

Killing the Music

By Don Henley

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When I started in the music business, music was important and vital to our culture. Artists connected with their fans. Record labels signed cutting-edge artists, and FM radio offered an incredible variety of music. Music touched fans in a unique and personal way. Our culture was enriched and the music business was healthy and strong.

That's all changed.

Today the music business is in crisis. Sales have decreased between 20 and 30 percent over the past three years. Record labels are suing children for using unauthorized peer-to-peer (P2P) file-sharing systems. Only a few artists ever hear their music on the radio, yet radio networks are battling Congress over ownership restrictions. Independent music stores are closing at an unprecedented pace. And the artists seem to be at odds with just about everyone -- even the fans.

Contrary to conventional wisdom, the root problem is not the artists, the fans or even new Internet technology. The problem is the music industry itself. It's systemic. The industry, which was once composed of hundreds of big and small record labels, is now controlled by just a handful of unregulated, multinational corporations determined to continue their mad rush toward further consolidation and merger. Sony and BMG announced their agreement to merge in November, and EMI and Time Warner may not be far behind. The industry may soon be dominated by only three multinational corporations.

The executives who run these corporations believe that music is solely a commodity. Unlike their predecessors, they fail to recognize that music is as much a vital art form and social barometer as it is a way to make a profit. At one time artists

actually developed meaningful, even if strained, relationships with their record labels. This was possible because labels were relatively small and accessible, and they had an incentive to join with the artists in marketing their music. Today such a relationship is practically impossible for most artists.

Labels no longer take risks by signing unique and important new artists, nor do they become partners with artists in the creation and promotion of the music. After the music is created, the artist's connection with it is minimized and in some instances is nonexistent. In their world, music is generic. A major record label president confirmed this recently when he referred to artists as "content providers." Would a major label sign Johnny Cash today? I doubt it.

Radio stations used to be local and diverse. Deejays programmed their own shows and developed close relationships with artists. Today radio stations are centrally programmed by their corporate owners, and airplay is essentially bought rather than earned. The floodgates have opened for corporations to buy an almost unlimited number of radio stations, as well as concert venues and agencies. The delicate balance between artists and radio networks has been dramatically altered; networks can now, and often do, exert unprecedented pressure on artists. Whatever connection the artists had with their music on the airwaves is almost totally gone.

Music stores used to be magical places offering wide variety. Today the three largest music retailers are Best Buy, Wal-Mart and Target. In those stores shelf space is limited, making it harder for new artists to emerge. Even established artists are troubled by stores using music as a loss leader. Smaller, more personalized record stores are closing all over the country -- some because of rampant P2P piracy but many others because of competition from department stores that traditionally have no connection whatsoever with artists.

Piracy is perhaps the most emotionally gut-wrenching problem facing artists. Artists like the idea of a new and better business model for the industry, but they cannot accept a business model that uses their music without authority or compensation. Suing kids

is not what artists want, but many of them feel betrayed by fans who claim to love artists but still want their music free.

The music industry must also take a large amount of blame for this piracy. Not only did the industry not address the issue sooner, it provided the P2P users with a convenient scapegoat. Many kids rationalize their P2P habit by pointing out that only record labels are hurt -- that the labels don't pay the artists anyway. This is clearly wrong, because artists are at the bottom of the food chain. They are the ones hit hardest when sales take a nosedive and when the labels cut back on promotion, on signing new artists and on keeping artists with potential. Artists are clearly affected, yet because many perceive the music business as being dominated by rich multinational corporations, the pain felt by the artist has no public face.

Artists are finally realizing their predicament is no different from that of any other group with common economic and political interests. They can no longer just hope for change; they must fight for it. Washington is where artists must go to plead their case and find answers.

So whether they are fighting against media and radio consolidation, fighting for fair recording contracts and corporate responsibility, or demanding that labels treat artists as partners and not as employees, the core message is the same: The artist must be allowed to join with the labels and must be treated in a fair and respectful manner. If the labels are not willing to voluntarily implement these changes, then the artists have no choice but to seek legislative and judicial solutions. Simply put, artists must regain control, as much as possible, over their music.

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