

# ASCAIP

*in ACTION*

SPRING 1981 A PUBLICATION OF THE AMERICAN SOCIETY OF COMPOSERS, AUTHORS AND PUBLISHERS



**THE COMMODORES!**





Renowned ASCAP composer Aaron Copland is shown conducting the American Symphony Orchestra at a special Carnegie Hall tribute on his 80th birthday. Both at that event and at a Kennedy Center gala in Washington, D.C., ASCAP Board member and Chairman of the Symphonic and Concert Committee, Morton Gould, announced that ASCAP is awarding two scholarships in Copland's honor. Each scholarship is designated for a deserving student at the Berkshire Music Center in Lenox, Ma., and the Aspen Music School in Aspen, Co. Gould also read the following citation to Copland after making the presentation of scholarships:

"Your life has enriched not only the music community at large, but through your personal involvement, you have taught and inspired several generations of young American composers. On your 80th birthday, we salute you as a great musician and a great American."

# **ASCAP HONORS AARON COPLAND'S 80th BIRTHDAY**



# THE PRESIDENT'S PAGE

## Going Forward

By Hal David

**T**HE month of February is a special month to all of us at ASCAP. It's our anniversary and this past February we were 67 years old.

ASCAP in its youth had the genius of Victor Herbert, the Gershwins, Irving Berlin, Cole Porter, Rodgers and Hart and Hammerstein, Jerome Kern, Harry Warren, Harold Arlen. We continued to grow with the repertory of Leonard Bernstein, Johnny Mercer, Neil Diamond, Henry Mancini, Burt Bacharach, Sammy Cahn, Marvin Hamlisch, the Bergmans and many others.

And now, at 67 years of age, when most people think about retiring, we are getting younger and younger with such writers as Deborah Harry of Blondie, Ashford and Simpson, Bruce Springsteen, and Stevie Wonder.

We've come a long way since 1914. From a one-room office with a broken typewriter to a staff of over 700 employees and offices all over the country. From a membership of 192 to a membership of 27,000.

From 85 users paying an average of \$8.25 per month to hundreds of thousands of users paying millions of dollars per month. From an income of \$5,000 per year to an income of over \$150 million per year. However, in becoming so big we have begun to suffer a loss of intimacy. We don't see each other as often as we used to. We're so spread out it's easier to lose touch than to connect.

For some time now, I have become aware that when we send out ASCAP mail, if the envelope does not include a royalty check, what we have to say gets very little attention. What some of us may have forgotten is that much of what is proposed today can affect our royalty checks tomorrow. We cannot afford to be apathetic. I believe it is impossible to stand still. We either move forward or we move backwards. It is my intention to keep ASCAP moving forward.

The music business is changing so rapidly we have to run to keep up. If we lose our ability to change with the times, we will find ourselves operating like a horse and buggy society in a world where people take rockets to the moon.

As you know, we are governed by a group of by-laws called the Articles of

Association. Some of these rules are hopelessly out of date.

What was pertinent many years ago is not necessarily pertinent today. What was wise many years ago is not necessarily wise today. We must not let our hands be tied forever by articles that legally bind us, and that are not in our best interest.

Last November the Board of Directors proposed an amendment to the Articles of Association that would have permitted writers to assign their royalties to their own wholly owned corporations. The reason was clearly stated: to allow writers to secure certain tax benefits under the federal tax laws, such as the right to fund and maintain pension plans and other beneficial programs such as Hospitalization and Major Medical.

There was nothing in this amendment harmful to anyone. It could only have helped, and yet, this amendment to the Articles of Association failed in what has become a new pattern in ASCAP voting. Those who voted, voted overwhelmingly for the proposed amendment. But unfortunately we did not get a sufficient number of votes to fulfill the requirements of the by-laws and so this amendment did not carry. Consequently, the nonvoters controlled the outcome. This must be changed.

In an effort to do so, a new amendment is being prepared to make it easier to vote out an old idea that does not work and vote in a new idea that does work. Of course, it's like Catch-22. To successfully carry the new amendment, we will have to proceed under the old by-laws that have made it so difficult for us in the first place.

We're all so busy with our personal careers and sometimes it is difficult to address ourselves to matters that don't seem to involve us on a day-to-day basis. I know because I'm a songwriter too. So I understand how important it is to finish that song and make that demo and go out and try to get that record. However, I believe if we can just make the membership aware of our needs, the membership will act responsibly.

And so you can expect to be bombarded with lots of mail and lots of phone calls. If you agree with us, vote for our recommendations. If you disagree, vote no—but whatever you do, vote!

In our desire to be responsive to the membership, we are working harder than

ever. For the first time in ASCAP's history, we are offering our writers and publishers Group Major Medical and Life Insurance. This is something our members have wanted for the longest time and now it is a reality. If you do not already have the necessary information in hand, please let us know.

For years our members have wanted to know what a performance credit is worth. In our most current distribution in March 1981, those of us who are paid on a 100% Current Performance Basis will not only see a list of our performance credits, but in addition will be provided with a worksheet that will show the value of our performance credits and the method by which it is computed.

Those of us who are paid on the Four Fund System will not only see a list of our performance credits, but will also be shown the point value for each of the Four Funds.

For years, in our pop and country awards presentations, we used the criteria of chart positions to determine what songs would receive awards. This has always disturbed me as well as many other writers and publishers. ASCAP is a performing rights society, and not a trade magazine.

Our awards will be based on performances and not chart positions. The hit songs on the charts today will, of course, continue to receive awards since they will surely be among the most performed songs. However, the great standards of our ASCAP repertory, which are also among our most performed songs, will receive awards as well.

To base awards just on chart positions is one-dimensional and ASCAP is a three-dimensional society: yesterday, today, and tomorrow. We are far and away the most important performing rights society in the world because we have the greatest repertory in the world.

We had a great year in 1980. With the successful conclusion of the CBS case, we now look forward to a new beginning in our relationship with the television networks. Nineteen eighty-one promises to be a wonderful year for us. I hope that when 1982 comes around, I can say that we have kept our promise. Thank you for all your help and good wishes in this, my first year as President of ASCAP. You have made me very happy and very proud.



## Insurance Benefits for Members

All ASCAP members are eligible to apply for group-rated major medical and term life insurance. This offer was made through the mail in late February and is on a voluntary basis. To receive details on the plan and premium information, call ASI toll-free at 800-638-2610, or write to Association and Society Insurance Corp., 13975 Connecticut Avenue, Silver Spring, MD 20906.

Columbia University is accepting applications for its annual \$1,000 Pulitzer Prize in music "for distinguished musical composition by an American in any of the larger forms including chamber, orchestral, choral, opera, song, dance or other forms of musical theatre, which has had its first performance in the United States during the year" Works that received their American premiere between March 15, 1980 and March 14, 1981 are eligible. Entry forms may be obtained from the Secretary of the Pulitzer Prize Board, 702 Journalism, Columbia University, NYC 10027.

Vocal Jazz Inc. announces its 2nd Annual Composers' Competition. First and second cash prizes of \$250 and \$500 are awarded in two categories: Best Original Vocal Jazz Composition in a Contemporary Jazz Idiom and Best Vocal Jazz Arrangement of a Standard Popular Work. Certificates of Merit are awarded to non-winning entries judged to be of high caliber. Deadline is June 30, 1981. Entries and inquiries should be sent to Vocal Jazz Inc., 60 West 84th St., NYC 10024, (212) 874-2055.

The National Flute Association invites the submission of new scores for solo flute, flute with one other instrument, or flute and electronic tape. Three to six works will be chosen for performance at the 1981 N.F.A. Convention in Detroit, Aug. 20-23, 1981. Inquiries should be sent to John Heiss, N.F.A. New Music Committee, 61 Hancock St., Auburndale, MA 02166.

New York University has established the nation's first graduate program to train composers, librettists, and lyricists in the art and craft of making

American musicals. The program was established with financial help from the Richard Rodgers estate and the Ford Foundation. Details can be obtained from New York University, (212) 598-1212.

The Shreveport Symphony announces a competition designed to stimulate new works by American composers for chamber orchestras. Prizes range from \$200 to \$500. Deadline for submissions is April 15. Details on requirements are available from Nicholas Cassizzi, General Manager, Shreveport Symphony, 2803 Woodlawn, P.O. Box 4057, Shreveport, LA 71104.

The 12th Annual World Popular Song Festival will take place in Tokyo from Oct. 30 through Nov. 1. Each entry must be an original song which has never been published or performed in public before. Entry forms and detailed information may be obtained by writing to: Mr. Shin 'ichi Sekimoto, Festival Committee '81, Yamaha Music Foundation, 3-24-22, Shimomeguro, Meguro-ku, Tokyo, JAPAN.

# FEEDBACK FEEDBACK FEEDBACK FE

To the Editor:

The new look and format of the ASCAP magazine is quite striking. Congratulations to all involved. Keep up the good work!

Henry Mancini  
Los Angeles, CA

To the Editor:

Thanks for the enjoyable article by Paul Rosenfield on two giant talents, Alan and Marilyn Bergman. Lyricists of their caliber are too rare. Their words have meaning and substance, and have given us songs that have become standards and musical treasures. So much of their work is enjoyed by our audience, yet without recognition.

John David Chadwick  
Program Director  
WGAY Radio  
Washington, D C

To the Editor:

I am writing to compliment not only the scope of articles in your last issue, but also to commend all involved on the high quality of reporting. The cover story on Alan and Marilyn Bergman was superb. I love to learn the "inside" story on how such great songs are written.

Jo Billings  
Astoria, NY

To the Editor:

You made a lot of us happy by includ-

ing the gospel feature in your last issue. It's time that the music community at large becomes aware of the important force gospel is in today's market. I think your coverage helps to advance that.

Bob McKenzie  
The New Benson Company  
Nashville, TN

To the Editor:

Your article on Blondie was quite good and quite timely. As I write to you, Blondie's *Rapture* is number one on the charts, indicating that "new wave" may keep rolling a lot longer than critics predicted.

Helen Dittelman  
Boston, MA



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SPRING 1981

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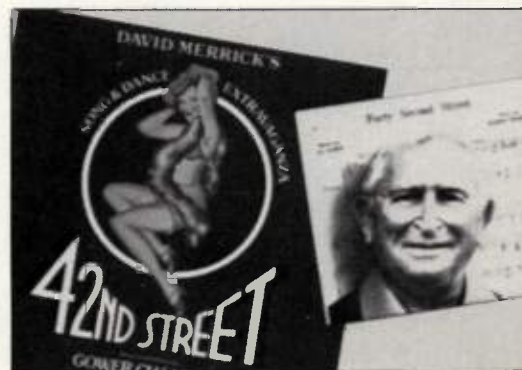
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# NEW MEMBERS NEW MEMBERS NEW MEMBERS

## Johnny Cash

The international country music legend, whose credits span many years of recording, TV, and film, recently released his 47th album, *I Would Like to See You Again*, on Columbia.



## Reba Rambo

Leading gospel writer and recording artist, Rambo received a 1978 Dove Award for Best Female Contemporary Album. *Confessions* is her current album on Light Records.

## Supertramp

Supertramp band members John Helliwell, Rick Davies, and Roger Hodgson have written many hit songs for their multi-platinum rock group. *Paris* is their current LP on A&M, following their blockbuster album, *Breakfast in America*. Pictured from left are: Helliwell, Bob Benberg, Davies, Hodgson, and Dougie Thomson.



## Pat Benatar

Benatar has rapidly established herself as a leading rock writer and recording artist. Her most recent Chrysalis LP, *Crimes of Passion*, reached number two on the charts, following her debut album, *In the Heat of the Night*, which was certified platinum.

## Tom Petty

This L.A.-based rocker has consistently topped the charts, with his last album, *Damn the Torpedoes*, reaching double platinum.



## Chris Christian

Christian, who has been prominent in pop music for some time, just signed as writer, artist, and producer with Boardwalk Records.





# NEW MEMBERS NEW MEMBERS NEW



**Keith Knudsen and Chet McCracken**  
Doobie Brothers Knudsen and McCracken join fellow Doobie, Michael McDonald, as ASCAP members. Their most recent Warner Bros. release, *One Step Closer*, is the group's tenth chart-topping LP. Pictured from left are (top row): Patrick Simmons, Willie Weeks, John McFee. (Middle row): Cornelius Bumpus, Keith Knudsen, Michael McDonald, Chet McCracken. (Bottom row): Bobby LaKind.



**Wayland Holyfield**  
Holyfield has written nine number-one hits, including Anne Murray's recent recording of *Could I Have This Dance* from the film soundtrack to *Urban Cowboy*.



**June Carter Cash**  
Cash's roots go back to the Country Music Hall of Fame Carter family. She has performed in concert and on many TV specials throughout the world.

**Bill Conti**  
Conti is one of the nation's leading film composers whose achievements include the theme from *Rocky* (*Gonna Fly Now*), which received Oscar and Grammy nominations, and themes from *Private Benjamin*, *The Seduction of Joe Tynan*, and *Rocky II*. He has also composed music for TV specials and commercials, and produced many records.



**Harry Nilsson**  
A prominent pop writer and veteran recording artist, Nilsson recently composed the film score to *Popeye*, released by Boardwalk Records.



**Maynard Ferguson**  
Renowned jazz trumpeter Ferguson recently released his Columbia LP, *It's My Turn*.

## New Members



### Harold Schiffman

A professor of theory and composition at Florida State University, Schiffman's symphonic compositions have been widely performed throughout the U.S. and Europe.



### Charlie Dore

Dore wrote and recorded last year's pop smash, *Pilot of the Airwaves*. Her debut album, *Listen*, is due for release by Chrysalis.



### Carol Connors

Connors has received several Academy Award nominations for her lyrics, and has recently co-written *Yesterday's Dreams* with Michel Legrand for the film, *Falling in Love Again*.

**Larry Harlow**  
Founder of the popular Latin "Orchestra Harlow," six of his albums have been certified gold. Harlow has also produced over 40 LPs and one feature length film entitled *Our Latin Thing*, in which he also starred.



### Benny Mardones

*Never Run, Never Hide* marks this rock and roll singer/songwriter's premiere album on Polydor.



### Margo Smith

Warner Bros. recording artist Smith has emerged as a leading country writer and performer following her number-one hit, *Don't Break the Heart that Loves You*. Her current LP is entitled *Diamonds and Chills*.



## ASCAP Members Reaching the Top 10 on the Charts\*

### WRITERS

#### Hot 100

Gilbert Becaud (SACEM)  
Phil Collins (PRS)  
Christopher Cross  
Neil Diamond  
Patrick Henderson  
Mick Jagger (PRS)  
Kenny Loggins  
Mike Mainieri  
Wanda Mallette  
Benny Mardones  
Michael McDonald  
Giorgio Moroder (SUISA)  
Bob Morrison  
Keith Richard (PRS)  
Lionel Richie, Jr.  
Patti Ryan  
Leo Sayer (PRS)  
Carly Simon  
Bruce Springsteen  
Donna Summer  
Robert Tepper  
Stevie Wonder

#### Country

Brian Ahern  
Harold Arlen  
David Bellamy  
Rory Bourke  
Larry Collins  
Gene Dobbins  
Jerry Foster  
Robert Gundry  
David Hanner  
E.Y. Harburg  
Gary Harju  
Jimbeau Hinson  
Bucky Jones  
Johnny MacRae  
Wanda Mallette  
Bob Morrison  
Jim Mundy  
Lionel Richie, Jr.  
Bill Price  
Patti Ryan  
Rick Scott  
Sonny Throckmorton  
Tony Joe White  
Johnny Wilson

### Adult Contemporary

Benny Anderson (STIM)  
Gilbert Becaud (SACEM)  
Leon Carr  
Christopher Cross  
Neil Diamond  
Patrick Henderson  
Billy Joel  
Fred Knoblock  
Mike Mainieri  
Wanda Mallette  
Michael Masser  
Michael McDonald  
Bob Morrison  
Billy Nicholls (PRS)  
Lionel Richie, Jr.  
Patti Ryan  
Leo Sayer (PRS)  
Boz Scaggs  
Earl Shuman  
Carly Simon  
Ali Thomson (PRS)  
Bjorn Ulvaeus (STIM)

#### Soul

Nickolas Ashford  
Fred Alexander, Jr.  
Phillip Bailey  
Norman Beavers  
Larry Blackman  
Shereelynn Brown  
Marvin Craig  
Bobby De Barge  
Bunny De Barge  
Larry Dunn  
Michael Henderson  
Chuck Jackson  
Randall Jacobs  
Ralph Johnson  
Michael Masser  
Teena Marie  
Tiemeyer McCain  
Al McKay  
Charles Mims, Jr.  
Jeffrey L. Osborne  
Phil Perry  
Patrice Rushen  
Brenda Russell  
William Shelby  
Stephan Shockley  
Valerie Simpson  
Rod Temperton (PRS)  
Narada Michael Walden  
Maurice White  
Verdine White  
Milan Williams  
Stevie Wonder

### PUBLISHERS

#### Hot 100

Black Bull Music, Inc.  
Brockman Music  
Bruce Springsteen  
Colgems-EMI Music Inc.  
Conus Music  
Giorgio Moroder Publishing Co.  
Hit And Run Music  
Jobete Music Co., Inc.  
Milk and Money Music  
Monostori Music  
Pop 'N' Roll Music  
Pun Music Inc.  
Quackenbush Music Ltd.  
Rare Blue Music Inc.  
Redeye Music Publishing Co.  
Southern Nights Music Inc.  
Stonebridge Music  
Sweet Summer Night Music  
Tauripin Tunes

#### Country

April Music Inc.  
Bellamy Brothers Music  
Billy Music  
Blendingwell Music, Inc.  
Brockman Music  
Chappell Music Co.  
Cross Keys Publishing Co., Inc.  
Famous Music Corp.  
Leeds Music Corp.  
Leo Feist, Inc.  
Goldline Music, Inc.  
Happy Sack Music Ltd.  
(Visa Music Division)  
T.B. Harms Co. (Jack and Bill  
Music Co. Division)  
Honeytree Music, Inc.  
Sabal Music, Inc.  
Senor Music  
Shedd House Music  
Silver Nightingale Music  
Southern Nights Music Co.  
Tennessee Swamp Fox  
W B Music Corp.

### Adult Contemporary

Almo Music Inc.  
Arista Music Inc.  
April Music Inc.  
Artwork Music Co.  
Boz Scaggs Music  
Brockman Music  
Colgems-EMI Music, Inc.  
Famous Music Co.  
Flowering Stone Music  
H.G. Music Inc.  
Impulsive Music  
Monostori Music  
Prince Street Music  
Pop 'N' Roll Music  
Quackenbush Music Inc.  
Rare Blue Music Inc.  
Redeye Music Publishing Co.  
Stonebridge Music  
Southern Nights Music Co.  
Tauripin Tunes

#### Soul

Almo Music Corp.  
Arista Music Inc.  
Baby Fingers Music  
Better Nights Music Division  
Black Bull Music Inc.  
Chappell & Co., Inc.  
Cherubim Music  
Circle L Publishing  
Commodores Entertainment  
Publishing Co.  
Electrocord Music  
Publishing Co.  
Gratitude Sky Music, Inc.  
Jay's Enterprises, Inc.  
Jobete Music Co., Inc.  
Mims Music  
Nick-O-Val Music  
Prince Street Music  
Randog Music  
Rutland Road Music  
Saggifire Music  
Spectrum VII  
Steel Chest Music  
Verdangel Music  
Walden Music Inc.

\*Compiled from *Billboard*,  
*Cash Box*, and *Record World*  
charts from August 2 through  
December 27, 1980.



Jo-Ann Geffen



Walter Orange



Milan Williams



William King



# THE

By Steve Bloom



# COMMODORES

## Going triple platinum

**I**N our lifetime, we've sold at least twenty million records and there are still people who don't know who we are." That's how Thomas McClary, Commodores' guitarist and co-writer, assesses the group's paradoxical situation.

All ten Commodores' albums, from *Machine Gun*, their first in 1973, to the most recent, *Heroes*, have been certified gold. By 1977, they began trading in the gold for double platinum. Two years later, *Midnight Magic* soared to triple platinum, selling some six million copies in America alone. In an eight-year span, the Commo-

dores have sold more than 25 million albums worldwide. All of which means that, even if you don't know the Commodores, you've surely heard them on the airwaves.

The Commodores' sound is unique, in that it is an amalgam of musical styles. Earlier on, the six band members relied on funky rhythm & blues that reached a mostly black audience.

More recently, however, they have begun to appeal to an audience of pop, country, and gospel listeners as few other black groups have done. In recent times, only Earth, Wind & Fire and Sly & the Family Stone had crossed over so successfully.

Born and raised in various parts of the south, the group met at Tuskegee Institute in Alabama during



Thomas McClary



Lionel Richie



Ronald LaPread



## The Commodores

Rick Diamond



**In an eight-year span, the Commodores have sold more than 25 million albums worldwide**





the late 1960s. Coincidentally, the three original members, Thomas McClary, Lionel Richie, and William King, were all business majors. In addition, they shared a part-time interest in music and a full-time interest in females.

"I thought it would be a good way to meet girls," explains McClary, who, one day during his freshman year, spotted Richie lugging a tenor saxophone across campus. McClary approached Richie about starting some sort of band. Several days later, the duo stumbled upon King much in the same way McClary found Richie: King was strolling along with a trumpet case in hand.

What was missing now was a drummer. So they decided to post a notice outside the music department. When Walter Orange responded, he became the Mystics' only aspiring professional musician.

Milan Williams and Ronald LaPread, like the others, were busy laying the foundation for careers outside the music business. Engineering was foremost in their minds. A piano player who wasn't getting much practice, Williams answered an ad for a group named the Mystics and teamed with McClary, Richie, and King. Bassist LaPread joined in similar fashion.

The Mystics were a better-than-average Top-40 band with a rhythm & blues slant. When their renditions of *Cloud Nine* and *Wichita Lineman* caught the audience's ear at a Tuskegee freshman talent show, the sextet made a decision to

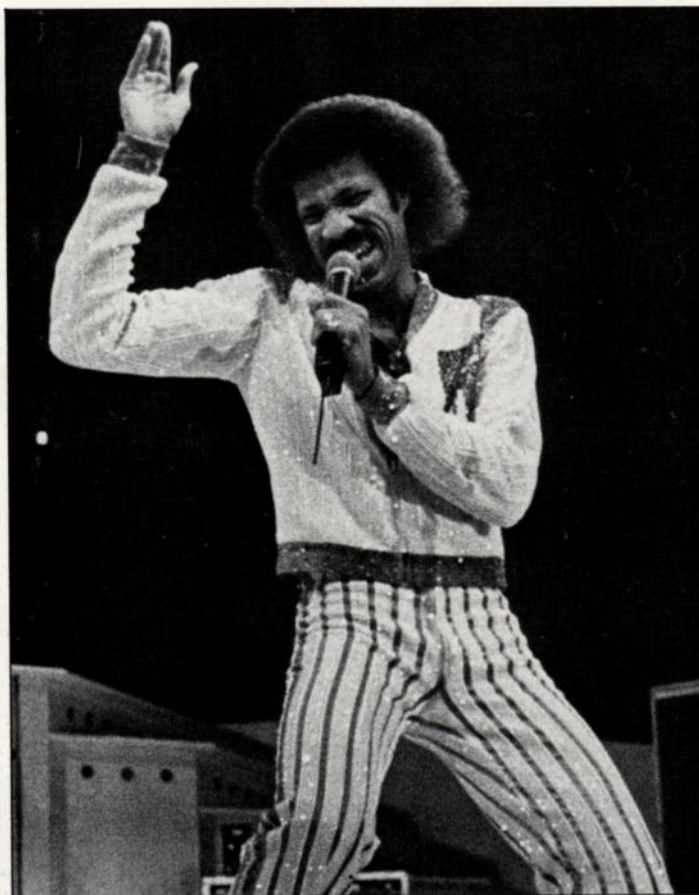
stay together and continue performing.

"That show was weird," McClary remembers. "We were so shy that we hid behind the curtains. But

themselves the Commodores.

"It could have been telephone, lampshade—anything!" King muses.

While there may not have been anything in a name,



Lionel Richie, the Commodores' ballad-singing lead vocalist

after the audience accepted us, we started clowning around. We decided right then that we were going to become hellified entertainers."

At this point, the spring of 1969, the Mystics changed their name to the Commodores. Why the Commodores? King, their first manager and now frequent group spokesman, likes to tell the story of the day he tossed a dictionary up in the air; it landed on the "C" page and he picked a word at random. The joke, of course, is how close they came to naming

there definitely was something in the group. That summer they hopped in a van and drove to New York. With the help of Benny Ashburn, a local businessman who became their manager and is now President of the Commodores Entertainment Corporation, they began playing clubs all over town. By 1972, the Commodores were among the hottest acts in New York's funk'n'roll circuit. That's when Ashburn introduced them to Suzanne DePasse of Motown Records, who offered them the incredible

opportunity of auditioning as opening act on the Jackson Five's upcoming European tour. The competition was fierce.

"We had to win," recalls McClary. "Here we were, six country boys from the south taking on these big city dudes. The pressure was definitely on. Nobody moved. Then we came out and—BAM! We were all over the stage. We had a tightly choreographed act that nobody had in those days."

**A**FTER returning from Europe, Motown gave the Commodores a call. Now, with a firm record company offer in tow, it was time to decide whether they were going to follow their academic majors or their musical instincts. "After giving it a great deal of thought," McClary says, "we finally decided, 'Let's go for it.'"

For the next two years they negotiated with Motown officials before releasing their debut vinyl. "Motown said they were going to give us the Motown sound," Richie explains. "We wanted to sound like the Commodores."

To sound like the Commodores, they needed material, so they began by composing what they knew best: hard-driving rhythm & blues, or more precisely, funk. *The Bump* from the *Machine Gun* LP was so funky that a dance was named after it. They followed with "party" tunes like McClary's *Slippery When Wet*, LaPread and Richie's *Fancy Dancer*, and *Brick House*, co-written



## The Commodores

Rick Diamond



Ronald and Jackie LaPread

by all the Commodores. But ultimately they found that sort of writing to be unfulfilling.

According to LaPread: "There were fifty groups a day coming out with those funky songs. After a while, we began asking ourselves, 'What happened to the music? Where are the songs?'"

King drills more to the core. "Do you know any funk tunes that are standards? They're here for three months and then you just have to write another one. As big as *Brick House* was (gold), nobody's ever covered it. But standards, of course, are around for years and years."

Richie adds enthusiastically, "We're talking about songs like *Yesterday*. Great copyrights. I don't care if they put it in punk rock form—it's a song. Not a tune. A tune is a hit, but after it's gone you'll never hear it again. It's a fad. We're not talking about fads. We're talking about songs. There are song-writer's awards—'Song of the Year' not 'Tune of the Year.'" Richie, who is the group's ballad-singing

lead vocalist, has earned the right to talk. With the Commodores itching for a new corner to turn, Richie sat down and penned *Easy* (gold), *Three Times a Lady* (double platinum), *Sail On*, and *Still* (both gold). So well did he capture the country & western mood, that Kenny Rogers



William and Shirley King with sons Ryan and Adam

Lionel and Brenda Richie





last year commissioned Richie to write a song for him. The result, *Lady*, a number-one song across the nation (produced by Richie), was also a Grammy nominee this year for Song of the Year. At the Grammy Awards ceremony, Richie performed *Lady* and spoke about its creation. "All my songs are very personal to me...they're like my children," he said. "So I gave one of my children away, and Kenny's been a very good parent!"

Richie's unique vocal abilities earned him another Grammy nomination this year for Best Inspirational Performance on *Jesus Is Love*. "How can you live in the south and *not* listen to country and gospel music?" he points out, in an effort to explain the group's versatility. "In the middle of disco," McClary continues, "we realized there were some people out there who really wanted another outlet, but they didn't have some act to take them there. We felt it was an excellent opportunity for us to give people something else. So in the middle of disco, we did country."

King admits: "Let's face it — we're opportunists."

**OPPORTUNISM**, of course, is generally associated with having good

business sense. And the Commodores have very good business sense. From the beginning, they decided against a group leader ("If anything goes wrong, it's our fault," says Richie), in favor of a ban on drugs and alcohol within the group, and, most of all, in



Walter and Ann Orange



"Tuskegee is most of the reason we're still together..." — William King

favor of reaching as many listeners as possible. These decisions were all reached in weekly executive-board meeting style.

"We took not only a musical approach, but a business approach from day one," says King. "That's why we write the kind of music we write and make the types of business decisions we make. It wasn't just record the music and see what happens. Most of it was planned out."

What will be the next directive from the executive board? It seems as if the Commodores are ready to trace some steps back to funk. Orange, whose

rubber-band vocals on *Brick House* became a group trademark, eagerly admits that "people are ready for a change; they're waiting for the Commodores to go back uptempo. That's the way we're going to get our next hit." Richie agrees. "We've gone the full circle," he says. "We've shown the different sides of the Commodores. Now we're going back to the *Machine Gun* lovers."

But McClary only partially concurs. "We're going to create a new category for the Grammys," the guitarist predicts. "It's called country funk. It's going to have a country harmony with

banjos and steel pedal guitars. But it's also going to have a very funky bass. It'll be something like the Doobie Brothers and the Eagles, like *Brick House* with a country taste."

In a business notorious for the strain and tension of travel and demanding writing and recording schedules, the Commodores appear remarkably relaxed.

"People wonder," says Richie, "how do we make it? Do we meditate? Are we into health foods? I give three answers: we get eight hours of sleep, three meals a day, and are from good sound southern families."

In fact, the Commodores still live in Tuskegee, where "if you walk down the street and don't speak to Mrs. Josephine, who's everybody's grandmother in town," explains McClary, "she's going to say, 'Hey buddy, who do you think you are?'"

"It's not only that," LaPreard offers. "There's no industry, no discos, no nothin'. So you go out and ride your motorcycle, or play with the neighbor's kids, or hang out with the cats on the street. And you become a person again."

After so many months on the road or in the studio, "it forces the Commodores to relate to each other," says King. "I honestly believe that Tuskegee is most of the reason we're still together. It's definitely *not* Hollywood."

**Steve Bloom** is a freelance writer whose work has appeared in the *New York Daily News*, *Rolling Stone*, and *Down Beat* magazine.



# SYMPHONIC FORUM

by Allan Kozinn

## The ASCAP Symphonic and Concert Workshop

**T**O the outsider whose musical interests lie in other directions, the creation of classical music seems a relatively simple matter: Composers write their symphonies, and orchestras play them. If only things were so uncomplicated, ASCAP's nine-session Symphonic and Concert Workshop would not have been necessary. But since the classical music business is a complex one, in which lofty ideals constantly come face to face with the hard realities and mundane facts of contemporary musical life, there was plenty for the more than 60 panelists and workshop participants to discuss. The sessions were held, appropriately, at ASCAP's New York headquarters, overlooking Lincoln Center. Both as a panelist and as an observer, I found the series quite provocative. The workshop participants included music business lawyers, teachers, young performers, and, predomi-

nantly, composers intent on learning the mechanics of having their works performed. My co-panelists represented an even broader spectrum of experience. Among them were experts in every field from music copying to performance rights, as well as a distinguished array of well-known and often-performed composers, and representatives of major arts-funding organizations, record companies, publishing houses, and broadcast networks.

These were by no means cheerleading sessions: dozens of pressing issues were raised, and because so many potentially conflicting interests were involved, several of the discussions were fiery, to say the least. From both panelists and participants, one heard rhetorical pronouncements—often rather idealistic ones—as well as bellicose denunciations of the status quo. But there were also many humorous and light-hearted interludes. And most important, those at the sessions shared a wealth of collective practical knowledge, and brought the names of several important organizations and services to the attention of their colleagues. One organization whose

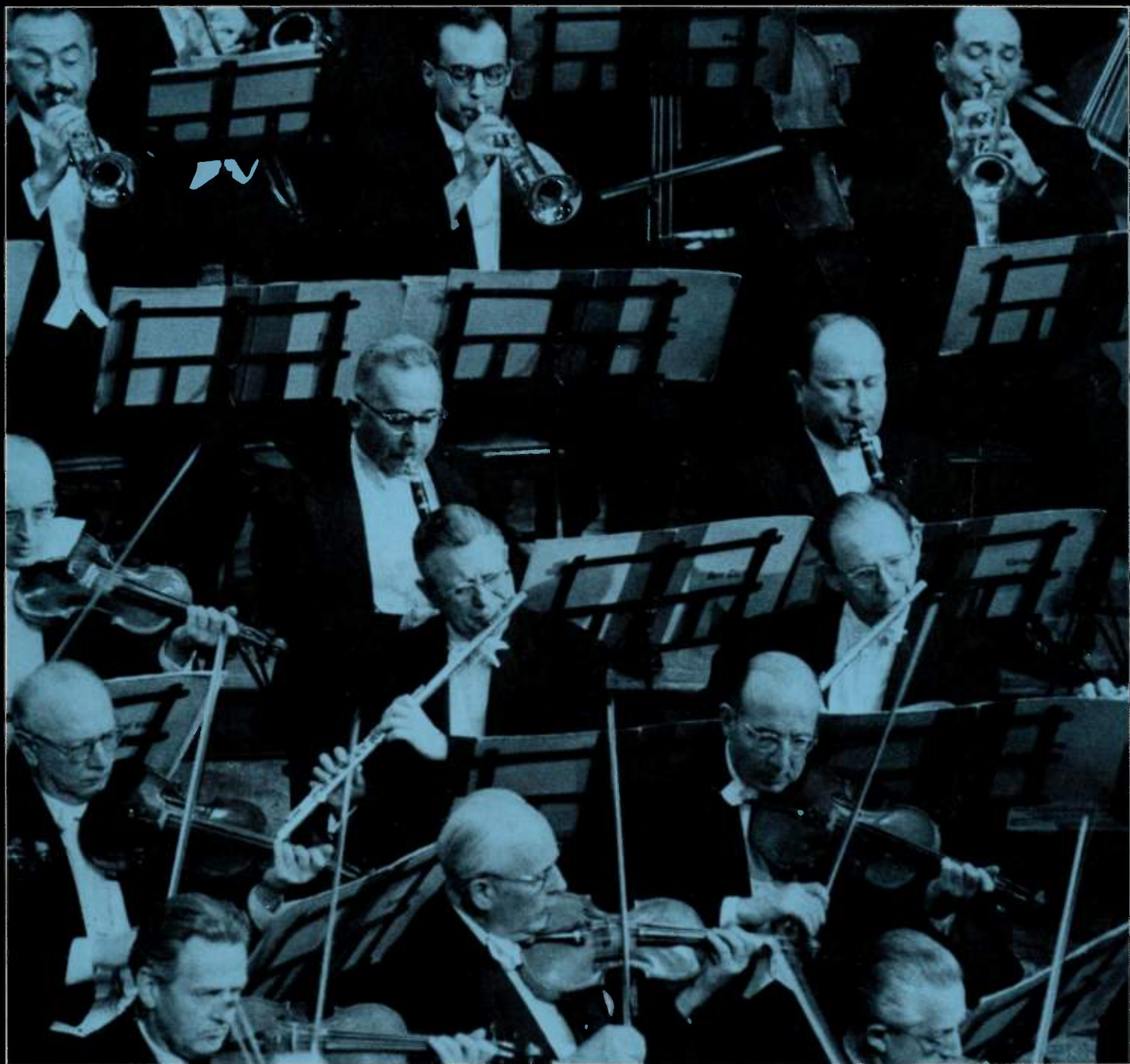
name came up several times is the American Music Center (250 West 54th Street, New York, New York 10019), which offers a variety of services and administers some grant programs. Another important suggestion came from Nancy McAfee, of the United States Copyright Office, who recommended that participants write to that office (at the Library of Congress, Washington, D.C.) to request the Copyright Information Kit.

On the whole, the concerns of these sessions were practical rather than aesthetic, and moderator Martin Bookspan was remarkably adept at keeping the panelists' statements concise, and preventing the discussion from wandering too far afield. By the second session, a pattern was established wherein each panelist made a five-minute statement. This was followed by discussion within the panel of the points raised, and finally, by questions from the floor.

One of the broadest topics addressed was that of the first panel, "The Composer and the Symphony Orchestra." Bookspan set things in motion with the question, "Is it foolhardy to be a serious composer

in the 1980s?" The consensus of the panel of composers, whose styles range from the conservative to the avant-garde, was, in Morton Gould's words, that "composing has *always* been foolhardy." He went on to say that if a commission fee were prorated, it would work out to something like 50 cents an hour. "There is no way you will be financially compensated for the amount of creative energy you expend, even on a *bad* work. But composing is not something you do to make money: It's something you do because you *have* to." ASCAP Board member Elie Siegmeister took issue only with Gould's hourly wage figure: "I think we *pay* 50 cents an hour to compose." Quoting a figure given to him by the lexicographer Nicolas Slonimsky, Siegmeister said that there are now more than 10,000 serious composers in the United States, and that "only five or ten of them can make their living by composing. But everyone knows this—you go into it with your eyes open, and you support yourself by teaching, arranging, conducting, or ancillary professions. Is this a great injustice? I don't think so. Bach taught. Mozart played the piano and conducted. Schoenberg made arrangements." Later that first evening, the composers pointed to some of their most com-





mon problems, and offered solutions. To the perennial question, "how do I get a conductor to look at my score?" for instance, one answer was to begin by concentrating on the conductors of small, metropolitan orchestras, on the theory that performances with these might lead to recognition elsewhere. And all on the panel (as

well as on a notation/copying panel two weeks later) agreed that composers must send conductors neatly written professional-looking scores. The competition, after all, is fierce: According to figures compiled by the American Music Center, those 10,000 American composers mentioned by Siegmeister annually turn out some-

thing like 434 full-orchestra pieces, 279 works for reduced orchestra, 155 operas, 743 choral works, 2,063 chamber pieces, 235 band scores, 36 works for the dance, 86 television/film scores, and 199 electronic pieces.

A problem raised by Pulitzer Prize-winner and ASCAP composer David Del Tredici the first night

was echoed later in the series. Del Tredici noted that of the \$15,000 he was paid to compose "Final Alice," about \$12,000 was spent having the parts copied; and as the work took two years to complete, the remaining \$3,000 hardly represented a livable wage. Two weeks later, this problem was brought before a panel of



## Symphonic and Concert Workshop

copyists when a workshop participant suggested that perhaps the union rules governing copying fees ought to be changed so that the financial pie is divided more equitably between the composer, who creates the work, and the copyist, who prepares the score for performance. Among the solutions from the panel: composers should insist on larger commission fees, or should apply for additional grants to help cover copying costs. It was also suggested that composers learn copying skills themselves, and copy their own scores. One member of the panel, ASCAP composer Easley Blackwood, has worked as a professional copyist, and does prepare his own scores.

At any rate, the craft of music copying emerged as a viable profession, and one that many of the workshop participants had not previously considered. Arnold Arnstein, called "the Dean and da Vinci of Copyists" by Harold C. Schonberg in *The New*

*York Times*, dispensed practical advice for would-be copyists. And there seemed to be general agreement that books on copying by two of the panelists—Kurt Stone (published by Norton and dealing extensively with new notational forms) and Gardner Read (published by Crescendo and dealing with standard notation)—were the best guides available.

Two of the panels dealt with electronic media—one with recordings, the other with film, television, and radio. The picture the panelists painted was generally grim, but not hopeless. Conductor/publisher Arthur Cohn opened the recordings panel with a paper he entitled "Color It Black." The record business, Cohn asserted, has taken over the role of the nineteenth-century music publisher as the medium through which music is brought to the public; but in the case of new music, the industry has shirked its responsibility. "In the past decade," he said, "the

recording of [serious new] American music by major recording companies has rapidly approached zero." One of the culprits, according to Cohn, is new technology (stereo, quad, digital), which merely gives the record companies an excuse to re-record the standard literature.

**N**OT everyone agreed. Composer/conductor Harold Farberman, for one, pointed out that while the new technology doesn't always help the new composer, it *does* help the young performer who might not have the opportunity to record if it were not for small audiophile labels anxious to show off their new techniques. Farberman used his own digital Mahler cycle as a case in point, adding that young European conductors stand a better chance of being recorded than their American counterparts, and that this gives them an advantage when trying to find jobs with American orchestras. "American conductors can show orchestra boards lists of places they've worked. The young European conductor, however, can send a recording, which makes his work easier to judge."

Tom Frost, associated with CBS until recently, reminded his colleagues that the classical record business accounts for less than five percent of the total record market, and that contemporary music attracts but a small share of that five percent. He denied, however, that the major labels have whittled

their commitment to new music "to zero," and pointed out that certain works by Elliott Carter, Morton Subotnick, George Crumb, and Charles Wuorinen have sold surprisingly well. Of course, a good deal of new music recording goes on outside the confines of the major labels, and the small companies were represented by Herman Krawitz, of New World Records. Krawitz sees the National Endowment for the Arts' recent decision to grant funding to nonprofit labels (like New World and CRI) as a hopeful sign. Non-commercial as New World is, Krawitz has big plans for the label, and he announced that his company is currently working on a textbook that could be used in connection with the recordings series as the basis of a college course in American musical history. "Our concept," he said, "is that American music should be recorded just because it's there—commercial or not."

The members of the panel on film, television, and radio were quite candid about the possibilities in their fields. Although it seems the best hope for cultural programming lies with the Public Broadcasting Service, WNET producer Samuel Paul told the workshop that there is simply not enough money available to produce a "Great Performances"-type national program featuring new music. He added, though, that "local PBS producers can work with artists to create their own programming, and now



Moderator Martin Bookspan and guests field questions on the "Composer and the Symphony Orchestra." From left are Bookspan, David Del Tredici, Ainslee Cox, and Elie Siegmeister.



that good portable filming equipment is available (helping to cut expensive studio costs), the opportunities for locally produced chamber music or solo recital programs are very good." PBS stations in Boston and Philadelphia, he said, have taken a lead in this kind of production.

Representing the networks, Louis Teicher, recently retired Director of Music Operations for CBS, admitted that because culture does not pull in large audiences, the major networks devote as little time to cultural programming as possible. As for the creation of background scores for TV films, Teicher said that "serious composers have trouble getting the assignments," at least partly because of a fear on the part of the producer that their works may tend to be too classical in nature and not contemporary enough for today's audience. Teicher decried what he sees as a grossly unfair pay scale for television scoring. According to Teicher, a 30-second jingle might pay \$10,000, while an hour TV score might bring in only \$2,500 to \$3,500. A two-hour TV score pays \$5,000 to \$10,000, but a film score the same length can fetch as much as \$45,000.

Irwin Bazelon, who has written some film music as well as a book on the subject, said that a very good pay scale was certainly one of the advantages of a Hollywood composing career. "For the working, professional composer, films offer a great many possibilities. You learn

to conduct an orchestra, and you have an orchestra always at your disposal. You can use film scoring as a laboratory to try out new compositional ideas." There are, however, disadvantages: "A great concert composer," Bazelon said, "is not necessarily a great film composer. No composer wants to spend his life writing background music. A composer's work is cut, recut, and rebalanced, sometimes to the point where the composer no longer recognizes his own score. And because you can always iron out

and make things happen for themselves was a recurrent theme of the workshop. Other panels dealing with project funding, publishing, and copyright law bolstered this advice with hard facts and practical pointers. Even the panel on music criticism emphasized that composers and performers should be self-reliant, and that they should neither expect the critic to help "make" their careers nor should they blame him for their failures. This point was made most trenchantly by Samuel Lipman:

"What the composer

son in the audience, and that person's not crazy, then you have the foundation of a career. There will be a second person, and a third, and once you have 50 such people, you have a following. And if you have a following, you're set. Now, if you *don't* have that following, the critic trying to be nice—who is doing his service to help the new—won't be able to *do* anything. There is no help to be given. And if you don't believe that the critic is powerless to make a career, think about some of the performers and composers that Harold Schonberg has written wonderful things about, consistently through the years, but whose careers have remained on a plateau."

There have been other panel discussions, such as those sponsored by The Music Critics Association. And in January 1981, a series whose panels included many who served at the ASCAP sessions was presented at the 92nd Street Y, in New York. But what made the ASCAP workshop unique was its incredible scope, something no other series of panel discussions I've ever attended has come near to equaling. It may be that in the confines of ASCAP's Board room, none of the problems and frustrations of the classical music world were actually solved. But where problems exist, discussion is a necessary first step toward change.

**Allan Kozinn** writes about music for *The New York Times* and *High Fidelity*, among other publications.



A workshop participant's comment amuses guests shown above on the "Evaluation/Criticism" panel. From left are Elliot Galkin, Joan Peyser, and Allen Hughes.

details in the studio, film scoring can lead to lazy scoring habits." Bazelon mentioned that only a few years ago, the film scoring jobs seemed headed strictly for the domain of the pop and jazz composers. Now, he said, serious scores are being used again. "The jobs are there. But if you want them, you have to go out and meet the people who are making the films. They're not going to come to you."

Bazelon's admonition that composers have to go out

wants is praise. He finds that the audience doesn't like his work, so he says to the critic, in effect, 'I know those clods out there don't understand me, but you're supposed to be educated, and I need special treatment from you.' Now, whether the critic should give special favor—affirmative action—to the composer is a real issue. There is an absurd overestimation of the power of the critic. If you, as a composer, write a piece that affects the life of one per-



# ASCAP'S RECENT SYMPHONIC & CONCERT WORKSHOP\* WAS:

- the first of its kind
- a unique gathering of experts in every facet of serious music

## AND AN UNPARALLELED SUCCESS THANKS TO GUEST PANELISTS...

### "Composers and the Symphony Orchestra"

MILTON BABBITT—Composer, professor of music, Princeton University.  
AINSLEE COX—Conductor, Guggenheim Band.  
DAVID DEL TREDICI—Composer.  
LUKAS FOSS—Composer, conductor, Brooklyn Philharmonia.  
MORTON GOULD—Composer, conductor, ASCAP Board Member.  
CARMAN MOORE—Composer.  
ELIE SIEGMEISTER—Composer, conductor, ASCAP Board Member.

### "Opera in America"

BYRON BELT—Music critic, Newhouse newspapers.  
MARTIN FEINSTEIN—Pres., Washington Opera Assn.  
JEAN EICHELBERGER IVEY—Composer, teacher, Peabody Conservatory.  
JOHN LUDWIG—Exec. Dir., National Opera Institute.  
PETER MARK—Artistic Dir., Virginia Opera Assn.  
THEA MUSGRAVE—Composer.  
W. STUART POPE—Pres., Boosey & Hawkes, ASCAP Board Member.  
ELIE SIEGMEISTER—Composer, conductor, ASCAP Board Member.

### "Film, TV and Radio"

IRWIN BAZELON—Composer, conductor, author.  
MORTON GOULD—Composer, conductor, ASCAP Board Member.  
HARRY KRAUT—Executive Vice Pres., Amberson Enterprises.  
MEYER KUPFERMAN—Composer, conductor, professor of music at Sarah Lawrence College.  
SAM PAUL—Managing Producer, Performances, Programs WNET.  
LOUIS TEICHER—Retired Dir. of Music Operations, CBS-TV.

### "Government, Foundation and Corporate Funding"

AL BERR—Director of Fiscal for Performing Arts, N.Y.S. Council on the Arts.  
EDWARD BLOCK—Vice President, American Telephone & Telegraph.  
JOHN DUFFY—Dir., Meet the Composer Program.  
GREGORY MILLARD—Asst. Commissioner, N.Y.C. Dept. of Cultural Affairs.  
DAVID MORSE—Staff, U.S. Senate Subcommittee on Education, Arts and Humanities.

### "Recording Contemporary Music"

ARTHUR COHN—Publisher, C. Fischer.  
HAROLD FARBERMAN—Composer, conductor.  
TOM FROST—Consultant, CBS Records.  
DAVID HALL—Curator, Rodgers & Hammerstein Archives, NY Public Library.  
HERMAN KRAWITZ—President, New World Records.  
LEN MARCUS—Editor and writer.

### "Problems of New Notation and Music Copying"

ARNOLD ARNSTEIN—Music copyist.  
EASLEY BLACKWOOD—Composer, professor of music, University of Chicago.  
LOUIS BRUNELLI—Assistant Dean, Juilliard School.  
TOM JOHNSON—Composer, author.  
PHILLIP RAMEY—Composer, author.  
GARDNER READ—Composer, author.  
KURT STONE—Editor, author.

### "Composer and Publisher; Publishing Serious Music"

JACK BEESON—Composer, professor of music, Columbia Univ.  
ARNOLD BROIDO—Pres., Theodore Presser Co.  
ELLIS FREEDMAN—Attorney, Freedman & Kolins.  
HANS HEINSHEIMER—Retired Dir. of Publications, G. Schirmer.  
VINCENT PERSICHETTI—Composer, professor of music, Juilliard School.  
W. STUART POPE—Pres., Boosey & Hawkes.  
DONALD WAXMAN—Managing Editor, Galaxy Music Publishers.

### "The Performing Rights Societies: Copyrights, Licensing Today's Music"

ALVIN DEUTSCH—Attorney, Linden & Deutsch.  
SYLVIA GOLDSTEIN—Attorney, Boosey & Hawkes.  
FRED KOENIGSBERG—Attorney, ASCAP.  
NANCY McALEER—Licensing Examiner, U.S. Copyright Office.  
ALAN SHULMAN—Attorney, Silverman & Shulman.

### "Evaluation/Criticism of Music"

ELLIOT GALKIN—Director, Peabody Conservatory of Music.  
ALLEN HUGHES—Critic, THE NEW YORK TIMES.  
GEORGE JELLINEK—Musical Dir. WQXR-Radio.  
LEIGHTON KERNER—Critic, VILLAGE VOICE.  
ALLAN KOZINN—Music journalist.  
SAMUEL LIPMAN—Concert pianist, music critic, COMMENTARY.  
JOAN PEYSER—Editor, MUSICAL QUARTERLY.  
BOB SHERMAN—Program director WQXR-Radio.  
VIRGIL THOMSON—Composer, conductor, ASCAP Board Member.

All Workshop sessions moderated by MARTIN BOOKSPAN, ASCAP Coordinator of Symphonic and Concert Activities.

\*Funded by the ASCAP Foundation



# PUBLISHER'S FORUM

## Future Trends in the '80s

**A**s we begin the decade of the '80s, *ASCAP in Action* has asked a variety of music publishers to predict what shape the business will take in the years ahead. Excerpts of their answers appear below.

### **Q How are you preparing for the use of your songs in the emerging new technology (i.e. video-discs and cassettes)?**

Leon Brettler  
Exec. Vice Pres.,  
Shapiro Bernstein & Co

**A** We are thinking very hard about it, trying to keep current with all the developments. After all, publishing is the same business year after year, decade after decade, in the sense that you publicize and create interest in your material, and supply the raw material to the users. With videocassettes, a new market opens up. A lot of old songs are going to be used, but there'll also be a lot of new entertainment concepts that are going to be used specifically for that field. We're going to do whatever we can to see how the industry develops, what new producers come into it and what veteran producers are doing new things. We will chase them down and do our best to keep as much of our catalog alive and active as we can. We haven't made a specific move in that we haven't opened a special video department. I don't think any publisher has. It's pretty difficult to plan ahead because so much of the new technology is still embryonic. In the videocassette market, there are statistics I've seen recently indicating that when only 15-20,000 cassettes are sold, it's a blockbuster. So there just aren't enough machines in the homes yet to warrant a tremendous drive in this new area.

But remember, videocassettes are just one phase of the new technology. Satellites have altered broadcasting dramatically, and the changes yet to come in that field will stagger the imagination.

Larry Jordan  
Exec. Vice Pres. and  
Gen. Mgr., Lexicon Music

**A** Videodiscs and cassettes are fighting it out right now for supremacy in the marketplace. As gospel publishers, we normally aren't the forerunners in new technology. Because of our limited resources, our probable strategy will be to wait and see how effective new media are for secular publishers and recording companies. They have the manpower and the capital to break into the marketplace. We will probably be directly in back of them. Not too far back, but far enough to be able to evaluate what is sufficient for us, based on historical data. If we do go into video, we would do live performances, concerts of our artists, and studio concerts, perhaps interspersing them with interviews with the particular artist or songwriter on the background of the song. With gospel music, of course, there is usually a lot more of a story behind the writing of a song. It usually involves someone's personal experience, either a physical or spiritual experience that would make the song particularly meaningful. Therefore, for us, in our marketplace, live performance on disc would be a very significant way for the individual songwriter or performer to give testimony to the meaningfulness of the song. These elements could be effectively tied together in a video package.

Lester Sill  
Pres., Screen Gems-EMI  
and Colgems Music

**A** We are preparing both administratively and creatively by making sure that we've covered all the fields that are coming up. That means supplying the producers of discs and cassettes, trying to ensure that our songs have a shot at being used. Creatively, we try to encourage the production of discs and cassettes that use our songs. These may be discs of movies, plays or TV shows that use our material, or of artists performing our songs. And as the medium develops, we may be trying to find filmmakers or animators so we can put together both the audio and visual aspects of the product ourselves.

A big question is how the royalties from this new music user are going to be paid out, and this is yet to be decided. All the publishers want to make sure that they don't kill the goose that lays the golden egg before it is hatched. That is to say, we don't want to hamper the disc producers. But you know, no one really knows how big it's going to be. It's something we're going to have to handle as time moves on. I'm sure we're going to make some mistakes, but whatever rates we set with this new medium will not be set in stone. We will be able to change as we go along to make sure that it suits and fits both the producers making the discs and the publishers. We just have to wait and see.

### **Q Will the writer/artist continue to play a major role in the music industry of the '80s?**

Bob Beckham  
Pres., Combine Music Corp

**A** I don't like the idea of concentrating on the writer/artist, but the way the business is going right now, it's the only way to be fair to the acts that you represent. An independent publisher can form a production company and have songs from his catalog recorded by his artists. He can also sign writer/artists, who record their own material. Frankly, I don't like the idea of publishers with production companies because there's an inherent conflict between the interests of the publisher versus those of the record company. One tries to protect the copyright while the other tends to dilute it. So I don't think you can have a production company and still be completely honest and fair to your artists. Ideally, the publisher should concentrate on the *placement* of the song and the act and leave the functions of the record company to the record company.

Sidney Herman  
Vice Pres.,  
Finance and Admin.,  
Famous Music Corp

**A** Writer/performers will always be around, but currently there seems to be a shift to securing more material from the outside. This is an excellent



sign of maturity. Few writer/performers can come up with enough strong material of their own to fill album after album. So I think it's especially important for firms to hire staff writers who can be a constant source of new songs for writer/performers. When new technologies become more viable, the names we know now—the top performers on TV, Broadway, motion pictures and records—will be the big attractions at first, but the picture may change dramatically when the new electronic wonders really take over. As publishers, we will be in direct competition with record companies, seeking out the performers who will be best suited for the new buyers of video hardware. We must be able to finance acts, make expensive demos, and act in an advisory capacity for young artists who are just starting out. It will take a very special kind of talented performer and writer to make it all work. These are the people we will be looking for.

**Q How will independent publishers fare against large conglomerates?**

Leonard Golove  
Admin. Vice Pres. and  
Legal Counsel,  
Warner Bros. Music

**A** Large publishers can seldom take beginning writers and spend the time necessary to train them; we expect them to be fully professional. The independents, however, can afford to devote an enormous amount of time and effort to developing young writers. It's a very useful function to train and find collaborators for them, and offer them direction. The only problem is that indies can't really exploit a song the way a major publisher can. We have many avenues of promotion, to different cities, to foreign countries, to TV, to motion pictures, to print, and they don't. They have to make connections with people who can do the things they're incapable of doing, and they don't always do that.

Bert Litwin  
Vice Pres., Belwin-Mills  
Publishing Corp.

**A** Independents have done well up to now, and they will continue to do well. An independent publisher has to have a clear grasp of his company's directions and concepts, and must not get trapped into areas that are beyond his limitations. In that respect he must con-

centrate his energies and talents and staff on clearly defined corporate objectives. It's always good business practice to make certain that your staff is aware of what you want to accomplish—the type of music you want to go after, how you want to build your basic catalog, how you want to expand, and so on. There are great opportunities for independent publishers, particularly because they can be more flexible in their decision-making, and can implement decisions much more effectively and efficiently than some larger companies.

Bob Montgomery  
Exec. Vice Pres.,  
Bobby Goldsboro  
Music, Inc.

**A** It's tough being an independent publisher and it will continue to be so, but I think the '80s will be better for us than past years have been. Given the economic situation, record companies have come to realize that unless they have a hit song, it doesn't matter what kind of act they've got. I'm finding that record companies, producers and artists are all looking harder for songs than they have in the past, and in that regard I think independents will fare a lot better in the coming years. There is much more material available from independents than from a lot of the in-house companies, so the record companies look to us for new songs.

**Q Do you foresee the recent increased interest in country and gospel music as an ongoing trend?**

Aaron Brown, Pres.,  
Aaron Brown & Assoc.

**A** I think that what is happening with country artists, for example, Barbara Mandrell, is that they're paving the way for the gospel artists and all artists to openly say they're Christians. The trend, as I see it, will be that more country as well as other artists are going to be openly doing Christian music, or music with a message. I think it started in the '70s with the powerful influence that country has been having on America, and gospel is right on its tail. The gospel industry is going to benefit from what country is doing to soften the market. We've got people listening to country music now that would not have listened just 5-10 years ago, and that's an opening of the door for gospel product. Also, a while ago I met with Terry Bradshaw

He is recording gospel product, and it's selling. When superstars and people of great influence endorse anything, then there are going to be people who take a second look. The gospel industry is now coming to be a viable commercial form of music.

Buddy Killen  
Sr. Vice Pres.,  
Cross Keys Publishing Co., Inc.

**A** I think country is going to become much stronger. The market has been fragmented into beautiful music and disco and real hard rock. But I always notice that when the pendulum swings so far to emphasizing the beat and arrangements, it always swings back to lyrics and stories, and that's what country songs are all about. And country publishers are always looking for new ways of exposing material. We've been very aggressive in placing our songs in the last few years and we've had phenomenal success. Look at the number of country songs used in movies and TV commercials. In fact, we have quite a number of song pluggers who go out and visit movie and TV studios and pitch our songs. And as we keep placing our material in different media, country music will gain even more national and international recognition.

Phil Perkins  
Director of Publishing,  
Sparrow Records, Inc.

**A** Our catalog is primarily gospel, and lately we're seeing increased exposure with gospel going into the secular market as opposed to just religious broadcasting. I anticipate that trend will accelerate because there seems to be less resistance to that type of crossover now. Internationally, we are expanding, mainly through the acquisition of subpublishers. We license areas to them and let them work that territory for themselves. We already have a network of subpublishers all across the world, mainly in English-speaking countries, but in Europe as well. We're getting many more cover recordings and requests for translations. We've entered the Spanish-speaking field with our affiliated company. They have a Spanish-speaking record label and as a result we're getting into Latin publishing. We see that market becoming very big for us. In fact, we see the whole international market opening up for us in the next few years.



# FOREIGN FOCUS

## JASRAC

**I**N the forty-two years since its founding, the Japanese Society for Rights of Authors, Composers, and Publishers (JASRAC) has grown enormously in size, membership, and scope of activity. Not only is it Japan's sole performing rights society, it is also the only organization licensed by the government to collect mechanical rights fees, which currently constitute a full 75% of its annual income. Translated into dollars, that's \$72 million out of a total of \$96 million.

That figure is a far cry from the \$140 collected at the end of 1940, JASRAC's first formal year of operation. It actually got underway on November 18, 1939, when a group of 68 authors and composers organized for the purpose of administering the copyrights of Japanese authors and composers. They were given approval by the Minister of Home Affairs three months later and started business with three employees and 463 members. Operations came to a virtual standstill the following year, with the onset of World War II and the severe restrictions that had been placed on performing and recording. The close of the War in 1945 brought a period of readjustment and reorganization, and by 1948 JASRAC had revised its initial Articles of Association and formalized its statement of purpose: "To protect the rights of copy right owners of musical works and to facilitate the utilization of musical works, thereby contributing to the dissemination and development of musical culture."

JASRAC first established relations with an American



**Yellow Magic Orchestra is a popular Japanese group whose U.S.A. royalties are administered by ASCAP. Pictured from left are: Yukihiro Takahashi, Ryuichi Sakamoto, and Haruomi Hosano.**

performing rights society in 1951 through a foreign licensing agreement with ASCAP. That same year marked the beginning of commercial radio in Japan, followed in 1952 by the launching of several commercial television outlets. All of this signaled tremendous growth for JASRAC. By 1955 its membership had increased to 1,300, its staff to 36, and revenues to approximately \$500,000. As Japan was regaining its footing in the world economy, JASRAC was strengthening its ability to protect and promote its composers, authors, and publishers. Five years later it joined the International Confederation of Societies for Authors and Composers (CISAC), further substantiating its position as a licensing body worldwide.

In the same way that ASCAP was instrumental in the recent revision of the 1909 U.S. Copyright Act, so was JASRAC responsible for revising Japan's equally antiquated copyright law. Between 1961

and 1971, the organization sought to abolish the law's exemption for users who performed by means of recorded music—including broadcasters—from paying any performance fee. JASRAC's victory, now just ten years old, was a giant step forward for all its members. By 1972 its annual collections had grown to well over \$35 million, as compared to a total figure of \$15 million in 1968, before the law had been revised.

Unlike ASCAP, JASRAC is a mechanical as well as performing rights association and, since 1968, a member of the international bureau of mechanical rights societies (BIEM). A major accomplishment in this area came in 1975 when, at JASRAC's urging, the Japanese government approved an increase in the mechanical royalty rate to 6% of the price of a recording. Again, JASRAC's increased effectiveness could be measured in a parallel income increase. At the end of 1976, annual collections had reached \$75,830,000.

Currently JASRAC has 6,767 members, over 600 of whom are music publishers. Its employees, who number well over 300, handle the administration of rights for theatrical representation, public performance, mechanical reproduction, film synchronization, video recording, and publishing. Licensees include approximately 25 record manufacturers, the same number of prerecorded tape manufacturers, 144 commercial broadcast outlets, cabarets, night clubs, dance clubs, restaurants, hotels, and other commercial music users.

JASRAC's blanket licensing system and its new on-line IBM computer system, which has over 150,000 titles in its active work file, have greatly simplified its licensing and collections operations both domestically and internationally.

JASRAC has ten regional licensing offices throughout Japan, not including headquarters—known as The JASRAC House—in downtown Tokyo. It represents 45 foreign performing rights organizations (including ASCAP, BMI, and SESAC) and 36 foreign mechanical rights organizations in its native country.

Members elect 60 to 75 Councillors who in turn elect the President. Up to 18 Directors are elected by the Councillors from among themselves; the President appoints up to five additional Directors. The Directors elect the Chairman of the Board, with the approval of the President. The current President is Ryoichi Hattori; Koichiro Kunishio is Chairman of the Board.



# MEDIA PIPELINE

By Marc Kirkeby

**N**O issue makes a radio broadcaster's heart beat faster—or the media activist's blood pressure soar more quickly—than the Federal Communications Commission's long-brewing plan to give up much of its regulation of radio. And while it is too soon to determine just how far the Reagan administration will push deregulation, early signs point to the dawn of a Golden Age of *laissez-faire* for station owners.

But it may be years before the full impact of deregulation on radio, and in particular on stations that play music, can be assessed. Some of the proposals now being considered or advocated by the FCC would add 400 or more new stations to the AM band, which would surely work radical changes in competition in some markets, while other proposals would remove all government control from radio formats and allow broadcasters to use their air time as they see fit.

President Reagan, at this writing, seems almost certain to appoint a Republican as FCC chairman to replace Charles D. Ferris, who may still serve out his term as a commissioner but has been rumored to be planning to enter private law practice. His departure, and the projected opening of two more Commission seats during 1981, would

give the FCC not only a Republican chairman but a Republican majority as well, making it likely that the hands-off regulation policy initiated by the Carter administration would be pursued even more vigorously.

Arizona Senator Barry Goldwater, the new chairman of the Communications Subcommittee of the Senate Commerce Committee, has been typically blunt about how the new FCC should conduct itself. The Commission has been doing "too much looking under the sheets of every

wants radio broadcasters to be granted unlimited licenses. "As long as they obey the rules, there will be no trouble," he said. "If you leave them alone, and they don't do a good job, it will be known."

In the final days of the Carter administration, the FCC under Ferris voted to drop the 18-minutes-per-hour radio commercial limit and the requirement that stations devote at least six percent of their air time to "non-entertainment" programs, a major relaxation of FCC control that was immediately challenged

who found the changes much less sweeping than expected. But Senator Goldwater would have the Commission go even further, abolishing the Fairness Doctrine that requires broadcasters to present all sides of controversial issues and provide dissenters with equal time to reply to station editorial stands. The media watchdog groups that have opposed such moves in the past have made it clear that they will continue to fight all of these proposals.

Creating new stations doesn't really come under the heading of deregulation, but it does fit the FCC's avowed desire to let "marketplace forces" do the work of controlling radio station operations. Last May, in the first of these moves, the Commission voted to allow as many as 125 new AM stations to operate on the "clear channels" previously reserved for such giants as WABC and WNBC in New York. The new stations would be added beyond a 750-mile radius of those outlets. Two broadcasting companies are challenging that ruling in the U.S. Circuit Court of Appeals in Washington, and the FCC has received only a few applications for those channels, according to a spokesman.

The other new-station proposal would reduce the bandwidth allotted each AM station from ten to nine kilohertz, creating as many as 300 new AM licenses. Approval of such a narrowing must come not only from the FCC but from the governments of other western hemisphere nations



## Government deregulation

radio and television station in the country," he told *The Washington Star* in December. Goldwater

in the U.S. Circuit Court of Appeals in Washington, yet was greeted with some relief by citizen groups



as well, and the nine kilohertz proposal is just one of many bargaining points in the current "Region II" talks among nations in the western hemisphere, aimed at establishing uniform technical standards for radio and television.

Many American AM broadcasters, who feel they are steadily losing ground in the battle with FM, view the proposal as crippling. "A lot of AM operators are beginning to feel that they know what it was like to be a member of Custer's cavalry," ABC Radio Programming Vice President Rick Sklar said recently. "They're getting shot at from every side, and they don't know if they're going to survive."

**T**HE broadcast trade organization, the National Association of Broadcasters, faces something of a dilemma on the issue: on one hand, the proposals would gain the NAB several hundred potential new members; on the other, the AM members it already has believe that their ability to turn a profit would be severely hampered. "We feel very strongly that the Commission hasn't given it adequate study," said Erwin Krasnow, general counsel for the NAB, "that they do not have before them any cost-benefit study on which to make a decision. We've been urging the Commission to conduct those studies, but hold off making a decision on nine kilohertz until it has all the information before it."

The NAB's stance is much more forceful on the FCC's desire to get out of

the business of regulating radio formats. "We feel very strongly that the FCC is one hundred percent right," Krasnow said, "that program formats are a marketplace determination, not to be made by the government."

The U.S. Supreme Court is expected to decide early this year whether the FCC is obliged to protect "unique" program formats in a given community. The issue has raised tempers many times in recent years, most notably when a group of listeners successfully challenged the 1974 switch of WNCN-FM in New York from classical music to progressive rock. The station's owner, Starr Broadcasting,

another listeners' group was mounting a similar challenge to the format switch of New York's WRVR-FM (now WKHK) from jazz to country.

The format controversy has some perplexing implications for the music business. The recent trend in radio has been toward similarity in programming, not diversity, and deregulation might mean the disappearance in many markets of various kinds of music, while greatly increasing the airplay of a few musical styles. Since record companies tend to produce the kind of music radio stations want to play, artists cut off from the airwaves might find themselves unable to

they might not. Newly created stations might step in and play music others had dropped — or they might simply follow the leaders.

Dropping the public affairs requirements probably won't make such programs disappear, but station owners seem certain to fill most of that time with entertainment, which for most stations will mean an increase in music. But since almost no one broadcasts public affairs programs in peak listening hours, the changes are not likely to be very apparent to audiences, except perhaps to those who like to listen to the radio on Sunday nights.

The Supreme Court's format ruling might be the only concrete move toward radio deregulation in 1981, because virtually every other proposal seems sure to draw opposition first in FCC hearings and later in the courts. The creation of new stations may therefore be years away, much like the impact of stereo on the AM band.

But a more conservative FCC will surely make its presence felt, particularly with a more conservative Congress behind it. "There is a tone in the new Congress that favors deregulation," Krasnow said. "I think the Reagan administration will be more sympathetic to it as well." The changes that are coming may be the most significant the medium has undergone since the advent of television.

**Marc Kirkeby** is a freelance writer whose work has appeared in *The New Yorker* and *Rolling Stone*.



Disc jockey Carol Miller at WPLJ in New York

## ...of radio

argued that it could not make a profit playing classics, and ultimately sold the station. As 1981 began,

record. Audience demands might cause the pendulum to swing back toward diverse programming — or



# STANDARDS:

By Edward Jablonski

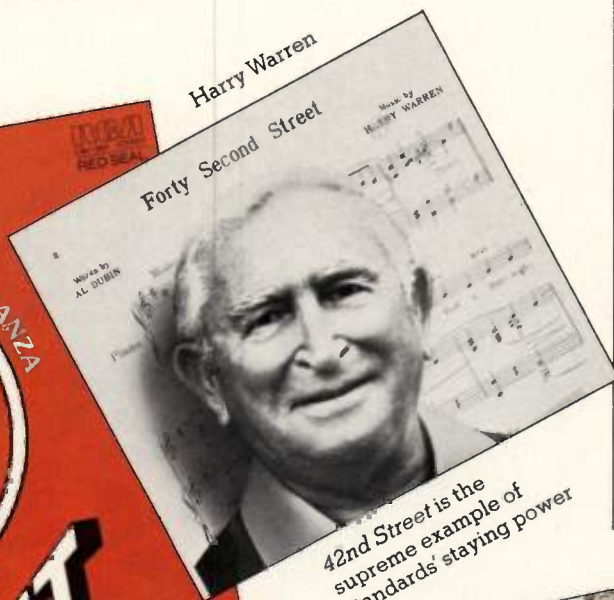
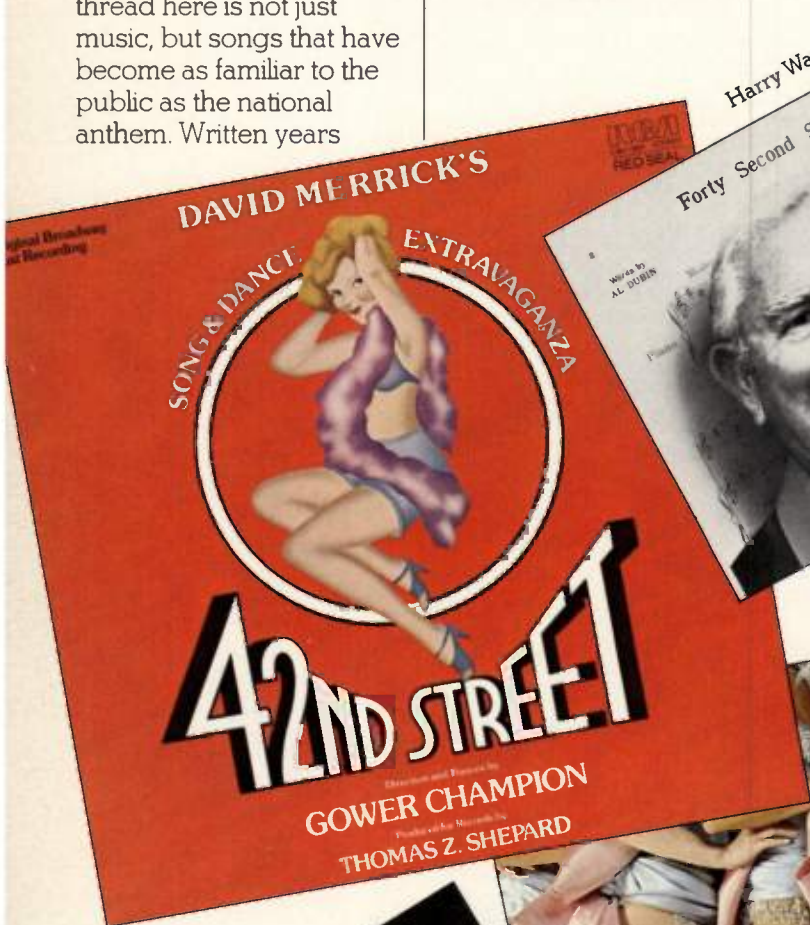
**T**HINK for a minute about TV shows and commercials, Broadway revivals, chic nightclubs, and current recordings. The common thread here is not just music, but songs that have become as familiar to the public as the national anthem. Written years

## Here Today, Here Tomorrow

ago, these songs still thrill crowds at theaters, still top the charts, and still draw cheers from cabaret audiences. Clearly, the songs of yesteryear are alive and well, exemplifying the concept of "standards."

Television has always relied on them, whether for special shows devoted to great songwriters, or for variety programs like *The Tonight Show*, and in earlier years, *The Ed Sullivan Show*, *The Carol Burnett Show*, *Dinah Shore*, and so on. Music themes from TV programs have become standards as well, sometimes even appearing on the pop charts. These songs include the themes from *Dragnet*, *77 Sunset Strip*, *I Love Lucy*, and *The Jackie Gleason Show*, among others.

TV commercials have been using standards and variations of standards more and more frequently in recent years. As a marketing technique for selling



Mickey Rooney in *Sugar Babies*, which relies heavily on standards



products, they provide a gimmick that is both popular and effective. Consider these spinoffs from two old favorites that help sell cooking products: *Bake Someone Happy* (from *Make Someone Happy* by Betty Comden, Adolph Green, and Jule Styne), or *Wessonality* (from *Personality*, by

Johnny Burke and Jimmy Van Heusen). Songs that are used intact include *Chattanooga Choo Choo* (Mack Gordon and Harry Warren) for toy trains, *Nobody Does It Better* (Carol Bayer Sager and Marvin Hamlisch) for beer, *I'm Gonna Wash That Man*

*Right Outa My Hair* (Oscar Hammerstein II and Richard Rodgers) for shampoo, *Great Day* (Edward Eliscu, William Rose, and Vincent Youmans) for cereal, *Racing with the Moon* (Vaughn Monroe, Pauline Pope, and Johnny Watson) for a race-track, *Guys and Dolls* (Frank Loesser) for a newspaper, *Take Me Out to the*

*Ballgame* (Jack Norworth and Albert Von Tilzer) for baseball, and many others. The granddaddy of them all, of course, was *Chiquita Banana* (Leonard Mackenzie, Garth Montgomery, and William Wirges), a radio commercial hit.

Many Broadway revues have been created over the past decade around standards. These showcases



Boogie Woogie Bugle Boy, sung by the Andrews Sisters (!) in '41, became a tour de force for Bette Midler



*Singin' in the Rain* was used with ironic twist in *Clockwork Orange*

Gene Kelly in the film classic, *Singin' in the Rain*



E.Y. Harburg, *Wizard of Oz* lyricist





have addressed the works of the Gershwins, Porter, Rodgers and Hart, and Arlen. Sammy Cahn's *Words and Music* (1974) was quite innovative because it spotlighted the lyricist, "the unsung hero of songwriting." Narrated and sung in part by Cahn himself, the idea grew out of his well-received appearance at New York's celebrated 92nd Street YM-YWHA's "Lyrics and Lyricists" series, now in its second decade.

Other successes in this format have been *A Party with Comden and Green* (1958 and 1977) and *Side by Side by Sondheim* (1977). *Ain't Misbehavin'*, based on original songs by Fats Waller as well as songs he popularized, opened in 1978 and is still going strong. *Eubie* (1979) celebrated the ageless songs of Eubie Blake. *Sophisticated Ladies* (1981) is based on the songs of Duke Ellington, and *Oh Me, Oh My, Oh Youmans* (1981) is a tribute to one of our neglected giants.

The decade of the 1980s

opened with the most dramatic, most extravagant standard-filled musical of recent memory, *42nd Street*. Borrowing its score and most of its "plot" from the 1933 film musical of the same name, the show, with its alluring songs by Harry Warren, Mort Dixon, and Al Dubin, is the supreme example of the staying power of the standard. And like its songs, it promises to be around for quite some time.

**T**O satisfy the public's appetite for "the old songs," Broadway has also enjoyed a new type of musical, one that relies heavily on standards but has an original book. *Sugar Babies* (1979 and still running) is one such show. An unabashed fling through the world of "classic" burlesque, it features the songs of Jimmy McHugh, Dorothy Fields, and Al Dubin, with additions by Arthur Malvin, Jay Livingston, and Ray Evans. *A Day in Hollywood/ A Night in the Ukraine*, another smash hit, is also an example of this new breed.

It should not be forgotten that shows of less recent vintage return with gratify-



The *Great Gatsby* film features music by Berlin, Kahn, and Handy



A Gershwin score adds period flavor to the film *Manhattan*

ing regularity. Recall some recent theater marquees. Is there a time when Burton Lane and Yip Harburg's *Finian's Rainbow* (1947) isn't being performed? Likewise Rodgers and Hammerstein's *The King and I* (1951), which returned in 1977, and *Oklahoma!* (1943), which ran in 1979 brimming with songs several generations had grown up with. All of these were written long before the current generation of theatergoers began listening to music. Yet young and old flock to them and applaud songs of long ago that somehow sound as fresh today as when they were written.

The shows of Alan Jay Lerner and Frederick Loewe seem never to have closed. *Brigadoon* (1947) was revived in 1980 to a very warm reception. The remainder of their big three — *My Fair Lady* (1956) and *Camelot* (1960) were touring at the same time with their original stars, Rex Harrison and Richard

Burton, respectively.

The revival trend in the musical theater began in the 1970s with *No, No, Nanette* in 1971, first produced in 1924 and written by Vincent Youmans, Irving Caesar, and Otto Harbach. Although nostalgia may have contributed to the show's success, especially considering the dazzling presence of Ruby Keeler and Patsy Kelly, *Nanette's* score, including the standards *Tea for Two* and *I Want to Be Happy*, must take most of the credit.

In 1973, *Irene* (1919) was reintroduced as delighted audiences recalled the Harry Tierney/Joseph McCarthy title song, and the graceful *Alice Blue Gown*. That same year *The Desert Song* (1926) returned, with its music by Harbach, Hammerstein, and Sigmund Romberg. Nineteen seventy-four saw the return of *Good News!* (1927), with its B.G. DeSylva, Lew Brown, and Ray Henderson evergreens:

Wessonaity

Dake  
Someone  
Happy

Nobody  
Does It  
Better

TV ads frequently use standards and variations of them



*Lucky in Love*, *The Best Things in Life Are Free*, and *The Varsity Drag*. *Whoopie!* (1928), containing one of the great all-time standards, *Love Me or Leave Me*, in addition to its quintessential Twenties' philosophic essay, *Makin' Whoopie!*, was also reproduced in 1979, bringing back the songs of Walter Donaldson and Gus Kahn.

In 1974, a revived, and revised, *Candide* (1956), Leonard Bernstein's "comic operetta," brought that effervescent concoction belated, but merited, recognition at last. Kurt Weill has also been accorded recent rediscovery, ranging from his German-made *Threepenny Opera* (1928, revived in 1976), to his American opera, *Street Scene* (1947, performed by the Metropolitan Opera in 1979). From the first show came the perennial *Mack the Knife*, an all-time standard. Other memorable Weill tunes that receive constant reinterpretation include *September Song* (1938) from *Knickerbocker Holiday*, with a lyric by Maxwell Anderson, and *Jenny and My Ship* from *Lady in the Dark* (1941), with inimitable lyrics by Ira Gershwin.

**O**THER musicals have also enjoyed new lives during the past decade: Jerry Herman's *Hello Dolly* (1964), Jule Styne and Leo Robin's *Gentlemen Prefer Blondes* (1949), Richard Adler and Jerry Ross' *The Pajama Game* (1954), Frank Loesser's *Where's Charley?*

(1948), Styne and Sondheim's *Gypsy* (1959), and *Guys and Dolls* (1950).

Standards are certainly a staple of the cabaret performer's repertoire. Nightclubs of the 1940s and 1950s, such as the Latin Quarter, were eclipsed in the 1960s by larger arenas, stadiums, and Las Vegas showrooms. In recent years the cabaret has reemerged as the vehicle that nurtures the aspiring singer as well as the veteran performer.

Veteran artists of the cabaret circuit, such as Mabel Mercer, Rosemary Clooney, and Arthur Prysock, have traditionally performed their own favorite evergreens. Newer talent, such as Jane Olivor and Patti Lupone, offer fresh interpretations of the classics. Olivor's dramatic rendition of *Some Enchanted Evening* is a perfect example.

Closely identified with cabaret singers are the singer/pianists who usually perform in hotels, bars, and restaurants. In the early decades of this century, piano players were employed to keep customers in festive moods so that drinks would flow freely. But by the 1950s, the customers seemed to be at least as interested in what they were hearing. And so pianists like Bobby Short, George Shearing, Steve Ross, Ronny Whyte, and Marian McPartland become major attractions in their own right. Some specialize in the works of a single composer, such as Short with Cole Porter, but all depend on the bountiful reserve of classic

material.

Hollywood may not produce as many musicals as it once did, but standards are still widely used. Often the music provides period flavor, such as *It's Only a Paper Moon*, by Arlen, Harburg, and Rose, in the 1973 film, *Paper Moon*, or music by Irving Berlin, Gus Kahn, W.C. Handy, and Walter Donaldson which was featured in *The Great Gatsby* (1974). A film score can also capture the ambience of a city, as in Woody Allen's use of Gershwin in *Manhattan* (1979). Ralph Burns' adaptations of John Philip Sousa marches underscore the satiric bite of the 1980 Bob Newhart comedy *First Family*. With even greater irony, *Singin' in the Rain*

was used in *Clockwork Orange* (1972) long after its debut in *Hollywood Revue* (1929) and in the Gene Kelly film classic, *Singin' in the Rain* (1952).

Film biographies also draw heavily on great songs from the past. A simple touch of integrity was lent to the film based on the life of Billie Holiday, *Lady Sings the Blues*, with the use of *All of Me*, so long associated with her. *Funny Girl* (1958) contained many old songs, including *My Man* and *Second Hand Rose*, both originally introduced by Fanny Brice in the 1920s. *Boogie Woogie Bugle Boy*, sung by the Andrews Sisters in the 1941 Abbott and Costello movie



Film biographies draw heavily on great songs from the past



*Buck Privates*, became a *tour de force* for Bette Midler. The song topped the charts in the 1970s and was heard in her recent film, *Divine Madness*. The ultimate compilation of standards was *That's Entertainment, I and II*.

A wide variety of contemporary recording artists have also looked to standard repertory. Barbra Streisand dotes lovingly on it. Her unique version of Milton Ager and Jack Yellen's *Happy Days Are Here Again* is a classic of reinterpretation. Among her other admired recordings are *Right as the Rain* by Arlen and Harburg, *Moanin' Low* by Howard Dietz and Ralph Rainger, and *Fine and Dandy* by Paul James and Kay Swift.

Willie Nelson has shown that Nashville, Broadway, and Tin Pan Alley are on the same map by recording *Someone to Watch Over Me* by the Gershwins, *Stardust* by Mitchell Parish and Hoagy Carmichael, *All of Me* by Gerald Marks and Seymour Simon, and *September Song* by Maxwell Anderson and Kurt Weill. Recently, Margo Smith recorded *Little Things Mean a Lot* by Edith Lindeman and Carl Stutz, and Crystal Gayle covered Arthur Hamilton's *Cry Me a River*, originally launched by Julie London.

20 *Over the Rainbow*, by Harburg and Arlen, has been recorded by Papa John Creach on his fiddle, and by Jerry Lee Lewis, whose version became a pop hit. Linda Ronstadt discov-

ered Gilbert and Sullivan only after finding Romberg and Hammerstein with her recording of *When I Grow Too Old to Dream*. Barry Manilow brought back a World War II ballad, *I Don't Want to Walk without You*, by Styne and Loesser, and Judy Collins did the same for *I'll Be Seeing You*, a Sammy Fain and Irving Kahal tune from the same period.

Disco music has also drawn on standards. Esther Phillips topped the charts with *What a Difference a Day Made* (Stanley Adams



and Maria Grever), and Gloria Gaynor recorded *How High the Moon* (Morgan Lewis, Jr.). Other oldies arranged to a disco track are *Tangerine* (Johnny Mercer and Victor Schertziner), *That Old Black Magic* (Mercer and Arlen), *Poinciana* (Nat Simon), *The Man I Love* (George Gershwin), *Sing, Sing, Sing* (Louis Prima), *If My Friends Could See Me Now* (Dorothy Fields and Cy Coleman), and even the theme from *I Love Lucy* (Harold Adamson and Eliot Daniel).

Not all standards were written before the 1950s. *You Better Run* (Edward Brigati and Felix Cavaliere) was originally recorded by the Young Rascals in 1966. Pat Benatar recently recorded the song and released it as a single. The new version was a hit again, largely due to the fact that the tune still has meaning for a new generation of listeners.

One can hardly ignore the wealth of holiday perennials that lighten up every Christmas, Easter, St. Patrick's Day, and the Fourth of July. *Rudolf the Red-Nosed Reindeer* (Johnny Marks) and *White Christmas* (Irving Berlin) are as much the heart of the holiday season as holly wreaths and mistletoe. Such stalwarts as *Easter Parade* (Berlin), *When Irish Eyes Are Smiling* (Ernest R. Ball, George Graff, Jr., and Chauncey Olcott), and *You're a Grand Old Flag* (George M. Cohan) are also among our annual musical landmarks.

THE point is made: good songs are timeless. They are cherished by fine artists and by an appreciating, discerning audience. A standard song, then, transcends time and fashion, defying overexposure. It survives, pure and potent, through countless revivals, rearrangements, rebroadcasts, rerecordings, and performances by musicians, from symphony orchestras to all-kazoo bands. It was George Gershwin who put it best: "I am one of those people," he said, "who

honestly believes that the majority has much better taste and understanding... than it is credited with having. It is not the few knowing ones whose opinions make any work of art great, it is the judgement of the great mass that finally decides."

Today, ASCAP members are writing the standards of tomorrow. The songs of Ashford and Simpson, Bacharach and David, Bob Dylan, Marvin Hamlisch, Carole King, and Henry Mancini, just to name a few, have already been honored with rearrangements and cover recordings. Who can doubt that 30 years hence audiences will continue to enjoy the "great old songs" of the Bergmans, Jackson Browne, Neil Diamond, and Stevie Wonder. And nostalgia will have very little to do with explaining the hardiness of these old reliables. Young record buyers who bring home *Over the Rainbow* by Jerry Lee Lewis have no bittersweet recollections of the days between the Depression and the Second World War. The secret lies in the perfect wedding of words and music, expressing the universal longing we all have for a haven from life's problems. It was true in 1939, it will be true tomorrow, and it may never again be said so well.

Edward Jablonski is co-author, with Lawrence D. Stewart, of *The Gershwin Years* and author of *Harold Arlen: Happy with the Blues*. His *Encyclopedia of American Music* will be published by Doubleday in September.



# LEGAL WRAP-UP

## ANTITRUST LITIGATION CBS v. ASCAP and BMI

—"Certiorari denied." With those two words, the U.S. Supreme Court on March 2, 1981, wrote the final chapter in the antitrust lawsuit filed by CBS against ASCAP and BMI more than eleven years ago. The nation's highest court denied the CBS petition for review of the decision handed down by the Second Circuit Court of Appeals in April 1980. That Court held unanimously that the blanket licenses offered by ASCAP and BMI to television networks are entirely lawful, and that CBS had failed to prove that blanket licensing in any way restrains competition under the antitrust laws.

ASCAP President Hal David hailed the Supreme Court's final ruling: "I am gratified that the litigation with CBS is finally concluded. ASCAP's Board of Directors and entire membership join me in saluting the dedicated ASCAP staff and attorneys who labored long and hard to achieve this victory. Just as important as the victory in court, however, are the efforts that will now be directed toward reaching an amicable agreement for performing rights licenses with CBS and the other television networks. We look forward to prompt negotiations with CBS and hope that an agreement can be reached shortly."

The final ruling by the Supreme Court marked

the second time that Court ruled in the CBS litigation. In April 1979 the Supreme Court reversed a prior ruling by the Court of Appeals that blanket licensing was per se illegal price fixing, and sent the case back to the Court of Appeals to decide whether blanket licensing unreasonably restrained trade under the Sherman Antitrust Act. The Court of Appeals' decision in 1980, holding that blanket licensing is entirely lawful, affirmed District Judge Lasker's 1975 dismissal of the CBS complaint against ASCAP and BMI and stands as the final word.

Writing for Judges Moore and Anderson, Circuit Judge Newman of the Court of Appeals last year said of ASCAP's blanket license: "It does not restrain trade when the complaining customer elects to use it in preference to realistically available marketing alternatives." Judge Newman based this conclusion on the finding of District Judge Lasker that "CBS can feasibly obtain individual licenses from competing copyright owners." The Court of Appeals' decision expressly endorsed District Judge Lasker's finding that the blanket license in no way compelled CBS to deal exclusively with ASCAP.

All members, of course, grant ASCAP only a non-exclusive right to license nondramatic public performances of their music, and thus are free to license

directly persons or organizations which own or operate businesses engaged in giving public performances of their copyrighted music, including nightclubs, taverns, hotels, and radio and television stations. When a direct license is issued, the member issuing must promptly notify the Society in writing, stating the title of the composition, the names of the composer, author, and publisher of the work, the name and address of the licensee, and the term of the license. If you have a question concerning the regulation, it should be addressed to ASCAP's General Counsel, Bernard Korman, at the New York offices.

**Buffalo Broadcasting v. ASCAP and BMI**—This action has been brought by the All-Industry Television Station Music License Committee in New York Federal Court. District Judge Lee P. Gagliardi recently certified the case as a "class" action. Certain ASCAP Board members have been named defendants and are to serve as representatives of the entire defendant class of ASCAP members. We expect that members will shortly be receiving formal notice of the class designation as they did in the CBS case. Nothing need be done unless a member desires to be represented by an attorney other than ASCAP's General Counsel Bernard Korman and the New York law firm of

Paul, Weiss, Rifkind, Wharton & Garrison. Pre-trial discovery is continuing and the case is scheduled for trial early next fall.

## Alton Rainbow Corp.

**v. ASCAP**—This antitrust action was brought by a small group of commercial radio stations employing religious programming. The last six months have been characterized by numerous delays and efforts by the stations' counsel to avoid trial. A magistrate is supervising pretrial proceedings in the case and is considering ASCAP's motion to dismiss the action for failure to prosecute. Several infringement actions against unlicensed "religious" radio stations that have performed copyrighted music in the ASCAP repertory have been stayed pending the outcome of the *Alton Rainbow* case. Many other infringement actions against "religious" stations have been settled with the stations licensed and paying fees.

## 1978 Cable Royalty

**Distribution**—Many parties, including ASCAP—but not BMI or SESAC—have appealed the Copyright Royalty Tribunal's decision to the U.S. Court of Appeals (for the District of Columbia Circuit) regarding distribution of 1978 cable royalties. ASCAP contends that the Tribunal erred in two respects: allocating only

*continued on page 44*



# THE ASCAP FOUNDATION

**T**HE ASCAP Foundation has begun to expand its programs and with additional contributions will embark on new projects designed to encourage excellence in composition.

A substantial donation from the estate of Florence Cunningham, the widow of former ASCAP President Paul Cunningham, will serve as the basis of a new Foundation program. The ASCAP Foundation will present a College Musical Theater Award to the most deserving original musical play entered in the Playwriting Awards Program of the American College Theater Festival.

The award will be given for outstanding achievement in musical theater by college and university students. Award recipients will include the composer, lyricist, and author, as well as the college or university producing the play. If selected by the national judges of the American College Theater Festival, the show will be produced at the John F. Kennedy Center for the Performing Arts in Washington, D.C.

During the past several months, numerous contributions have been

received. Among them was a donation to fund a music scholarship in honor of Jimmy McHugh. Details will be announced in the near future.

## ASCAP SONGWRITER WORKSHOPS

The Foundation continues to sponsor a wide range of workshops in New York, Los Angeles, and Nashville.

### WORKSHOPS EAST

The ASCAP Musical Theater, and the Symphonic and Concert Work-

shops were recently concluded in New York. Allan Kozinn, prominent serious music reporter, reviews the Symphonic and Concert series, beginning on page 14.

Presently in the works are plans for a new pop songwriters' workshop to be held at ASCAP's New York office.

### WORKSHOPS WEST Film & TV\*

George Duning, ASCAP Board member and eminent film scorer (*Picnic, From Here to Eternity*) directed the West Coast's first Film and TV Workshop. The eight-week series, attended by prominent members of the Los Angeles film community, covered the techniques of film and TV scoring. Topics included cuing and spotting, recording and dubbing, scoring documentaries, and business practices. The guest panelists offered comments and advice on the different phases of the film business. They were Jim Abrahams, John Addison, Alan and Marilyn Bergman, Elmer Bernstein, Dick Berres, Bruce Broughton, Ralph Burns, John Cacavas, Dan Carlin, Bill Conti, Doug Denoff, Carol Faith, Charlie Fox, Gerald Fried, Mike Gesas, Bill Goldstein, Jimmie Haskell, Lee Holdridge, Ross Hunter, Jerry Immel,



Nashville Country Workshop co-leaders Jerry Foster and Bill Rice conduct a writers' session with guest panelists. From left are: Foster, Rice, Don Cook, Chris Dodson, and Sonny Throckmorton.



Fred Karlin, Robert Light, Johnny Mandel, Stan Margulies, Stan Milander, John Parker, David Rose, Craig Safan, Edgar Scherick, Ross Schwartz, Les Sheldon, Lalo Schifrin, David Shire, Michael Small, Fred Steiner, David Raksin, Danny Wallin, Pat Williams, David Zucker, and Jerry Zucker.

#### POP SHOP\*

Dino Fekaris, writer and producer (*I Will Survive*, *Reunited*), directed the pop songwriters workshop in Los Angeles. This series met every Thursday evening at SIR Studios with guest panelists from different facets of the pop music scene rotating weekly. They offered tips and critiqued participants' material.

The guests were Mike Chapman, Freddie DeMann, Leonard Golove, Iris Gordy, Robert Gordy, Bernie Gudvi, Peter Hoffman, Dean Kay, Richard Kerr, Ken Kraus, Barry Korkin, Dave Margerson, Billy Meschel, Alan O'Day, Marty Panzer, Ray Parker, Jr., Rupert Perry, Frankee Rand, Evie Sands, Bill Siddons, Owen Sloane, Smokey Robinson, Tom Snow, Bob Welch, Ben Weisman, and Allee Willis.

#### NASHVILLE WORKSHOP

The first Nashville Country Workshop was so successful that a second series is now being planned on gospel writing. More than 30 auditors attended the country series each week, in addition to the 30 full



ASCAP Board member George Duning (far left) moderates the ASCAP Film Composers Workshop begun last November 25. Shown here at a session on "Music Themes and Adaptation" are, from left: Lee Holdridge, Ralph Burns, Johnny Mandel, Lalo Schifrin, Marilyn Bergman, Alan Bergman, and Charlie Fox.



Workshop director Dino Fekaris reviews new material with panelists at the publishers' session of the West Coast Pop series. From left are: Kim Espe of Scotti Bros., Dean Kay of Welk Music, Fekaris, and Robert Gordy of Jobete Music.

\*Detailed reports will appear in the next issue of *ASCAP in Action*.





ASCAP Foundation attorney Judith M. Saffer

participants. Like other ASCAP workshops, the sessions brought the top figures on the Nashville music scene together with aspiring writers. The guests fielded questions and offered advice on the business of music.

The roster of workshop guests included Ray Baker, Bob Beckham, Charlie Black, Rory Bourke, Patsy Bruce, Buzz Cason, Jerry Chestnut, Don Cook, Bill Denny, Don Gant, Ronnie Gant, Steve Gill, Randy Goodrum, Kermit Goell, Bill Hall, Waylon Holyfield, Archie Jordan, Arthur Kent, Buddy Killen, Laynge Martine, Johnny McCrae, Charlie Monk, Bob Montgomery, Bob Morrison, Ralph Murphy, Ed Penney, John Schweers, Roger Sovine, Glenn Sutton, Carmel Taylor,

Jerry Teifer, Sonny Throckmorton, Chris Waters, Johnny Wilson, Noro Wilson, and Tim Wipperman.

#### CONTRIBUTIONS

Contributions to the ASCAP Foundation are needed to fund these and other programs. All contributions are tax-deductible. Some members have their Foundation donations deducted directly from their royalties, either in specific amounts or as a percentage of each royalty distribution. Contributions can be forwarded to the Foundation with the card on top of page 33 and mailed in the envelope provided on page 17. Substantial contributors may designate special programs or scholarships, which may be given in the

#### NISSIM COMPOSERS COMPETITION

Rudolf Nissim, former head of ASCAP's Foreign Department, left a substantial part of his estate to the ASCAP Foundation. It provides for an annual prize to a serious writer member of ASCAP.

**Eligibility:** All living writer members of ASCAP

**Material to be submitted:** The score of one orchestral work (with or without soloists and/or chorus) not previously performed professionally. A work with a performance history will be eligible only if earlier performances were, in the judgment of the Committee, clearly non-professional. For this exception to be granted, the composer must submit full information regarding previous performances (including programs and announcements) simultaneously with the submitted score, but in a separate mailing.

**Judges:** A Committee of three distinguished conductors

**Submission Deadline:** July 1, 1981.

**Anonymity:** All works should be submitted anonymously, with a pseudonym appearing on the score. A separate letter containing the pseudonym AND the actual name and address of the composer should be attached.

**Prize:** \$5,000.

It is the hope of the ASCAP Foundation that the award-winning composition will be given its first professional performance by a leading American symphony orchestra. In that event, the ASCAP Foundation will make supplementary funds available to the orchestra for proper rehearsal preparation.

Dr. Nissim joined the ASCAP staff immediately after he settled in the United States in 1940. He had been Managing Director for seven years of AKM, the Austrian Performing Rights society. His first accomplishment at ASCAP was the establishment of a Serious Music Department for licensing the performances of works by the Society's serious composer members. For nearly four decades thereafter, his dedication to contemporary music and its creators was an inspiration to his colleagues.

The ASCAP/Rudolf Nissim Composers Competition is a fitting memorial to this devoted friend of composers.

**Inquiries and/or submissions should be addressed to:**

Martin Bookspan  
ASCAP/Rudolf Nissim Composers Competition  
One Lincoln Plaza  
New York, NY 10023

donor's name or in honor of a designated person. A donation can also be made in memory of a deceased friend of music. An honor roll of contributors will appear in the year-

end issue of *ASCAP in Action*, and a signed certificate will be sent to all new contributors to acknowledge their assistance to the Foundation's many music programs.



## 1980 ASCAP COUNTRY AWARDS

**A**N audience of over 800 top songwriters, music publishers, and other industry notables gathered at Nashville's Maxwell House for the 18th annual ASCAP Country Music Awards Banquet. Hal David, together with Southern Regional Executive Director Connie Bradley, presented plaques honoring 113 ASCAP songs, 24 of which were number one on the country charts last year.

The ASCAP presentations followed on the heels of the great prominence achieved by ASCAP award winners in the 1980 Grammy, CMA, NSAI, Dove, and NMPA awards.

Saluted as the ASCAP country songwriter of the year was Bob Morrison with seven individual ASCAP awards. He was also recently named songwriter of the year by the Nashville Songwriters Association International. Honored as the ASCAP country publisher of the year was Cross Keys Publishing, Inc. with 13 individual ASCAP awards.

Other multiple songwriter winners at the ASCAP ceremonies included: David Bellamy, Rory Bourke, Kim Carnes, Don Cook, Jim Croce, Rodney Crowell, Bobby Fisher, Jerry Foster, Randy Goodrum, Debbie Hupp, Bucky Jones, Dave Kirby, Richard Leigh, Sam Lorber, Brent Maher, Charles Quillen, Eddy Raven, Bud Reneau, Bill Rice, John Schweers, Jeff Silbar, Sonny Throckmorton, Jim Weatherly,

## NASHVILLE

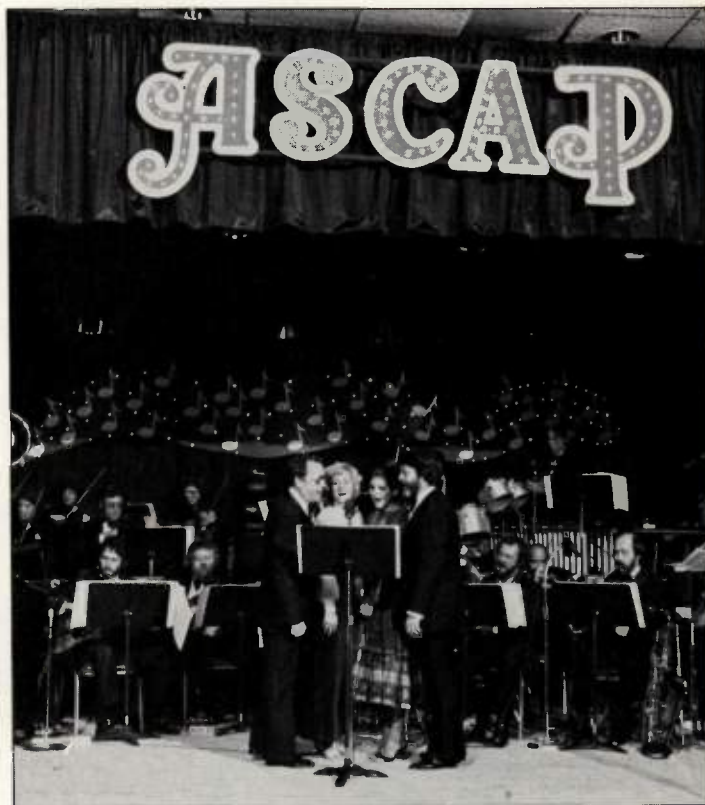
and Johnny Wilson.

Multiple publisher award winners were: Almo Music Corporation, April Music, Inc., Bellamy Bros. Music, Blue Quill Music, Chappell Music, Famous Music Corporation, Bobby Goldsboro Music, Happy Sack Music, T.B. Harms, Co., Honeytree, Inc., I've Got The Music Co., Jobete Music Co., Inc., Keca Music, Inc., Merilark Music, Inc., Milene Music, Inc., Music City Music, Inc., Sailmaker Music, Inc., Sabal Music, Inc., Southern Nights Music Co., United Artists Music Company, Inc., Warner Bros. Music Corporation, and Welbeck Music Corporation.

Hal David introduced the program commenting that, "Over the years, our members have won 110 of the 134 Oscars that have been awarded for music, the lion's share of Broadway's Tony awards, 17 Pulitzer Prizes, rooms and rooms full of Emmys, and hundreds and hundreds of Grammys. In Nashville, we are greater than ever. Our writers have steadily swept the Country Music Association, Dove, Nashville Songwriters Association International, and the National Music Publishers Association Awards."

Connie Bradley spoke of ASCAP's steadily increasing chart activity resulting from the talents of both established and newer members. She predicts, "As more and more writers and publishers understand the ASCAP story here, more and more will want to become members."

The ASCAP hits were performed throughout the evening by Bill Walker and



### WRITER OF THE YEAR

Pictured above is 1980 Writer of the Year, Bob Morrison (m), receiving seven plaques from Hal David and Southern Regional Exec. Dir. Connie Bradley



## NASHVILLE

his orchestra. In addition to playing a medley of songs written by ASCAP writer of the year and publisher of the year, as well as ASCAP's number-one country charters, Walker performed an original "fanfare" to kick off the evening's festivities.

In addition to award winners who came from around the world to attend, guests included Georgia's Lt. Governor Zell Miller (also an ASCAP member). Along with Hal David, ASCAP Board members attending were: Sal Chiantia, Leon



Brettler, Leonard Golove, Arthur Hamilton, Sidney Herman, Gerald Marks, Irwin Z. Robinson, Wesley Rose, Lester Sill, and Michael Stewart.

## PUBLISHER OF THE YEAR

Executives of Cross Keys, 1980 Publisher of the Year, display awards. Shown from left are Don Grant, Donna Hilley, Sonny Throckmorton (Cross Keys writer), Buddy Killen, the late Jack Stapp, and Connie Bradley.



## NEWBURY IN HALL OF FAME

Mickey Newbury, ASCAP writer and leading country recording artist, was inducted into the Nashville Songwriters Hall of Fame at the Nashville Songwriters International banquet during last year's Country Music Week.



## LOGGINS AT EXIT/IN

ASCAP member David Loggins is greeted by ASCAP Reps between shows at the Exit/In. Shown from left are: Nashville Dir. of Business Affairs, Rusty Jones, Loggins' manager, Bob Thompson, Loggins, and Nashville Dir. of Public and Membership Relations, John Sturdivant.



## HIT SONGS BRAILLE BOOK TO FELICIANO

ASCAP member José Feliciano (l) receives a special braille edition of the ASCAP Hit Song Book from Connie Bradley, ASCAP Southern Regional Executive Dir.



## ASCAP SALUTES L.A.'s 200th

ASCAP members got together to celebrate Los Angeles' bicentennial with a special show during the city's street festival. Pictured from left are Larry Weiss, Evie Sands, L.A. Mayor Tom Bradley, and Ben Weissman. Other ASCAP performers not pictured included Jerry Cobetta, Ray Evans, Sammy Fain, John Green, Harriet Schock, and Harry and Henry Tobias.

## WEST COAST



## ASCAP SONGS WIN MAJORITY OF MUSIC PUBLISHERS' AWARDS

Songs written and published by ASCAP members won a majority of the awards presented by the National Music Publishers Association at its annual ceremony held recently at the Beverly Hilton Hotel.

The following ASCAP songs were honored: Pop Song of the Year, *Lady*, by Lionel Richie, Jr., published by Brockman Music; Rhythm and Blues Song of the Year, *Give Me the Night*, by Rod Temperton (PRS), published by Rodsongs; Country Song of the Year, *Looking for Love*, by Wanda Mallette, Patti Ryan, and Bob Morrison, published by Southern Nights Music; Broadway Song of the Year, *The Colors of My Life*, lyrics by Michael Stewart, music by Cy Coleman, from the musical *Barnum*, published by Notable Music Inc.; and Gospel Song of the Year, *How Great Thou Art*, by Stuart K. Hine, published by Manna Music Inc.



### FORBERT AT THE ROXY

Steve Forbert (r), ASCAP member and Nempor recording artist, meets with ASCAP West Coast Membership Rep. Julie Horton during his recent engagement at the Roxy.



### SURPRISE FOR SMOKEY

ASCAP member Smokey Robinson (r) is presented with a unique flower arrangement during his show at the Roxy, by Todd Brabec, ASCAP's Western Regional Dir. of Business Affairs. The gift was inspired by Robinson's top-ten hit, *Let Me Be the Clock*.



## CHRISTOPHER CROSS LEADS ASCAP GRAMMY SWEEP

**L**ED by Christopher Cross, whose unprecedented Grammy achievements include winning Song of the Year, Album of the Year, Best New Artist, and Best Arrangement Accompanying Vocalist honors, ASCAP members figured prominently in the 1981 Grammy Awards presentation televised from New York's Radio City Music Hall.

Other ASCAP members who received Grammys include: The Archers, Count Basie, Pat Benatar, Cynthia Clawson, Andrae Crouch, The Doobie Brothers, Ella Fitzgerald, Bob James, Quincy Jones, Earl Klugh, Kenny Loggins, Dony McGuire, The Police (PRS), Michael Omartian (who shared as producer and arranger Record of the Year, Album of the Year, and Best Arrangement Accompanying Vocalist honors with Cross), Reba Rambo, Phil Ramone, Tim Rice (PRS), Bob Seger, Carly Simon, Lucy Simon, Barbra Streisand, Livingston Taylor, Libby Titus, and Andrew Lloyd Weber (PRS).

In addition, ASCAP members Count Basie and Aaron Copland were presented with Special Trustee Awards, which have been given only five other times in the history of the National Academy of Recording Arts and Sciences.

## NEW YORK



Christopher Cross (l) with producer Michael Omartian.



## ASCAP SALUTES THE COUNT

Legendary jazz composer, conductor, and pianist Count Basie (r) accepts a plaque from former Board member Gerald Marks (l) as entertainer Bill Cosby looks on. Basie recently co-hosted with Cosby a fundraiser for the Harlem Health Services Corporation at New York's Village Gate.

Marks expressed his delight at "being in the presence of royalty" and read the following inscription: "ASCAP

salutes William 'Count' Basie, a true music giant whose contributions have enriched America's musical heritage for over 60 years."

Basie, an ASCAP member since 1943, has many jazz and pop compositions to his credit. His collaborators over the years have included Mack David, Eddie Durham, Jerry Livingston, James Rushing, and Lester Young.

## RESULTS OF ASCAP BOARD ELECTIONS ANNOUNCED

The results of the biennial election for the ASCAP Board of Directors were recently announced by Hal David. The Board members elected to serve for a two-year term commencing April 1, 1981, are as follows.

The writer members in the popular-production field are Hal David, Stanley Adams, Sammy Cahn, Cy Coleman, George Duning, Sammy Fain, John Green, Arthur Hamilton, and Arthur Schwartz.

The writer members in the standard field are Morton Gould, Elie Siegmeister, and Virgil Thomson.

The publisher members in the popular-production field are Leon J. Brettler of Shapiro, Bernstein & Co., Inc.; Salvatore T. Chiantia of MCA Music; Leonard Golove of Warner Bros. Music; Sidney Herman of Famous Music Corp.; Irwin Z. Robinson of Chappell & Co. Inc.; Wesley H. Rose of Milene Music; Larry Shayne of Larry Shayne Enterprises; Lester Sill of Colgems-EMI Music Inc.; and Michael Stewart of April Music, Inc.

The standard publisher directors are Arnold Broido of Theodore Presser Co.; Edward Murphy of G. Schirmer, Inc.; and W. Stuart Pope of Boosey and Hawkes.



## ASCAP MEMBERS INDUCTED INTO SONGWRITERS HALL OF FAME

ASCAP Board member Cy Coleman and members Jerry Livingston and Johnny Marks were the inductees into the Songwriters Hall of Fame at an awards banquet held in March at the Waldorf-Astoria Hotel.

London-born Rupert Holmes, writer/performer of the recent hits, *Escape* (The Piña Colada Song) and *Him*, presented the international Music Achievement Award designated for Paul McCartney to McCartney's attorney, John L. Eastman.

The Johnny Mercer Award was to be presented to E.Y. Harburg, who died recently in an automobile accident. Burton Lane, Harburg's long-time collaborator, accepted the award on his behalf.

Other ASCAP members who presented awards or appeared on the program were Hal David, Board member and Pres. of the Songwriters Hall of Fame Sammy Cahn, Jule Styne, Betty Comden, Adolph Green, and Abe Olman. The evening's musical entertainment was provided by Skitch Henderson and his orchestra.

### ASCAP IN PUERTO RICO

ASCAP held a reception at the Caribe Hilton in San Juan for ASCAP writer and publisher members. Pictured from left are (seated) Vitin Calderon, Glenn Monroig, Jose Noguerras, and ASCAP's former Eastern



Cy Coleman



From left Jerry Livingston, Sammy Cahn, Hal David, Jule Styne, and Johnny Marks



Rupert Holmes (far left) with Mr. and Mrs. David



### ASCAP HONORS MABEL MERCER

During a special celebrity-attended tribute to Mabel Mercer at the Whitney Museum of American Art, ASCAP Board member Sammy Cahn presented the veteran songstress with a plaque recognizing her "outstanding renditions of American music that have been an inspiration to generations of music lovers."

Regional Dir. of Business Affairs Jim Gianopulos (Standing) Executive Secretary to the President Toni Winter, Membership Rep. Willie Hernandez, Dir. of Radio Licensing David Hochman, Collections Manager Bill Velez, and Dir. of Public Relations Karen Sherry



# PLAYBACK PLAYBACK PLAYBACK

## NEW YORK



### ASCAP HONORS BENNETT

Hal David (l) awards a special citation to famed orchestrator and composer Robert Russell Bennett at the N.Y. Membership Meeting held at the Waldorf-Astoria Hotel.

Bennett, an ASCAP member since 1935, served as the orchestrator of such classics of the musical theater as *Oklahoma!*, *South Pacific*, *Show Boat*, *Camelot*, *Kiss Me Kate*, *Of Thee I Sing*, and *Rose Marie*. His adaptation of the score to the film *Oklahoma!* earned an Academy Award in 1956, and he received an Emmy for his original music for *He Is Risen*, on NBC-TV's Project 20



### HAPPY BIRTHDAY VIRGIL!

Renowned composer, critic, and ASCAP Board member Virgil Thomson (second from right) cuts the cake in celebration of his 84th birthday, which took place during the December Board meetings. Pictured from left are fellow Board members Sammy Cahn, W. Stuart Pope, and Elie Siegmeister.



### GRAND WELCOME FOR CHINA COMPOSERS

Hal David hosts a reception at ASCAP's N.Y. Office honoring visiting composers from the People's Republic of China. From left are David, Mao Yuan, Composer in Residence at the Central Institute of Opera, Peking Chou Wen-chung, Vice-Dean, School of the Arts, Columbia University and Dir. of the U.S.-China Arts Exchange, and Chen Gang, composer and Professor of Composition at the Shanghai Conservatory.

Chen Gang and Mao Yuan, considered among the most notable composers in Asia, are visiting the United States from February through May 1981 under the aegis of the Center for U.S.-China Arts Exchange.



### 38 ASCAP AT CISAC

ASCAP Board member and CISAC Pres., Stanley Adams, arrives in Dakar, Africa, to preside over the annual meetings of CISAC (International Confederation of Societies for Authors and Composers) last November.

Adams is greeted by Léopold Senghor, then Pres. of the Republic, and John Alexis Zeigler, Exec. Secretary of CISAC. Shown from left are: Adams, Senghor, Zeigler (back row), and aide to Senghor.



### 150TH COPYRIGHT ANNIVERSARY

As part of the festivities commemorating the 150th anniversary of the U.S. copyright law, ASCAP awarded a special grant to broadcast a performance of the National Symphony on National Public Radio stations and the Voice of America. The concert, called "America's Romantic History," was conducted by Mstislav Rostropovich at the

Kennedy Center in Washington, D.C. The program included compositions by ASCAP members Charles Griffes and Leo Sowerby. Pictured above at the Kennedy Center concert are (l to r) Martin Bookspan, ASCAP Dir. of Symphonic and Concert Activities, Mrs. David Ladd, David Ladd, Registrar of Copyrights, U.S. Copyright Office, and Mike Keplinger, Chief of Information and Reference Division, U.S. Copyright Office.



# Remembering...

## Samuel Barber

[1910-1981]

**M**any American composers have put to rest the myth that serious music is exclusively a European art form. Among those are ASCAP giants such as Leonard Bernstein, Aaron Copland, Morton Gould, Elie Siegmeister, Virgil Thomson, and Samuel Barber. Often referred to as a pioneer of the American symphony and master of twentieth century American classical composition, Barber has enjoyed an enormous and enduring success as a serious American composer.

Barber's list of international awards and honors includes two Pulitzer Prizes, one of which was for his first opera, *Vanessa*, recently seen by national television audiences in a production originating at Spoleto Festival, U.S.A. He was elected to the American Academy and Institute of Arts and Letters at the age of 25, the youngest ever to be inducted at that time. In addition, unlike most of his colleagues, Barber has had nearly all of his works recorded.

Barber, who died at the age of 70 on January 23, distinguished himself for the romanticism, consistency, and unique lyricism of his works. Critic Bill Zakariasen once called Barber the "graceful misfit" of musical composition because when most composers were involved in avant-garde experimentation, he consistently and stubbornly produced melodic works with rich and beautiful harmonies. He was the master of the art song, and it is this genre that marks the spirit of his work.

Born in West Chester, Pennsylvania, in 1910, Barber began to study the piano when he was six, and he wrote his first composition, a 23-measure piece in C minor called *Sadness*, at the age of seven. *The Rose Tree* was his first attempt at opera, written when he was ten. Barber's musical talents were encouraged by his family, which included his aunt, renowned Metropolitan Opera contralto Louise Homer,

and her husband, composer Sidney Homer.

At the age of 14, Barber entered the newly created Curtis Institute for Music in Philadelphia where he studied piano, cello, composing, conducting, and voice with widely respected tutors. He won a prize for a violin concerto at age 18. His very first orchestral composition, the overture for *The School for Scandal*, written when he was 21, was given its world premiere by the Philadelphia Orchestra under the direction of Alexander Smallens. In the years that followed he received the American Prix de Rome, and a Pulitzer traveling scholarship. In 1938, conductor Arturo Toscanini presented the world premiere of two Barber pieces, *First Essay for Orchestra*, and the *Adagio for Strings*, which has since become one of the most frequently performed works in the contemporary repertoire.

After these performances by the venerated Italian conductor, other renowned conductors, such as Bruno Walter, George Szell, Dmitri Mitropoulos, Charles Munch, Serge Koussevitzky, Erich Leinsdorf, and Eugene Ormandy, sought out Barber's works. Vladimir Horowitz premiered his *Piano Sonata*, another staple of twentieth century repertoire. Eleanor Steber introduced *Knoxville: Summer of 1915*; John Browning debuted the *Piano Concerto*; Leontyne Price presented *Hermit Songs*; and Martha Graham performed the ballet *Medea* (first entitled *Cave of the Heart*).

*Vanessa* was Barber's first operatic essay, and a hallmark in his collaboration with longtime friend Gian Carlo Menotti, who wrote the libretto. Barber was commissioned to write *Antony and Cleopatra* for the opening in 1966 of the new Metropolitan Opera House at Lincoln Center in New York. It was revived both by Juilliard in 1975 and in Paris last November.

Barber's last completed work, *Third Essay for Orchestra*, was performed by the New York

*continued on page 45*

## E. Y. Harburg

[1896-1981]

**I** remember a song by Yip Harburg called *Poor You*," recalled Hal David in his opening remarks before the Nashville Songwriters Association International, last October. David was reminiscing about his early motivation to take up lyric writing. "The first few lines were:

*Poor You  
I'm sorry you're not me  
For you will never know  
What loving you can be!*

"It was such an attractive way of expressing a feeling," David continued. "I was so impressed."

Equally impressed was an entire generation of music lovers. Some of the luckier ones had the opportunity to collaborate with this great lyricist. This group includes many of the biggest names in American music: Harold Arlen, Vernon Duke, Sammy Fain, Ira Gershwin, John Green, Jerome Kern, Burton Lane, Arthur Schwartz, and Jule Styne.

Others, unable to share in the creative process, contented themselves by enjoying his many works, including *The Wizard of Oz* and *Finian's Rainbow*. And through the magic of modern technology, several generations around the world have now had the chance to appreciate the way Harburg expressed feelings. Although Harburg died in Hollywood on March 5, at the age of 84, his songs clearly had gained immortality long ago.

Harburg's career spanned more than 50 years. In 1939 he won an Academy Award for *Over the Rainbow* from *The Wizard of Oz*. That spectacularly successful film has been a yearly TV and movie favorite for children of all ages for the past 30 years. Harburg was also a two-time Academy Award nominee for *Happiness Is a Thing Called Joe* (1943) and *More and More* (1944). The list of his other awards and honors is extensive, and includes several honorary degrees.

Although Harburg's lyrics often deal with serious questions of

social and spiritual survival, they are always couched in humor, satire, and humility. He demanded economic justice, racial equality, and personal integrity. But his works were popular songs, not sermons. His unique talent was his ability to express even the most clichéd sentiments in a refreshing manner.

In the song *Napoleon*, for example, from his 1957 musical *Jamaica*, Harburg cleverly encourages the common man to respect himself and not to revere leaders and heroes blindly:

*Napoleon's a pastry  
Bismark's a herring  
Alexander's just a crème de  
cocoa mixed with rum  
And Hoo-oo-oover's just a  
vacu-u-um.*

*Columbus is a circle –  
and a day off  
Pershing is a square –  
what a pay off  
As for Caesar, he's just a salad  
on a shelf  
So, little brother, get wise to  
yourself.<sup>2</sup>*

Harburg also advised his fellow man to remain humble and know his place in nature's scheme:

*Man, he eat the barracuda,  
Barracuda eat the bass,  
Bass he eat the little flounder,  
'Cause the flounder lower class.  
Little flounder eat the sardine,  
That's nature's plan.  
Sardine eat little worm,  
Little worm eat man.<sup>3</sup>*

If Harburg's social criticism was relatively straightforward, his love songs were often oblique. "I doubt that I can ever say 'I love you' head on," he once told interviewer Max Wilk for *The New York Times*. "For me, the task is never to say the thing directly, and yet to say it – to think in a curve, so to speak."

Consequently, when working on the 1933 show *The Great Magoo*, about a cynical Coney Island showman, Harburg wrote *It's Only a Paper Moon*. In the song, the barker tells the girl that the moon and tree are only made of paper, "But it wouldn't be make-believe, if you believe in me."

*continued on page 45*



# STEPPIN' OUT

## Recent Professional Activities of ASCAP Members

### PREMIERED PREMIERED PR

**Richard Adler's** *Yellowstone Overture* by the American Philharmonic Orchestra at Carnegie Hall, NYC, on Nov. 2...

**Josef Alexander's** *Four Incantations for Piano* by Kazuko Hayami at the Gallery Concert Series, St. Ignatius Church, NYC, on Jan. 25...

**Leonard Balada's** *Concertino for Castagnettes and Chamber Orchestra* by the Philharmonia Orchestra of London, Santander, Spain, on Aug. 28...

**Richard Rodney Bennett's** *Harpsichord Concerto* by the composer in St. Louis, MO, on Dec. 4...

**David Chaitkin's** *Seasons Such As These* by the Cantata Singers in Cambridge, MA, on Nov. 12...

**Morris Moshe Cotel's** *Harmony of the World* by the Baltimore Symphony Orchestra, MD, on Dec. 3...

**Alfred Eisenstein's** *Memento for Piano* by the composer on NBC-TV, Miami, FL, on March 20...

**Marcel Farago's** *Mazel and Shlimazel* at Penn's Landing in Philadelphia, PA, on July 19...

**William Ferris' Snowcarols by the William Ferris Chorale in Chicago, IL, on Dec. 7...**

**Addy Fieger's** *Bugiarda* at Villa Serbelloni in Bellagio, Italy, on Aug. 16...

**Arnold Freed's** *Win, Place or Show* by the Shreveport Symphony Orchestra, LA, on June 27...

**Noel Goemanne's** *Trilogy* at the University of Arkansas, Monticello, on Dec. 14...

**Ezra Laderman's** *Violin Concerto* by the Philadelphia Orchestra at the Academy of Music, Philadelphia, PA, on Dec. 11...

**Dan Locklair's** *Inventions* at Trinity Chapel, Hartford, CT, on June 21...

**Henry Mancini's** *Piece for Jazz Bassoon and Orchestra* by the Los Angeles Music Center Orchestra on Jan. 13...

**Byron Olson's** *Theme and Variations for Piano and Orchestra* by The Foundation for New American Music in Los Angeles, CA, on Jan. 13...

**Barberi Paull's** *Clouds and Lingerings* by Le Danse in Paris, France, on Jan. 10...

**Henry and Bobbie Shaffner's** *The Phillies Have Got It* by vocalist Bruce McFarland for the champion baseball team, in Philadelphia, PA, on Nov. 19...

**John S. Simon's** *Dansical* by Twyla Tharp Ballet Company in NYC, on March 26...

**Paul Sladek's** *Cathedral Glory* at the Centennial Celebration of St. Mary's Cathedral, Fargo, ND, on Sept. 21...

**Irwin Swack's** *Trio* at Carnegie Recital Hall in NYC, on Dec. 18...

**Ivana Themmen's** *Guitar Concerto* by the Minnesota Orchestra in Minneapolis, on Oct. 28...

**Billy Edd Wheeler's** *Mossie and the Strippers* at the Cultural Center, Beckley, WV, on Oct. 24...

### ED PERFORMED PERFORMED

**Douglas Allanbrook's** *Music from the Country* by the New Philharmonia, Glen Ellyn, IL, on Nov. 18...

**Louis Ballard's** *Thus Spake Abraham* by the Gilardo Gilardi Conservatory of Music, La Plata, Argentina, in Aug...

**Irwin Bazelon's** *De-tonations Concerto for Brass Quintet and Orchestra* by the National Orchestra of France, conducted by the composer in France, on Feb. 16 to 21...

**Sammy Cahn** wrote the lyrics to *Thumbs Up, America*, President Reagan's inaugural theme song, performed at the White House, Washington, DC, on Jan. 20...

**Wally Collins'** group The Tomkats at The Other End, in NYC, on Dec. 8...





### EVITA Writers Honored

Pictured above at a celebration luncheon hosted by ASCAP are Tim Rice (l) and Andrew Lloyd Webber (c), both PRS members licensed through ASCAP in the U.S.A., accepting plaques from ASCAP's International Representative in England, Lawrie Ross. After citing their "outstanding contribution to musical theater," Ross also presented publisher Cyril Simons with an award for Evita Music Ltd. Others attending the luncheon were PRS representatives Michael Freegard and Richard Toeman, and, from the London cast, Marti Webb, Mary Ryan, and Stephanie Lawrence. *Evita* has won the New York Tony Award for best musical, the Grammy Award for Best Cast Show Album, as well as awards from London's Society of West End Theatres and Los Angeles' Drama Critics Circle. The show is currently in its third year in London, its second in New York and Los Angeles, and has recently opened in Vienna and Melbourne.

**John Green's** *Mine Eyes Have Seen* (*Symphony Parallels and Contradictions for Orchestra*) by the San Diego Symphony Orchestra at the Civic Center, conducted by the composer, on Dec. 4 & 5...

**James Hobbs' Nautilus**, computer-generated composition for 4-channel tape, at the 1980 International Computer Music Conference in Flushing, NY, on Nov. 14...

**Arthur Hamilton** emceed a dinner gala sponsored by Diamonds of the Desert; ASCAP composers showcasing their songs included **Mack David, Ray Evans, Sammy Fain, Hamilton, Bert Shefter, Henry Tobias, and Bobby Troup**, in Palm Springs, CA, on Feb. 13...

**Pinky Herman's Revusical** featuring 41 of the composer's songs at the Parker Playhouse in Ft. Lauderdale, FL, on Nov. 9...

**George Heussenstamm's Periphery** by the New England Conservatory Ensemble, Boston, MA, on Dec. 7...

**Joseph Ott's Africotta II** by the University of Texas Concert Band in Austin, on Oct. 8...

**Sam Pottle and Charles Choset's The Meehans** by the Theater for the New City, in NYC, for four weeks beginning May 28...

**John E. Price's Blues and Circle Dance** at Eastern Illinois University, Charleston, on April 26...

**Gardner Read's Symphony No. 4 Op. 92** by the Cleveland Orchestra, OH, on April 10...

**Ray Rivera** at St. Peter's Church in NYC, on Feb. 22...

**Barrie Stavis' Lamp at Midnight** at the Snow Performing Arts Center, Rexburg, ID, on Oct. 7...

**Debby Brady** on WCGA Radio, Georgia, her new album, *The Shadows of Time*...

**David Del Tredici's Happy Voices** telecast live by the PBS network, on Sept. 16...



**Gene Bertoncini** at St. Peter's Church in NYC, on Dec. 7...

**John Christopher** at the Citicorp Atrium in NYC, on Sept. 20 & 27...

**Brian Gari** at Pips in Brooklyn, NY, during Feb. and March...

**David Lahm** at the West Bank Café in NYC in Jan....

**Janet Lawson** at Palsson's Jazz in NYC, Nov. 13-15...

## TURED FEATURED FEATURE

**Ruby Fisher** co-wrote and produced the LP, *Swingin' for Hamp*, on the Concord Jazz label...

**Ed Fox** and **Alan Scott** signed an exclusive songwriting agreement with Colgems-EMI Music Inc....



## Steppin' Out

**Jeffrey Gusman's** patented musical device, *The Gusman Orchestrator*, a combined chart of 38 instruments' pitches, now on the market...

**John David Earnest's** *A Premium Symphony* commissioned by The Midland-Odesa Symphonia, TX, for May 1981...

**George Fischhoff's** *Love Fantasy* recorded by the Philadelphia Luv Ensemble, which appeared on *Billboard's* A/C Charts for 19 weeks...

**Paul Page** in the June 1980 issue of *Songwriter Magazine*...

**Dorothea Freitag**, artist in residence, at the University of California at Santa Barbara, from Jan. 28 to Feb. 2...

The **Yip Harburg** segment of *They Write the Songs* aired on PBS stations on Oct. 1...

**Craig Hundley** scored and produced the background music for the NBC-TV Movie of the Week, *The Acorn People*...

**Fern Sybil Keiner's** audio-visual program, *Children of the Rainbow*, currently in use in the U.S. public school system...

**Henry Merz's** *Mighty Casey* aired on the WNYC radio program, Senior Edition, on Jan. 14...

**Jeanne Napoli** wrote and recorded two songs for the MGM film, *He Knows You're Alone*...

The late **John Jacob Niles** in *The Washington Post*, on May 4...

**Douglas Royal's** latest single releases include *She's On* and *Dungaree Baby*...

**Sheldon Shkolnik** composed the film score to *Tell Me a Riddle*...

**Fisher Tull's** *Studies in Motion*, *Cryptic Essay*, and *The Final Covenant* recorded by the Sam Houston State University Wind Ensemble for Golden Crest Records...

**Fred Waring** celebrated 65 years in the entertainment business on March 15...

**Sylvia White's** *Rock for Kubla Khan* quarter finalist winner in the American Song Festival Lyric Competition for 1980...

**Elie Siegmeister** in *The New York Times* on Nov. 23, and on WNCN-FM, NYC, on Jan. 15...

**John Duffy**, 1980 Emmy Award for his music and musical direction of *A Talent for Life — Jews of the Italian Renaissance*...

The late **Gershon Ephros** on WNYC-FM's morning *Pro Musica* program on Jan. 15...

The late **Samuel Barber**, the *Edward MacDowell Medal*, on Aug. 24...

**Harry Chapin** inducted into the Long Island Hall of Fame, on Dec. 5...

**Jacob Druckman** and **Robert Wykes**, *John F. Kennedy Center Friedheim Awards*...

**Vivian Walton** named to the order of Kentucky Colonels by John Y. Brown, Jr., Governor of KY...

**Leonard Feather**, for more than 40 years as jazz critic, at a fundraising celebration featuring Steve Allen, Ella Fitzgerald, Peggy Lee, Sarah Vaughan, and Joe Williams, for the Duke Ellington School for the Arts, at the Cocoanut Grove in Los Angeles, CA, on Jan. 3...

**Dr. Arwin Garellick Sexaver**, World Peace Award for his lyrics *La Casa de Paz*, in Oct...

**Alice Jordan**, *Orah Ashley Lamke Distinguished Alumni Award* of Mu Phi Epsilon, on Aug. 15...

**Janice Lovoos** and **Elizabeth Surace**, the \$500 *David B. Marshall Award* for their musical, *Simon's Tower*...

Oklahoma Governor George Nigh proclaimed **Gerald Marks Days** on Oct. 1 & 2, following the ASCAP Board member's lecture at the University of Oklahoma during his nationwide tour of campuses...

**William Mayer** elected Chairman of Composers' Recordings Inc., in NYC...

**Delbert McCray** appointed Director of the Ohio Chapter of the National Songwriter's Guild...

**James E. Myers**, proclamation of insertion in the Congressional Record in Oct...

**Richard Nanes**, *Composer of the Year*, by The International Academy des Beaux Arts, on Oct. 31...

**Mary Lee Wainwright**, Life Patron Gold Trophy from the American Biographical Institute Research Association...

## HONORED HONORED HONORED

**Mary MacGregor**, **David Bluefield**, and **Marty Rodgers**, Grand Prize winners in the 1980 World Popular Song contest in Tokyo for their composition, *What's the Use*...

**Steppin' Out** features ASCAP members' recent professional activities. For inclusion in this section, send information (including city, state, and date of event) to: *ASCAP in Action*, One Lincoln Plaza, New York, New York 10023.



# INSIDE ASCAP

Paula Stone

**T**HE job of recruiting and assisting ASCAP's membership, now about 27,000 and growing, is as immense as it is demanding. Nevertheless, Paul S. Adler, Director of Membership, who has worked for ASCAP for the past 13 years, is more than equal to the task. In fact, on a day-to-day basis, he, together with his staff, tackles that assignment with the same energy and enthusiasm that characterized his achievements in the academic sphere: A.B. magna cum laude from Oberlin College; LL.B. from Columbia Law School; and an LL.M. from New York University Law School. In addition, he pursued studies at the London School of Economics and Political Science.

Born in China, where his mother's family lived for many years (his grandfather was a well-known impresario), Adler moved to the United States as a young child and has lived here ever since.

Before joining the ASCAP Legal Department in 1967, he worked in Washington, D.C., first as an attorney for the U.S. Department of Justice and later for an independent federal agency. He served as Distribution Manager from 1970 to 1974 and in 1975 became Director of Membership. Among the many responsibilities of the Membership Department are locating and signing fresh writing and publish-



**PROFILE:** Paul S. Adler  
Director of Membership

ing talent, processing the applications of approximately 300 new members each month, providing assistance to members and their representatives who have questions about the Society's rules and crediting procedures, and keeping abreast of the activities of the Society's members in all performance fields.

Adler attaches great importance to aggressive scouting and recruitment to continually add "new faces" to ASCAP's great roster of talented men and women because, as he points out, "We are now harvesting the seeds that were sown quite a few years ago." He adds that "ASCAP stays in touch with all facets of the music business, from avant-garde 'serious' music to 'punk' rock. We are proud of the great variety and prominence of our members on the national and international music scene. They represent the very best of

every music tradition." Adler is ably assisted in this work by the Membership Department staff. A group of energetic men and women, they spend a good deal of time on the "street" in publisher's offices, recording studios, sound stages, and clubs where both the established and the new artists perform their own material or the material of others.

ASCAP maintains membership offices in New York, Los Angeles, Nashville, and London, all of which Adler oversees. He and his department stress an open-door policy encouraging established, new, and potential members to visit the ASCAP offices and learn about the Society and performing rights. He believes that as more and more people understand that "ASCAP is the only performing rights Society owned and run by its members—the writers and publishers—and that all mem-

bers are treated equally, more and more will want to join the Society and have ASCAP represent their interests." The Society's membership representatives are in a position to offer convincing proof to writers and publishers affiliated with other performing rights organizations that, in most cases, they would be better off licensing their works through ASCAP. They are able to do this through concrete comparisons of what a work, which was licensed through BMI or SESAC, would have earned if it had been licensed through ASCAP. Adler beams: "The results speak for themselves, and have brought many writers and publishers to us."

Adler now lives in Manhattan with his wife, Katherine, an executive with Avon, an international cosmetics and jewelry firm.

Despite the long hours and daily challenges of his job, Adler genuinely enjoys it. His hectic schedule and extensive responsibilities seem forgotten as he talks about his work, especially the pleasure derived from seeing someone signed as an unknown become one of the great names of the business.

★★★★★

## In New York...

**In Distribution,**  
Len Spilka appointed  
Distribution Dir....

**In Index,**  
Maria Sotomayor promoted from Repertory  
Correspondent to  
Supervisor of Domestic



Correspondence...

### In Membership,

Lisa K. Schmidt, formerly Assistant to Membership Dir., appointed Eastern Dir. for Repertory; Tyrone Jenkins named Membership Rep.; and Latifah Ali joins the department as secretary to Membership Dir., Paul S. Adler...

### In Public Relations,

Gary Schuster named staff writer and assistant editor of *ASCAP in Action*...

## In Nashville...

Merlin Littlefield rejoins the staff as Associate Dir. of Nashville Operations. He had been employed by ASCAP from 1975 to 1979, until his move to Southern Music Publishers...

## The West Coast...

### In Membership,

Karen Davis appointed Membership Rep.; Lauren Kaiser promoted to Assistant Membership Rep.; Membership Reps. Julie Horton and Sam Schwartz named Dir. of Contemporary Repertory — West Coast, and Dir. of Television and Film Repertory — West Coast, respectively; and Mary Jo Menella transferred from N.Y. to L.A. as Assistant Membership Rep....

★★★★★

44

Matt Coulter, communications student at the University of Alabama, chosen as first recipient of the Howard Connors Memorial Scholarship.



4.5% (rather than 7.4%) of total cable royalties to music; and allocating only 54% (rather than 61.4%) of music's share to ASCAP.

### Cable Rate Adjustment

—The Tribunal determined that cable compulsory license fees should be increased 21% to reflect inflation from 1976 to 1980. This will increase the dollar amounts cable operators pay, and therefore the amounts ASCAP members receive from cable. ASCAP, along with the Motion Picture Association of America, sports interests, the National Association of Broadcasters, and BMI, made a joint presentation, but were opposed by the cable operators.

Both sides have appealed to the U.S. Court of Appeals for the District of Columbia Circuit. The copyright owners contend that the adjustment should have been made in a different manner, and the cable operators seek to lower the adjustment.

### Radio-Over-Speaker

**Action** — ASCAP has won its first copyright infringement case against a radio-over-speaker user under the new Copyright Law.

Under a 1975 Supreme Court decision interpreting the 1909 Copyright Law, commercial establishments which used music by means of radio broadcasts over loudspeakers did not "perform" the music, and so did not need any license from ASCAP or from members. The case was *Twentieth Century Music Corp. v. Aiken*.

The 1976 Copyright Law overturned *Aiken*. Congress did, however, enact

a limited exemption for small establishments: they were not liable if they used only "a single receiving apparatus of a kind commonly used in private homes," and if the broadcasts were not "further transmitted to the public."

ASCAP brought several lawsuits against radio-over-speaker users who we believe do not qualify for the exemption. One was against The Gap, a nationwide chain of 420 clothing stores. The Gap claimed its equipment, which included built-in wiring and speakers recessed in ceilings, was "home-type."

On February 3, 1981, Judge Gagliardi of the United States District Court for the Southern District of New York agreed with ASCAP and decided that The Gap's performances were not exempt. He reasoned that because of The Gap's size — 3,500 square feet compared to Aiken's 620 square feet — a "further transmission" did occur, and he held that the type of radio and speaker installation was not "home-type."

### Increase in Jukebox

**Fees** — On January 5, 1981, the Copyright Royalty Tribunal dramatically increased the compulsory license fees for jukebox operators. Under the 1976 Copyright Act, jukebox operators were subject to a compulsory license at an annual fee of \$8 per machine. Congress made this token initial fee subject to review and adjustment by the Copyright Royalty Tribunal in 1980 and at 10-year intervals thereafter.

A three-member majority of the Tribunal set the rates

for the next ten years as follows:

1981: \$ 8  
1982-83: \$25  
1984-86: \$50  
1987-90: \$50 plus adjustment for inflation between February 1981 and mid-1986.

Two Commissioners dissented: Commissioner Garcia would have made the \$25 fee \$30, and the \$50 fee \$60; Chairman James would have set the fee at \$130, effective in 1981.

ASCAP had proposed a \$70 fee for 1981, to be adjusted annually for inflation. SESAC supported ASCAP, and BMI proposed a fee of only \$30 per year, also with an inflation adjustment.

The Tribunal found ASCAP's approach "to be most attractive" and BMI's "not in accord with our statutory responsibilities." It also sharply criticized the jukebox operators' presentation.

ASCAP and the jukebox operators are appealing the decision in the U.S. Court of Appeals for the Seventh Circuit. The Society believes the fee should not have remained at \$8 for 1981, nor been phased in the way the Tribunal decided. The jukebox operators are expected to argue that the fee should remain at \$8.

Even if the Tribunal's rates survive an appeal, the amounts paid for jukebox performances of music should increase significantly: the \$1 million paid in 1980 should escalate to \$6 million in 1984 and go up more when the Consumer Price Index adjustment goes into effect in 1987.



## Samuel Barber

Philharmonic and conducted by Zubin Mehta for the opening of the 1978-79 season. It has just been released on New World Records. Other works that have gained prominence include *Dover Beach* (for voice and string quartet), *The Lovers* (for solo voice, chorus, and orchestra), *Souvenirs* (a ballet), *Summer Music* (for woodwind quintet), *Cello Concerto*, *Violin Concerto*, *Toccata Festiva* (for organ and orchestra), and the *Second Essay for Orchestra*.

Once called "fortune's favorite child" by Donal Henahan of *The New York Times*, Barber did not always receive unqualified praise. In fact, his works were sometimes considered too difficult to perform. "I remember when my *Piano Sonata* (1949) had its first performance, by Vladimir Horowitz," he recently told music writer Allan Kozinn. "An eminent critic said that the *Sonata* would rarely be played, since he doubted that anyone but Horowitz could handle it. Well, the joke, of course, is that now the *Sonata* is a required work in just about every piano competition. It seems that young people have no trouble with it at all."

Many critics pointed to Barber's penchant for romanticism. Music editor Gilbert Chase once wrote of Barber's "romantic allegiance," and Virgil Thomson has described Barber's musical style as an "elegant neo-romanticism." Phillip Ramey describes the terms romantic and neo-romantic as conjuring a kind of music that is melodic, easy on the ears (with a low dissonance quality), and formally traditional. "I hate those convenient labels," Barber said recently. "But I suppose it would be silly to deny that my musical impulses tend to correspond to what is generally meant by romantic."

Barber was asked, by writer Kozinn, why he never went through any of the experimental phases that most American composers have experienced. "Ah, I was waiting for this," he answered. "Why haven't I changed? Why should I? There's no reason music should be difficult for an audience to understand."

And Barber implemented that philosophy throughout his life, making his work accessible to both music experts and music lovers everywhere. The news of his passing saddened all who knew him and many who admired him and his music from afar.

Edward Murphy, President of G. Schirmer Inc. (Barber's first and only publisher), and ASCAP Board member, commented: "We feel an inconsolable void... Sam Barber's loss is softened only by the musical legacy he has left, and that will stand as a tribute to him forever."

## E.Y. Harburg

Another of Harburg's love songs demonstrates his exceptional mastery of language. In a song from *Finian's Rainbow*, a leprechaun who finds himself feeling the human emotion of desire sings:

*Ev'ry femme that flutters by me  
Is a flame that must be fanned;  
When I can't fondle the hand  
I'm fond of  
I fondle the hand at hand.\**

*April in Paris* is another Harburg love song, remarkable because it is a very warm evocation of Paris, even though Harburg had never been there. Years later, after having written the songs for *The Wizard of Oz*, Harburg commented on his ability to envision Paris by observing: "After all, I was never over the rainbow either."

Harburg's nostalgic and gentle side was also coupled with genuine optimism. In fact, Fred Saidy, with whom Harburg co-wrote the libretto to *Finian's Rainbow*, once commented that "His rhymes see contemporary life as endlessly menacing but ultimately hopeful." Harburg once told an audience of songwriters: "I grew up when America had a dream and its people a hope. The songs evolved with the sweetness of hope."

Harburg was born and raised on Manhattan's Lower East Side. As a child scurrying up and down the blocks of tenements, he acquired the nickname Yistel, which soon became Yipsel, a Yiddish word for squirrel. During high school, he was exposed to the operettas of Gilbert and Sullivan, and began to write light

verse of his own. He submitted his poems to Franklin P. Adams' newspaper column "The Conning Tower" while a student at the City College of New York, and used the name "Yipper" as his signature. He has been called "Yip" ever since.

Due to alphabetical seating in college, Harburg found himself next to Ira Gershwin, and the two wrote poems for a column in the school newspaper. Yet this was not the beginning of Harburg's songwriting career. "That's for fun, that's a sideline," he told interviewer Wilk. "Money is made by the sweat of your brow."

So, upon graduating from college with a Bachelor of Science degree, Harburg went into the electrical supply business with another college classmate. After a few years of modest success, however, the Great Crash wiped out the entire business. Harburg was left with nothing but a pencil. However, he managed to turn disaster into success, and not for the last time.

Beginning his new career as a theater lyricist, Harburg wrote songs for such shows as *Earl Carroll's Sketchbook* (1929), *The Garrick Gaieties* (1930), *Ballyhoo of '32*, and *Walk a Little Faster* (1932). Then Ira Gershwin introduced Harburg to Jay Gorney, with whom he collaborated on the 1932 revue *Americana*, with the resulting masterpiece of social commentary, *Brother, Can You Spare a Dime?* Written during the depths of the Depression, the song chronicled the pathos of an era, and saved Harburg from financial ruin.

*The Wizard of Oz* was produced in 1939, and Harburg's next effort was *Bloomer Girl*, a 1944 Broadway show that dealt with the rights of blacks and women. After World War II, Harburg was blacklisted in Hollywood because of his political views. But once again he turned a bad situation to his advantage when he returned to New York to write *Finian's Rainbow*.

Following that giant success, Harburg continued to write for Broadway: *Flahooley* (1951), *Jamaica* (1957), *The Happiest Girl in the World* (1961), and *Darling of the Day* (1968). Among his top songs are *Last Night When We*

*Were Young, How Are Things in Glocca Morra, Right as the Rain, Old Devil Moon, When I'm Not Near the Girl I Love*, and, for Groucho Marx, *Lydia, the Tattooed Lady*. His film scores include *Cabin in the Sky, Hollywood Canteen, Can't Help Singin'*, and *Gay Purr-ee*. Harburg is also the author of two books, *Rhymes for the Irreverent* (1965) and *At This Point in Rhyme* (1976).

Last year Harburg made his fourth appearance at the *Lynrics and Lyncists* series at the 92nd Street Y. With the gleam in his eyes as bright as ever, and his love of words still evident, he sang many of his old favorites, and even introduced a new song, *Time, You Old Gypsy Man*. The audience gave him a standing ovation, but not just for rekindling old memories. Listening to his cheerful, clever lyrics, they also found new strength for facing an uncertain future.

The Songwriters Hall of Fame had planned to present its special Johnny Mercer Award for Outstanding Achievement to Harburg on March 9. The award was accepted by his friend and collaborator, Burton Lane, who also offered an emotional rendition of *How Are Things in Glocca Morra*.

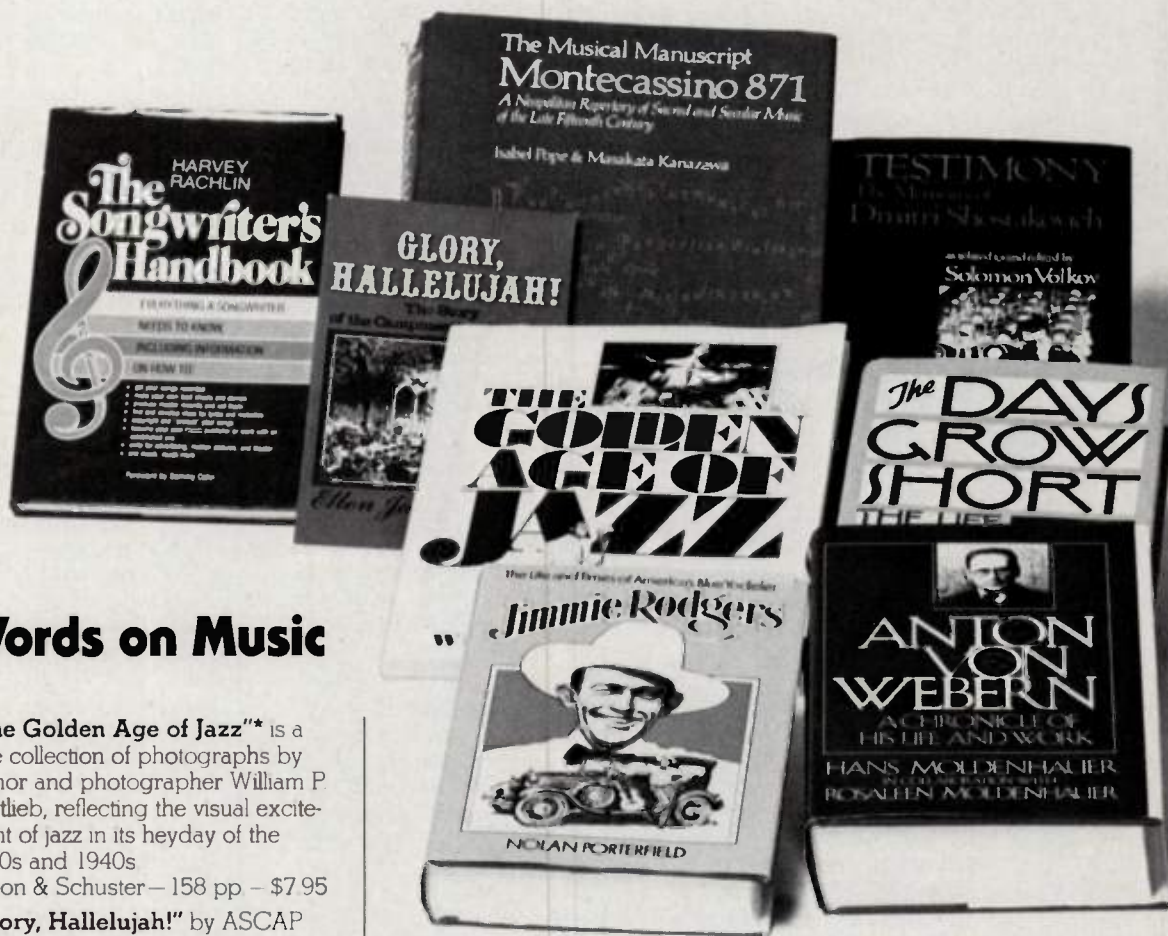
A member of ASCAP since 1930, Harburg brought pleasure to millions of people around the world. In both his life and his lyrics, he always sought to speak the truth. In a recent TV appearance on 60 Minutes, he told the interviewer that "the greatest romance is when the right words meet the right music." For Yip, that romance was to last his entire life. He will long be remembered for his sincerity, his playful wit, his great and genuine concern for the human condition, and his dogged insistence that we all hang on to our hopes and dreams. And he will always be an inspiration to those of us on this side of the rainbow.

\*Poor You  
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\*Napoleon; \*For Every Fish (There's a Little Bigger Fish)  
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\*When I'm Not Near the Girl I Love  
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## Words on Music

**"The Golden Age of Jazz"** is a rare collection of photographs by author and photographer William P. Gottlieb, reflecting the visual excitement of jazz in its heyday of the 1930s and 1940s.

Simon & Schuster—158 pp.—\$7.95

**"Glory, Hallelujah!"** by ASCAP member Ellen Jane Lorenz, details the camp meeting spiritual and its impact on American music and worship.

Abingdon Press—144 pp.—\$5.95

**"Anton von Webern"** is a comprehensive biography of one of the most important innovators in musical language and expression, by authors Hans and Rosaleen Moldenhauer.

Alfred A. Knopf—803 pp.—\$25.00

**"The Musical Manuscript—Montecassino 871"** offers a collection of international sacred and secular music written in the late fifteenth century. Authors Isabel Pope and Masakata Kanazawa study the origins of these pieces and offer critical commentary.

Oxford University Press—676 pp.—\$69.00

**"The Days Grow Short"** outlines the career of the late ASCAP composer Kurt Weill, best known for creating *The Threepenny Opera*. Author Ronald Sanders explores the many musical phases of the German-born composer.

Holt, Rinehart and Winston—469 pp.—\$16.95

**"Testimony—The Memoirs of Dmitri Shostakovich,"** edited by Solomon Volkov and translated by Antonina W. Bovis, is a moving account of life as a creative artist in the Soviet Union.

Harper and Row—290 pp.—\$15.00

**"Jimmy Rodgers—The Life and Times of America's Blue Yodeler"** portrays in depth the country music legend and ASCAP member. In addition, author Nolan Porterfield provides insight on the birth of country music.

University of Illinois Press—460 pp.—\$15.00

**"The Songwriter's Handbook,"** by Harvey Rachlin, details the process of composing, from the conception of a song to getting it published and recorded.

Funk and Wagnalls—172 pp.—\$10.95

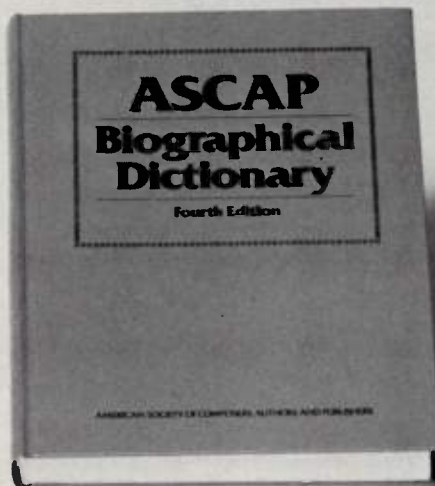
\*ASCAP-Deems Taylor Award-winners in 1980.



## "ASCAP Biographical Dictionary—

Fourth Edition" contains career profiles and prominent works of over 8,000 composer and lyricist members of ASCAP. Publisher members are listed alphabetically. From symphonic and concert to new wave and gospel, from country, jazz, soul, and Latin music to theater and film, the breadth and diversity of the history of American music is reflected in this updated and expanded edition.

The book is available to ASCAP members for \$19.00 and the general public for \$41.95 plus appropriate sales tax. Checks should be made payable to Jacques Cattell Press, and sent to: P.O. Box 2500, Tempe, Arizona 85282.



## "I Remember Jimmy—The Life and Times of Jimmy Durante,"

by Irene Adler, is a tribute to the renowned comedian and ASCAP songwriter. Nearly 200 photos highlight the entertainer's climb from Coney Island song and dance man to international star of nightclubs, television, and films.

Arlington House—189 pp.—\$19.95

**"Rock Voices"** is a collection of lyrics from rock and roll's most successful writers including ASCAP members Neil Diamond, Bob Dylan, Carly Simon, and Bruce Springsteen. Author Matt Damsker offers brief background comments.

St. Martin's Press—139 pp.—\$10.95

## "The World of Count Basie"

provides interviews with past and present members of Basie's band reminiscing about their leader and his music. Stanley Dance's collection also assesses the influences that the ASCAP musician has had on the course of jazz.

Charles Scribner's Sons—399 pp.—\$16.95

**"Blondie,"** by Lester Bangs, traces the band's rise to international stardom. Photos and text focus on the group's lead singer, ASCAP writer Deborah Harry.

Simon & Schuster—95 pp.—\$6.95

**"Death of a Rebel,"** by Mark Eliot, profiles the late ASCAP songwriter Phil Ochs, whose music captured the spirit and conflicts of the 1960s. Anchor Books—316 pp.—\$4.95



**"Music Business Handbook and Career Guide,"** by ASCAP member David Baskerville, contains information covering such topics as music licensing, songwriting, pub-

lishing, and recording. This guide is useful to both professionals and those aspiring to enter the field. The Sherwood Company—669 pp.—\$18.95



# ANOTHER YEAR, ANOTHER WINNER.

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ALL THE GRAMMYS EVER AWARDED  
FOR SONG OF THE YEAR.

JUST ~~10%~~<sup>74</sup> OF THEM.

1958  
*NEL BLU DIPINTO DI BLU (VOLARE)*

1960  
*THEME FROM EXODUS*

1961  
*MOON RIVER*

1963  
*THE DAYS OF WINE AND ROSES*

1964  
*HELLO, DOLLY!*

1965  
*THE SHADOW OF YOUR SMILE*

1967  
*UP, UP AND AWAY*

1968  
*LITTLE GREEN APPLES*

1971  
*YOU'VE GOT A FRIEND*

1974  
*THE WAY WE WERE*

1975  
*SEND IN THE CLOWNS*

1976  
*I WRITE THE SONGS*

1977 (TIE)  
*LOVE THEME FROM A STAR IS BORN (EVERGREEN)*  
*YOU LIGHT UP MY LIFE*

1978  
*JUST THE WAY YOU ARE*

1979  
*WHAT A FOOL BELIEVES*

~~1980~~  
~~SAILING~~  
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WE'VE ALWAYS HAD THE GREATS



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ASCAP congratulates Christopher Cross and all the other ASCAP members who won Grammys this year.

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WE'VE ALWAYS HAD THE GREATS

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# Broadway's longest-running love affair

## ASCAP & TONY



1950



1951



1952



1953



1954



1955



1956



1957



1958



1959



1960



1961



1962



1962



1963



1964



1966



1968



1969



1970



1971



1972



1972



1973



1974



1976



1977



1978



1978



1979



1980\*

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