes and followers - it does not equate to more people at an artist's shows or more streams. Shares, however, are much more impactful and are considered to be NPS. If someone shares an artist's music to their profile, they are being active promoters of the product. The bottom line is that it is all about trust and credibility – one will trust a friend's recommendation more than an ad. That is the key difference between paid advertisements and spontaneous shares.

To achieve this, artists may create campaigns that encourage fans to share their music – be it through the Spotify tool that allows people to share their music on Instagram Stories, or regular Facebook post shares. Customers are attracted to exclusivity. With this in mind, artists can develop creative campaigns in which they release exclusive content or provide unique experiences in exchange for customers sharing and tagging them in posts; possibilities are infinite. The Instagram “Close Friends” feature, for example, can be used as an important tool, allowing artists to release unique content to an exclusive audience.

To illustrate this idea, here is an example of an NPS-driven Instagram campaign: an artist publishes a post on their page, outlining the benefits a fan will get if they follow the artist and share that specific post to their stories (of course, always tagging the artist). The benefits might include being added to the “Close Friends” list of the artist, in which they will upload exclusive content and have more interaction with the fans. It could also include, instead, premium access to new music, even free merchandise, or VIP access to shows. Once the post is shared by the fan, all of the fan's followers will have access to it and may want to join in – and that is the power of the Net Promoter Score® multiplication.

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Ageism in the Music Industry: Does Success Have an Expiration Date?

By Claire Donzelli

We are constantly bombarded with stories of musicians who achieved success early in life. The legendary Stevie Wonder signed with Motown records when he was only 11. In the 1970s, a young Michael Jackson's career was already flourishing in the Jackson 5. Five-time Grammy winner Billie Eilish was 14 when she uploaded her viral song, "Ocean Eyes," to SoundCloud. The Beatles formed when John Lennon, Paul McCartney, and George Harrison were 16, 15, and 14 respectively, with Ringo Starr joining slightly later on at age 22. But what happens when youth becomes a prerequisite for working in the music industry, rather than something to be celebrated?

What is Ageism?

Ageism is a type of discrimination based on a group or individual's age. In the book *Why Survive? Growing Old in America*, Lewis and Butler define ageism as "a process of systematic stereotyping of and discrimination against people because they are old, just as racism and sexism accomplish this with skin color and gender. Old people are categorized as senile, rigid in thought and manner, old-fashioned in morality and skills... Ageism allows the younger generations to see older people as different from themselves; thus, they subtly cease to identify with their elders as human beings."¹ Ageism is prevalent in both the music industry and other fields. Numerous artists have spoken out about how it has affected their lives and careers. For example, in the music industry, ageism can take the form of a record label only signing younger artists, encouraging artists to lie about their age, or giving an older artist less radio play time, but it doesn't stop there.

Recently, Bebe Rexha took to Instagram to express her dismay at being told she was "too old to be sexy" by a music executive. The 30-year-old singer-songwriter has also spoken out about her experience with body-shaming when designers refused to design a dress for her to wear the Grammys due to her size. Rexha remarked,

"No matter if it's a female or a male, if they walk into a job and they're good and they kill it, no matter what or who they are, they should have the chance."² But the singer remains optimistic on how raising awareness of ageism, body-shaming, and other forms of discrimination may gradually shift peoples' mindsets. "I just want to be able to speak out and just shine light on it because it's been happening for so long, and it will always happen, unfortunately, that's just the way life is: You're never going to fix something completely, but you can shine light on it and hopefully it will get better over time".

This same message is echoed in the words of Dolly Parton, who at 71 years old, continues to write music, perform, and inspire many. "After you reach a certain age, they think you're over. Well, I will never be over. I'll be making records if I have to sell them out of the trunk of my car. I've done that in my past, and I'd do it again".³ This country icon's message is a beacon of hope to musicians who have ambitions of creating and performing well into their older years. But what about musicians who didn't get an early start like Michael Jackson or Billie Eilish? Several artists defied the odds by achieving success in the music industry despite starting out at a slightly older age.

Bill Withers

This Grammy-award-winning singer-songwriter released his first single, "Ain't No Sunshine," in 1971 at age 32 while working on the factory line. The album cover, which features a smiling Bill Withers holding his lunch pail, was photographed during his lunch break. "My co-workers were making fun of me" Withers stated in an interview. "They thought it was a joke"⁴. Before that, his musical career was limited to the handful of times he had sat in with a bar band while serving in the Navy in Guam. It was in his late twenties that Withers purchased an old guitar, and in a surge of inspiration, used any free time he had to teach himself how to play.

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According to Withers, his music career lasted a total of 8 years. Racism and ageism were two driving factors behind his decision to leave the music industry. Withers recounted, “I met my A&R guy, and the first thing he said to me was, “I don’t like your music or any black music, period”. Withers also reflected on the changing landscape of the music industry. “I grew up in the age of Barbra Streisand, Aretha Franklin, Nancy Wilson,” he says, still musing on the Grammys. “It was a time where a fat, ugly broad that could sing had value. Now everything is about image. It’s not poetry. This just isn’t my time.”

Debbie Harry (Blondie)

Debbie Harry attended college and worked different odd jobs before becoming the lead singer of Blondie in her thirties.⁵ She worked at a radio station, as a waitress, and even a playboy bunny before meeting guitarist Chris Stein in the 1970s and forming the iconic band. Hit songs like “Heart of Glass,” “One Way or Another,” “Rapture,” and “Call Me” topped charts and launched Harry into fame. Harry was instrumental in the emergence of the new wave movement in music and influenced many artists that followed her.

Elizabeth Cotten

Elizabeth “Libba” Cotten is one of the most revered

folk musicians of all time. While this guitarist and singer-songwriter got into music at a younger age, it wasn’t until 1958, when she was 64 years old, that she released her first LP, *Freight Train and Other North Carolina Folk Songs and Tunes*. Cotten originally taught herself how to play guitar and banjo at age seven and developed a unique style of fingerpicking known as “Cotten Picking,”⁶ which involves playing the bass notes with her fingers and the melody with her thumb. She began writing songs in her younger years, after her marriage and the birth of her daughter, the pressures of her church and family life caused her to part ways with songwriting and playing guitar for nearly forty years. It was after Cotten had been working as a housekeeper for the folk musicians Ruth Crawford Seeger and Charles Seeger for several years that her long-forgotten musical talents were rediscovered. After releasing her first EP, Cotten continued to write and perform music into her eighties.

Tauheed Epps (2 Chainz)

The rapper Tauheed Epps first began working in the Atlanta music scene under the stage name Tity Boi.⁷ In 2010, Epps put his solo career in motion and began working with artists such as Kanye West and Nicki Minaj. It wasn’t until 2011 that he changed his stage name to the more widely known and family-friendly 2 Chainz. In 2012, when Epps was 34, he released his debut album *Based on a T.R.U. Story*, which included platinum hits “No Lie,” “Birthday Song,” and “I’m Different.” The rapper’s next album, *B.O.A.T.S. II: Me Time*, was also a smash success, and Epps has since collaborated with artists like Pharrell Williams, B.o.B., Lil Wayne, Steve Aoki, and Eminem. Now aged 42, Epps has remained one of the most prominent names in the hip-hop community and the music industry.

Leonard Cohen

Folk musician Leonard Cohen was 33 when he decided to put his writing career on hold and delve into the music world. This prolific Canadian singer-songwriter signed with Columbia records and released his first album, *Songs of Leonard Cohen*, in 1967, and went on

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An Essay In The Meanings, Business, Culture, And Future Of Music....

By Dr. Bill Banfield
Berklee College of Music Professor

Todd and his crew at the Music Business Journal asked that I share some thoughts, culled from my workings in music, questions relative to my take, feelings, observations in and around popular music culture today. This is an awesome task because I think there is so much to think about, and so much that has been done and more importantly, so much is changing.

So I share here some of my takes on these themes, understanding, of course, my dear reader that these values are shifting. And I'm old. The question(s) we ask then is: 1. What has become, 2. What is, and 3. What will a path forward in public music culture look like?

Music is a principle carrier of community value, agency, and identity which shapes and nurtures our spiritual streams. Music is more than music, it's a measure and a

matter of life. Your music/arts become something when they match the amount of living you have done. Then its formula is complete. Music is tones organized to tell human stories. That's the has been part.

So we ask what then is today's story, and what kinds of tones, technologies and where today in which territories are such music stories most meaningfully told? For many of us, a problem exists today, as people find it difficult to distinguish between what's popular and what's poisonous, and that money drives every cultural popular convention. Since money drives most popular industry and media, some argue that there is a saturation of sugar-coated produced poison that is fed to the public as normative, good for you, and of value. So where are today's value(s) in music-making?

The media cultural prescription is clear: from reality TV shows, venomous partisan politics to terror-teased news landscapes, our spiritual nerves are unraveled. This affects everything including how parents are blindly compelled to oblige, how people invest in programs that are aligned to corporate status quo formulas, and most dangerous, how young people are coming to see themselves shaped and molded into very narrow and low identities and value codes.

The very, very good news is that this is nothing new and that too, the gene pool for talent, excellence and the ability to move the world with music has not gone away. Today's young musicians and artists and this generation, in general, have so many tools, talent, territories, and energy at their disposal.

Today's young musicians are so much more flexible and adaptable to numerous landscapes. They have multi-diverse and technological skills that allow a different kind of rationale for what is of value. And the capacity for ears and understanding is greater because the bandwidth for what you can take in and deal with on the table is wider. And the table is even wider. Today's younger people's worlds are wider at a glimpse and a



Young artists in the past, making their music artistry matter

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touch. That's a very powerful position to be in . . . if they know what to do with it, and why.

Now here is the rub, onto the third question, where are we headed... are today's young musicians asking the right questions, navigating the tools to make the next great music and move their world, and do they ask why? And from my read even if they do the right things, turn the right dials, are the people today, the general public ready for such informed creative capacity?

The market seduction of music has gotten even deeper. Everyone still loves music and entertainment, and they ingest and choose to purchase it at a greater intensity and spend more money to have it, all their way. I think though it is a matter of having more connections and conversations consciously with the artists, the people, and the industry that disseminates all this creative loving matter.

For the training of musicians, you have to show that musical relevance is transferable and that artistry has adaptable tissues weaved through all history. The young artists who see that and "get it", generally will get back to absorbing those great examples and processing that into their aesthetic to be delivered "their ways" in their own time.

The problem that exists is that we have to dismantle the thick walls of industry and corporate controllers who have near-zero interests in the values of humanities, art, and culture.

The new paradigm is old school. It's reaching back regaining older substance values of relevance, resource, and reverence. It's being in touch with the impulses and needs of the times you live in looking forward, creating expressions and understanding them as such and assessing their impact.

This will be the work of the new paradigms in education, industry navigation, and conscious creative works that again look to bring our worlds together.

We need a revolution of sorts, a rising up is inevitable of a group of "thinking artists", who together forge the

new paths unaffected by market trends. In some ways with technology that is happening. To believe music/arts can alter and affect the thinking and actions in the world, communities we live in, as an artist, educator, a creative thinker you see so many examples of proactive creative work that changed people's lives. "Today's art", song and that creative dreamscape can be beautiful, powerful, compelling, and contain meaning.

All of us have seen our political landscapes now poisoned by mistrust and venomous attacks, and we've seen media, movies, TV, and popular culture plummet in terms of content and values, leaving an escalation of irresponsible choices for the public to scrape and sort through, and all for the love of money, greed, and pointless power.

These issues are important: the new expressive paradigms, digital age design and apparatus, identity, pop culture and how the youth narrative is being drawn.

The reason I have tried to share here is that from my view, when a young teacher or student reads about Bessie Smith, Woody Guthrie, or John Coltrane, they see "music meaning" in different ways. That inspires the next songs.

That kind of new song or innovative art idea moves people and changes the world. As Margaret Mead reminded us, "Never doubt that a small group of thoughtful committed citizens can change the world; indeed it's the only thing that ever has."

Music meaning through culture is about broad-minded thinking, exposure but making choices about your choices, dedication, and passions. Scholarship and artistry must be focused on illumination and lifting people into relatable, sustainable, and usable facts, information, culture, and history.

Our civic, social, political, and community concern is important. Artistry is armed for engagement as it counts for many things. As the dancer and community activist, Wyatt Jackson who I filmed said, "There is an intersection with what the arts can do and what the people do with the art. I think you have to be clear about how

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the industry on the executive level... [need to] step up because I think they would be welcome.” This comment amplified existing frustrations about the 2018 Grammys, in which only one woman was presented a televised award.

Issues in the Voting Process

Many of the issues discussed begin in the Grammy nomination process. Of the over 20,000 entries submitted each year, a handful of entries are selected by a board of experts in various music industry fields. This process is quite private, and many claim that members of the nominating committees often favor entries to which they are related. In 2017, producer 9th Wonder was on the nomination board for the rap category; that same year, he produced on Rapsody’s album, *Laila’s Wisdom*. That album was nominated for best rap album, and “Sassy,” a song on the album, was nominated for best rap song. Many question whether she would’ve been nominated without her producer’s influence.

The Recording Academy has created committees to review nominations in various genre categories, though some do not have that oversight. For example, there was no such board for the rap category until 2018, allowing for countless snubs and bizarre nominations. Consider the 2014 Grammys when Macklemore & Ryan Lewis’ *The Heist* won best rap album over Kendrick Lamar’s *To Pimp a Butterfly*. Without such boards, nominees can be chosen on name recognition or personal relation, rather than societal, musical, or cultural impact.

While these nomination review committees can help ensure that nominees accurately reflect the genre and the industry as a whole, they present other issues. The Recording Academy’s Diversity and Inclusion Task Force reported that, between 2015 and 2017, the nomination review committees were 74% male. With the task force’s involvement, nomination committees (as well as other important voting committees) have become more evenly split between men and women.

The lack of diversity on nomination review committees coupled with the lack of transparency regarding those committees’ practices leads many to question the accuracy of the nominees which they push forward. With a more diverse nomination review committee, maybe Tyler, the Creator’s *IGOR* would have been nominated for Album of the Year, rather than being relegated to the urban category.

Conclusion

While the Recording Academy has made steps towards becoming more inclusive in all processes, there is more to be done. Days before the 2020 Grammy Awards ceremony, Neil Portnow’s successor, Deborah Dugan, was removed from her position amidst claims of harassment in the workplace. Dugan has publicly claimed that she was fired, in part, because she raised concerns about nomination review committees which “bypass a democratic voting structure.”

While case proceedings are ongoing, there is hope that Dugan’s complaints will lead to changes in the Grammy voting process, and that further efforts will be made to make the voting process more transparent. Tyler, the Creator’s comments have sparked a lively, important discussion about diversity and inclusion in the award ceremony. Hopefully, artists will continue to speak out about a lack of representation in the Recording Academy. One would hope those organizations will listen.

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Adele and Beyonce posing together at the 2017 Grammys.

NPS Continued

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Offline: How Do You Get People To Come To Your Shows?

Artists must shift the burden of promotion from themselves to the fan – cutting marketing costs drastically. Many times, independent artists will have friends come to their shows. Notice that “friends” are not necessarily fans – however, they can help the artist build an army of fans by dragging their friends along. If that occurs, then NPS is happening – and now, the artist has the opportunity of converting that person (which is a “passive”, 7-8 on the NPS scale) into a fan. Getting that person to keep up with your content, though, is the real challenge. Once the experience is over, they must connect with the artist on social media to close the loop, so that they are updated on future shows and releases. Personal conversation and contact with potential fans, especially when the artist is in the beginning phase of the career, is essential. The customer must be aware of the fact that the artist cares about their thoughts, so going up to talk to them makes them feel like they had a more personalized experience. This raises the chances of coming to watch the artist’s next concert.

Artists can use strategies that include the principle of exclusivity to get more fans to go to their shows. They can, for example, encourage their fans to bring others by giving that fan a link to a free demo for each friend they bring. They can also connect the offline world to the online one, by announcing onstage that whoever shares a video of the show on their social media and tags the artist will get access to exclusive content. Artists can become extremely creative with the rewards, and this will help draw people in, growing the fanbase exponentially.

The most important and unique aspect of the offline experience is the personal and physical interaction that the artist shares with the fan; this is what sets it apart from the online experience, and it is what truly converts customers from passives to promoters. The artist needs to think about this interaction and how it can be made unique and special, and what will set it apart from other experiences.

Conclusion

The Net Promoter Score® is much more than a simple metric – it carries a whole system behind the number, which is more meaningful than the number itself. It has been proven that the Net Promoter “attitude” helps companies reach success –

so why hasn’t the music industry fully adopted it yet? While other marketing methods are useful and help with promotion, what the Net Promoter Score has to offer is far more valuable: trust, credibility, loyalty, and lower costs. Artists must never forget that fans are at the core of the business and that without them, the whole system collapses. Because of this, to maintain their fans’ loyalty, artists have to remind themselves of their true purpose to create content. Product and purpose work together to create fan loyalty by playing the music to the right ears.

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Ageism Continued

Continued from Page 7

to record fourteen more studio albums and eight live albums. Cohen achieved the distinct honors of being inducted into the Rock and Roll Hall of Fame, the Canadian Songwriter Hall of Fame, and the Canadian Music Hall of Fame. Dubbed the “poet of brokenness”⁸ by the Rolling Stone, Cohen’s songs are still admired by many for their lyricism, and for tackling issues like depression, isolation, politics, and sexuality.

Conclusion

While breaking into the music industry at an older age can be a daunting venture, artists like Bill Withers, Debbie Harry, Elizabeth Cotten, Tauheed Epps, Leonard Cohen, and countless others prove it’s possible. Only one thing is for sure – the music industry is constantly changing, and it is up to the musicians of today to promote an environment of creativity and inclusivity where artists from a variety of backgrounds can shine.

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Future of Music Continued

Continued from Page 9

powerful music, dance, and poetry is. Then, once you realize how powerful that is, you have to make a choice. . . . So, what ya' gonna do now?"

Our communities are places where people live and where we must bring artistic engagement. I believe above all the other aspects of our creative sharing, that's where and how we become most relevant, our "human-sounding in the world" and our belief in the ideas that we all have to make music into experiences of "living music."

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About Dr. Bill Banfield

Dr. Bill Banfield serves as Professor of Africana Studies/ Music and Society, director of the Center for Africana Studies/ Liberal Arts.

In 2002, he served as a W.E.B. Dubois fellow at Harvard University and was appointed by Toni Morrison to serve as the visiting Atelier Professor, Princeton University, 2003. Banfield was appointed in 2019 as a research associate with the Smithsonian Center for Folklife and Cultural Heritage (CFCH), one of the Smithsonian's 12 research and cultural centers.

Having served twice as a Pulitzer Prize judge in American music(2010/2016), Banfield is an award-winning composer whose symphonies, operas, chamber works have been performed and recorded by major symphonies across the country.

Bill Banfield is the founder/director of JazzUrbane, a contemporary jazz art recording label, dedicated to producing creative new artists. The seminal project released in 2014, was produced by legendary icon George Duke, and included such leading artists as; Christian Scott, Terri Lyn Carrington, Najee, Greg Osby, and Grace Kelly. The label has already produced and released, 8 albums now heard internationally.



LAW

Music Creators Comprehension of Copyright

By Scott M. Huff

Introduction

It has been said, “it all starts with a song.” Anyone in the music business would agree that a musical work is the foundation of the industry; if the musical work is the foundation, then the copyright is the structural framing with which the rest of the industry is built. Issues arise, however, when one considers that many music creators lack a true understanding of copyright law; many are misinformed about how copyright is registered, or how copyright protection even works.

As a 35-year professional musician, songwriter, and composer, I have collaborated with hit songwriters, recorded with Grammy Award winners, and toured the world with celebrity recording artists. Despite this experience, it wasn’t until I began my graduate studies at Berklee College of Music that I read Article I of the Constitution, which grants the right of copyright, nor any part of the Copyright Act, which specifically defines all aspects of copyright law (Copyright Law of the United States, 2019). My understanding of copyright protection was largely based on the common myths and anecdotes, like the “Poor Man’s Copyright,” the “Seven Note Rule,” and the “Four Second Rule.”

As I learned more about copyright law and studied copyright infringement court cases, the importance of understanding the intricacies of copyright law became apparent. The U.S. District Court ruling, and subsequent U.S. Circuit Court opinion of the Marvin Gaye Estate v. Robin Thicke and Pharrell Williams case (Williams v. Gaye, 2018) granted a great deal of information about what copyright law protects and doesn’t protect. This landmark case seemed to tip the first domino in a line of copyright infringement lawsuits whose rulings defy logic and reason. The most recent of these involves the judgment against Katy Perry and her collaborators for her song “Dark Horse,” in which Katy Perry’s team was found guilty of infringing upon Christian musician Marcus Gray’s exclusive right to reproduce his orig-

inal work; Gray and his team believed that Perry and her team copied the beat from his song “Joyful Noise.” (Eggertsen, 2019).

Why This is Important

In the past, only those musicians with record deals or major publishing deals enjoyed any measure of mass reach for their music. For the rest, issues about the copyrights for their musical works were either non-existent or localized to their geographic area. That has changed in recent years, as innovations in recording technology and the proliferation of streaming services have allowed independent artists and creators to have a global presence at the click of a button. According to Rolling Stone, these “self-releasing” artists saw a 35% increase in revenue worldwide in 2018 (Ingham, 2019). If the trend continues, independent musicians’ “collective annual income would hit somewhere around the \$1 billion mark” by the end of 2019. On top of managing and marketing themselves, these independent artists are responsible for properly registering their copyrights with the U.S. Copyright Office and protecting themselves from potential copyright infringement issues. They are no longer passive bystanders, but active participants with their copyrights.

A significant problem becomes apparent when considering that most music creators know very little about copyright law and how it can impact their career and the music industry at large. “To proceed with any solution, we have to determine what musicians do – and don’t - understand about U.S. copyright.

Literature Review

There is no shortage of academic literature regarding copyright law. Yet few resources reflect the music creators’ perspective. Often, those that do reflect musicians’ perspectives merely state an opinion without correlating those thoughts to actual understanding of copyright law.

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