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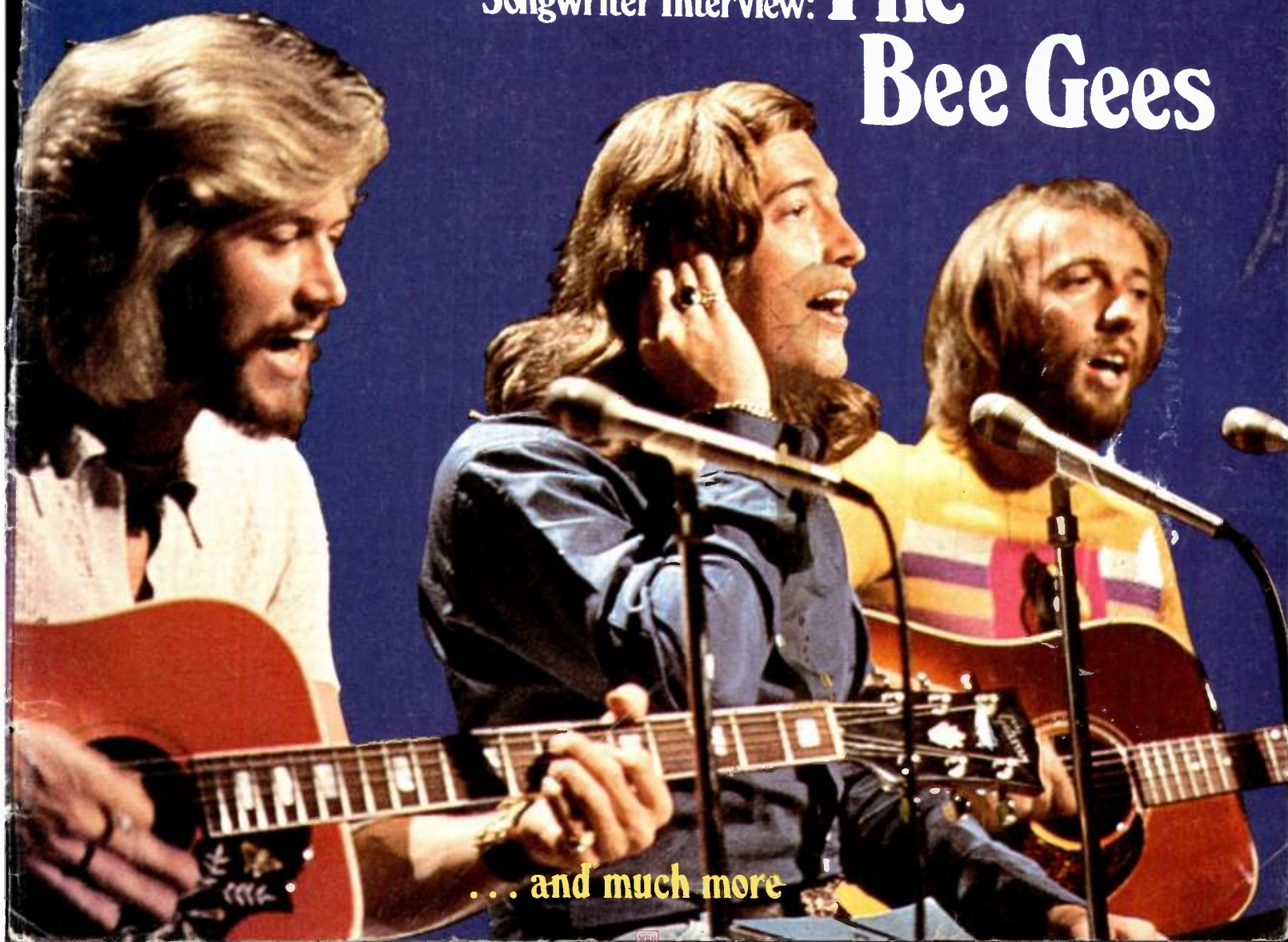
Songwriter

Magazine

The Psychological And Emotional Impact of Words

Plus: Suggestions for coming up with song ideas
What You Should Know About the Diminished Seventh Chord
How valid is the publisher-songwriter contract
What to expect In A Recording Contract

Songwriter Interview: **The Bee Gees**



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Managing Editor

East is East and West is West

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When you read the story about the Bee Gees in this issue, you'll read that Songwriter first came to the attention of Barry Gibb in a recording studio in Montreal, Canada.

A subscriber in Frankfurt, West Germany ... Robert A. Smith-Diesel, wrote to tell us that he has doubled the number of recorded and published songs since first subscribing. "Songwriter has been a great help and inspiration to me," he states.

We also received a letter from a subscriber in New York who complained that because we were based in Los Angeles, we tended to have more information about L.A. songwriting events and that we placed more emphasis on Nashville than we did on New York.

By way of suggestion, we would recommend that songwriting not be thought of in terms of geography. The diatonic musical scale is the same no matter where you live, and a Country writer struggles with the same problems an R&B writer struggles with, and they're both no different than a Pop writer. Successful writers listen to everyone regardless of style. Robin Gibb told us, "Some people think established writers such as the Bee Gees are fans of the Bee Gees and have no favorites other than themselves. That's not true ... we stay current by being open to everything going on around us, especially other writers."

Songwriter Magazine is subscribed to all over the world by people interested in the universal art of songwriting. Don't limit your learning by imposing blocks because of gender, musical style, or geographical classification. After all, east is east, and west is west, but that don't make no difference.

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Songwriting

Song ideas are everywhere
by *Al Kasha*
and *Joel Hirschhorn*

Legally Speaking

The terms you should seek
in a recording contract
by *A. Marco Turk* **Page 16**

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Silvers, President of Warner
Brothers Music

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A study of how song
lyrics react on the listener
by *Paul August*

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The Bee Gees

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From their early days in Australia to today's superstardom.

by *Paul Baratta*

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publisher-songwriter contract
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Cover Photo of the Bee Gees by Bobby Furst

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Songwriter News

We've Moved!

Our new editorial offices are located at 6430 Sunset Blvd., Suite 716, Hollywood, CA. 90028. The phone is now 213/464-SONG. None of this affects mail sent to our post office box which remains the same. In other words, the song has changed, but the melody lingers on.



L to R: Maurice Levine, Ginger Mercer (Johnny's widow), Sheldon Harnick and Alan Jay Lerner. Incidentally, the magazine Mr. Lerner is holding in his left hand is the March, 1977 issue of *Songwriter*.

Keeping Their Words

Rollin' Albert, who has contributed articles to *Songwriter* in the past, sends us the following:

It's true that nobody performs a song quite as well as the author — bringing out subtle nuances we'd overlooked before — and here's another example. (Three other examples, in fact!) JOHNNY MERCER croons a stunning 52 tunes for us (even more impressive when you think how many he left out); SHELDON HARNICK gets an assist from his wife, and even ALAN JAY LERNER shows us you don't have to have a good voice to put over a good song.

What makes this three-album set of value and interest to songwriters is the theme of the "Lyrics & Lyricists" series, initiated in 1970 by Maestro Maurice Levine at New York's culturally virile 92nd St. "Y". Rather than fall into the "... and then I wrote ..." trap, each of the lyricists uses his songs to emphasize a point or punctuate an argument about his work or the nature of the business.

Lerner credits his start to a cigarette, a left hook, and a wrong turn into the men's room — and details the particu-

continued on page 8



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NEWS from page 6

lars. Harnick explains how he was inspired to this unique profession by the lyrics of Yip Harburg — but soon realized that New York was overflowing with writers adept at clever complicated rhyming, forcing him to evolve the expression of his own feelings and concerns — admittedly a simple insight, but much more difficult to achieve.

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Drum Drops

In the pages of this issue you'll find an ad for Drum Drops with which, you'll note, Songwriter Magazine is associated. It's hard to push something when you're commercially involved . . . where does commerciality end and enthusiasm begin? But trying to be as objective as possible, we really think this album can be a tremendous aid to a songwriter. It does become your own drummer and lays down the count, tempo, and feel of the song you are writing, practicing or playing. For ten bucks, skip a couple of movies and make a small investment in your songwriting. The Drum Drops album is the most inexpensive way to buy yourself a year round drummer.

Musical Ears

In England, Lord Harewood who is a cousin of the Queen and chairman of the BBC Music Advisory Committee, was recently cleared of two motoring offenses for backing into a parked car. He maintained that he was listening to a Mozart wind serenade on his car radio and must have confused the sound of a burglar alarm which was set off on the parked car with a sustained note. Case dismissed. John Dankworth, husband, and musical conductor of and for Cleo Laine, must have had the same judge. John, who is an excellent saxophonist, was arrested in England and charged with speeding. He pleaded not guilty in court on the grounds he had perfect pitch and could tell by the sound of the motor just how fast he was going. "How fast were you going?", the judge asked him. "Thirty two," he replied. Case dismissed.

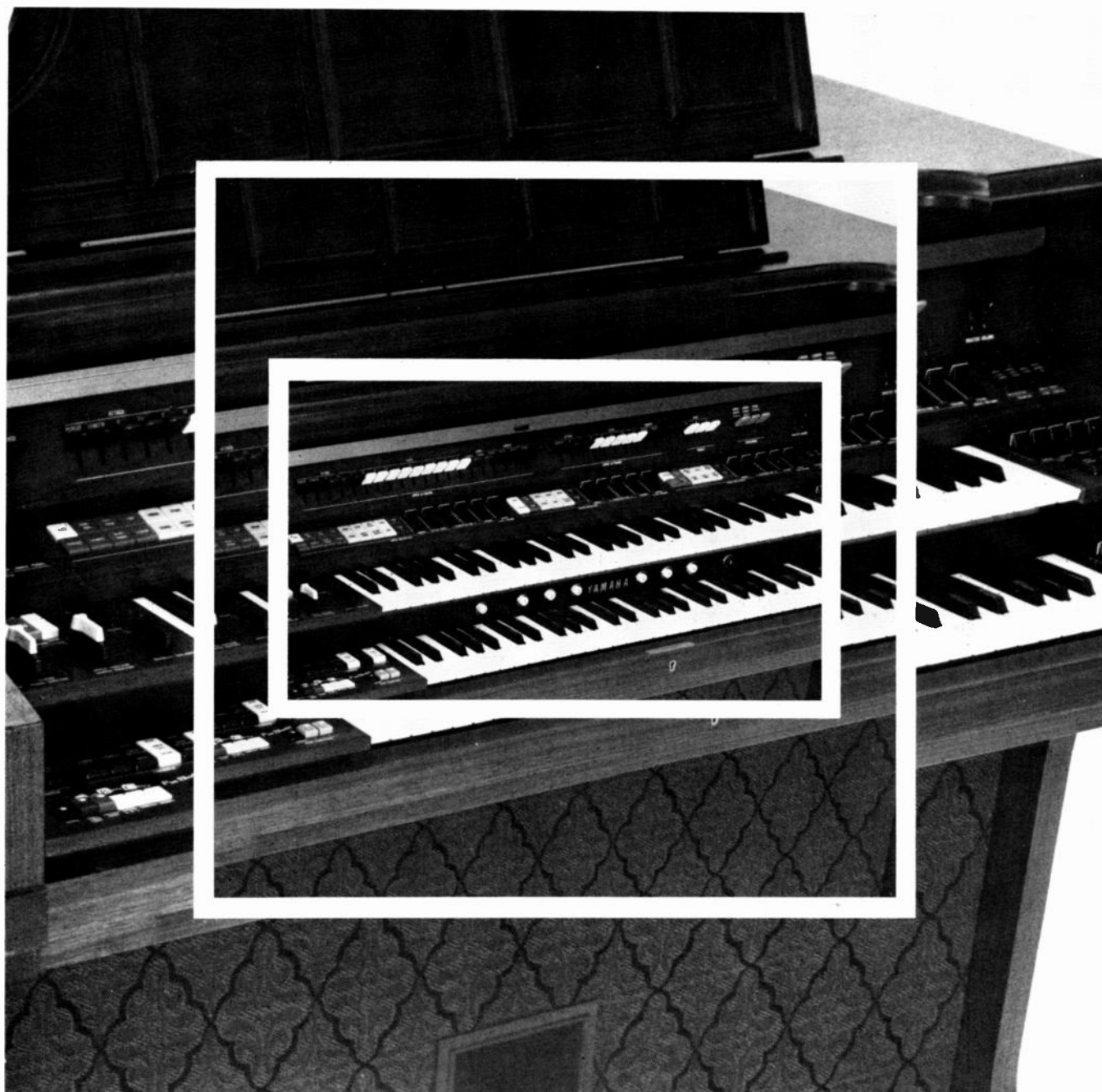
L.A. Writing Classes

Buddy Kaye, lyricist of many hit songs, Grammy Award winner, and writer of lyric scores for two Elvis Presley films, will begin a new class in Lyric Writing As A Career beginning February 4th. For information, contact Los Angeles Valley College Community Services at 988-0308. The college is located at 5800 Fulton Avenue, Van Nuys, CA 91401. Also, Stephen Cohn has completed his first 10-week songwriting class at McCabes which covered all aspects of songwriting, as well as some business aspects of the profession. The second ten week session is beginning and for details, contact McCabes in Santa Monica.

Chappell Music Promotion

Roger Gordon who was featured in a publisher rap in our January 1976 issue, has been named Vice President and General Manager of Chappell's west coast division, based in Los Angeles. Roger was previously with Screen Gems—EMI Music and was responsible for securing recordings by such artists as Helen Reddy, Glen Campbell, George Benson, Maxine Nightingale, Bobby Sherman, Mama Cass, Donny and Marie Osmond and many others.

continued on page 10



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NEWS from page 8



Max D. Barnes

Truckdriver's Dream

Max D. Barnes has had over 80 songs recorded by some of the biggest names in Country music such as Tammy Wynette, Charley Pride, Loretta Lynn, Conway Twitty, etc., and also such fine artists like Dobie Gray, Troy Seals and Lonnie Mack. But the road to success started off behind the wheel of a semi, driving beef all over the country for some of the biggest trucking firms for almost ten years. It was during that time he began writing songs. "The long, lonely hours of pounding an eighteen-wheeler back and forth across the country can get to you," said Max, "so I would make up songs." And make them up he did. He's an exclusive writer with Screen Gems—EMI Music, his most recent hit was *I Can't Love You Enough*, recorded by Conway Twitty and Loretta Lynn, and he's released his own record on Polydor entitled, *Allegheny Lady*.



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Who's Who

by Pat & Pete Luboff



LOS
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Famous Music is a division of Paramount Pictures, which is a Gulf + Western Company.

Other Offices: Nashville, New York, London

Bill's father managed the Ames Brothers for fifteen years, and Bill always wanted to be in the music business. While he was in college in '71, and until '75, Bill worked for Mike Viener, who owned Pride Records. Bill did promotion for Pride artists, the Sylvers, and A&R work for the label, as well as helping run Mike's publishing company. Bill went into independent promotion for a year, and pushed songs for MGM, Chelsea, and Famous. He was hired by Famous to do full time promotion for them, and then asked in October '76 to run their Nashville office.

Bill was responsible for placing *That's The Way Love Should Be* and *Don't Throw It All Away*, which were hits for Dave and Sugar; *It's Sad To Belong* with England Dan and John Ford Coley, which went #1 Easy Listening and Top 20 Pop; and Cristy Lane's hit *Let Me Down Easy*. In November of '77, Famous asked Bill to move to the L.A. office.

Famous Music is one of the largest publishers in the world. Their connection with Paramount Pictures give them the publishing on movie and TV themes such as: *Alfie*, *Moon River*, *Godfather I & II*, the *Happy Days* theme, the *Odd Couple* theme. They have a large catalog of standards like *Tangerine* and *Silver Bells*, and plenty of current successes, (Gene Watson's *Love In the Hot Afternoon* and John Watson's *Gentle On My Mind*).

Bill is looking for Pop, Top 40 and MOR material and writer artists. Reel to reel demos are preferred. You may send a three song maximum. Please include lyric sheets and a self-addressed, stamped envelope. Lead sheets will be appreciated, if you have them.



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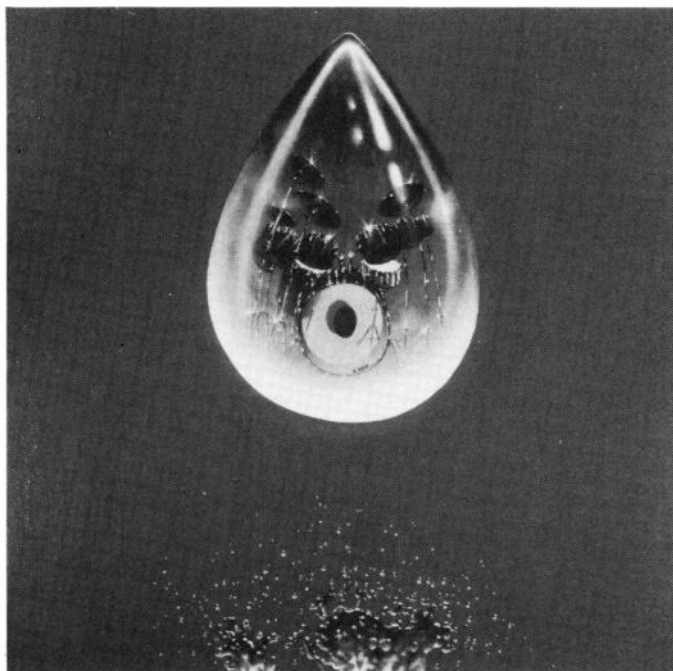
Warner wrote his first song while in high school, *Lillian* which was recorded by Nat King Cole. Warner and his brothers Walt and George toured as musicians with Stan Kenton's band for three years. Then they formed their own act, the Wilder Brothers, and played clubs, hotels and TV shows. Early in the 60's, they entered the record producing business in their own garage studio, and they created the first six Dick and Dee Dee hits, including *Mountain's High* and *Young And In Love*, which was just covered by Donny Osmond. Warner wrote, and they published, produced and performed on the gold record album and single, *Love Means You Never Have To Say You're Sorry*. They now call themselves The Sounds of Sunshine, and their albums are played extensively on Easy Listening stations. They are the artists on the theme used on the daily soap opera, *The Young And The Restless*. Their single of that song, also called *Nadia's Theme*, reached #46 on the charts. They are featured in the theme song from the new movie starring Henry (the Fonz) Winkler, *Heroes*.

Warner is a prolific writer and Bonton Music publishes his songs. He wrote Conway Twitty's single, *She Takes Care of Me*, which stayed on the charts for 23 weeks, and Mary Lou Turner's Country standard, *The World Needs Country Music*. He is co-publishing the new Perry Como single that he wrote, *Girl, You Make It Happen*. Warner and his brothers also produced all the early Wayne Newton records, and three albums for Larry Groce.

Warner feels that "What the music business needs is great lyric writers, who really have something to say, who can say the common things in an uncommon manner, who can say the same things that have already been said in a fresh way." He's looking for strong talented writers, writer artists and artists. "You gotta be great." You may send three songs at most on reel to reel or cassette with lyric sheets and a self-addressed, stamped envelope.

continued on page 39

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Cynthia Clawson



Marcia Routh



The Four Guys, Gary, Brent, Glen, Sam.



The Earl Scruggs Revue



Charlie Monk's Music Row

Loretta Lynn sang in the new year headlining at the Aladdin Hotel in Las Vegas. Along with the familiar steel guitar were 17 strings and a background group. (No — Loretta couldn't go pop with a mouthful of firecrackers!) Newcomer PEGGY FORMAN wrote Loretta's latest MCA single "Out Of My Head and Back In My Bed". (MCA just released an old master on Crystal Gayle "I've Cried (The Blues Right Out Of My Eyes)" written by big sister Loretta).

The Killer, Jerry Lee Lewis, is having a revitalization of his performing career. Lewis, known for barrooms and one-nighters, was an outstanding TV guest with Bette Midler on *Rolling Stones 10th Anniversary* and was a plus for Johnny Cash's Christmas Show. Jerry Lee, off the bottle as of this writ-

ing, plays himself in the Allan Freed bio-film "American Hot Wax" for Paramount.

ALBERT BRUMLEY, writer of such gospel standards as "I'll Fly Away", "I'll Meet You In The Morning", "Jesus Hold My Hand", "If We Never Meet Again" and Ray Stevens' "Turn Your Radio On", passed away in early November. BRUMLEY, a member of the Gospel Music Hall of Fame, wrote over a thousand Christian songs.

The Song Factory (JERRY FOSTER and BILL RICE) wrote a tasteful tribute to the fallen singers who gave us "White Christmas" and "Blue Christmas". The song given a simple title, "A Christmas Tribute", was recorded by Bob Luman and produced by Jim Vienneau for Polydor. Jerry Kennedy just produced FOSTER-RICE'S "One To One" with Reba McEntire for Mercury.

Johnny Paycheck's "Take This Job and Shove It" is taking off faster than a welfare recipient offered work. The tune

produced by Billy Sherrill is from the pen of DAVID ALLEN COE, who might tell a boss just that.

The Four Guys (Glen Bates, Sam Wellington, Gary Buck and Brent Burkett) went in the studio with zany producer Gary S. Paxton and came out with "I Remember", one of the nicest nostalgic pieces I've heard. (A couple of my favorite oldies to bounce back are Rex Allen Jr. singing CARL BELEW'S "Lonely Street" and Bobby Goldsboro's rendition of "He'll Have To Go", written by JOE and AUDREY ALLISON.)

Playwright, ad exec, restaurateur, painter, singer, pop writer, arranger, "fair" musician TUPPER SAUSSY just completed "Sonata for Piano and Trumpet ('Gatsby')", a commissioned work. Saussy, a member of The Neon Philharmonic wrote their hit in the sixties, "Morning Girl".

Olivia Newton-John's Making A Good Thing Better album includes two Nashville songs — MARSHALL

CHAPMAN and JIM RUSHING'S "I Think I'll Say Goodbye" and "Ring of Fire" written by MERLE KILGORE and JUNE CARTER CASH.

Triune Records and personal manager Linda Miller are pulling out all stops to promote talented singer-writer CYNTHIA CLAWSON. CLAWSON and her husband RAGAN COURTNEY have written a Christian musical "Bright New Wings". I've heard Cynthia's solo album *The Way I Feel* and it is gorgeous. I love Buryl Red's production and singing on "A Brand New Song", written by GEORGE GAGLIARDI.

Producer Allen Reynolds (Crystal Gayle) has just completed an album on former background singer-writer MARCIA ROUTH for Epic. Reynolds was kind enough to cut a song I found for George Hamilton IV — ROBIN BATEAU'S "Take This Heart".

One of the cleverest new ballads in a long time is "Standard Lie Number One" clefted by DENNIS WILSON of Tree Music's staff and sung by Dolly's little sister Stella Parton.

RCA's Roy Dea produced a single on 18-year-old Debbie Peters called "I'd Rather Give It Away". The songstress' super-writer father BEN PETERS wrote her debut ditty.

Big Jack Barlow got the talent assignment and Craig Deitchman produced commercials for Billy Beer — endorsed by the President's brother. (Somehow the White House loses a little more dignity everytime Jimmy acknowledges he has a brother.)

Chappell Music made a wise move when they made a co-publishing deal with Bob Milsap's Sailmaker Music. The deal included writer-artist RANDY GOODRUM who has had songs recorded by B.J. Thomas, Anne Murray, Gene Cotton, and England Dan-John Ford Coley.

CBS President Bruce Lundvall recently presented Earl Scruggs a carved statue of The Banjo Man recognizing 27 years with the label. (Did you know that Scruggs is featured in Encyclopedia Britannica as a virtuoso on the five-string?)

BOBBY BRADDOCK'S "Something To Bag About" was a hit for George Jones and Melba Montgomery a few years back and now a smash with Mary Kay Place and Willie Nelson. BRADDOCK also scribbled Johnny Carver's "Apartment" and helped TOMMY CASASSA write Mary Lou Turner's "He



Charlie Monk, Evie Tornquist, Bill Gaither



Johnny Paycheck and others shoving the job

Picked Me Up When You Let Me Down".

The Nashville Banner's Red O'Donnell said he called Chet Atkins' to follow up a story. The answering service came on with this recorded message: "Mr. Atkins and his answering service are out to lunch." Chet and Les Paul are working on another award winning album for RCA.

I won ten dollars on the World Series from Rozene (Mrs. Charley) Pride. She was a little late with the money and I had to remind her. But she got me. She sent me (10) one-dollar checks.

There were no surprises during the Gospel Music Association's Dove Awards. JOHN STALLINGS "Learning To Lean", popularized by the Blackwood Brothers, was named Song of the Year. The Male Vocalist of the Year, James Blackwood, and Songwriter of the Year Bill Gaither have won their awards every year, however; a new but popular little gal, Evie Tornquist, was named Female Vocalist. (A personal applause

goes to Joe Moscheo for putting on one of the best awards shows I've ever seen).

Hillbilly tidbits:

Elvis' father Vernon jumps in the spotlight with an upcoming shot on Hee-Haw — RCA star Johnny Russell recorded the Wet Willie hit "Leona" — Johnny Cash is co-starring in a tvee movie, Thaddeus Rose and Eddie — Johnny Wright and Kitty Wells have been wed forty years — Emmylou Harris' new single, "To Daddy" is a DOLLY PARTON song — Herb Pedersen included the RALPH STANELY classic "If I Lose" in his Sandman album for Epic — Freddy Fender recorded "Rags To Riches" — Kenny Harding produces the Cathedral Quartet for Canaan — Elektra's Jim Malloy is Elektra's David Malloy's father — Roger Miller played fiddle for The Circle A Wranglers — The Circle A Wranglers was a recruitment band headed by Faron Young in the late fifties. }

What the fledgling singer-songwriter should look for in a Recording Contract

by A. Marco Turk

EDITOR'S NOTE: This article has been prepared by a member of the State Bar of California as a public service for information on a topic of general interest to songwriters. The reader is cautioned to seek the advice of the reader's own attorney concerning the applicability of the principles discussed in the article to the reader's own activities.

• When the fledgling singer-songwriter ("artist") wakes up one day and finds that he or she has finally realized that long-awaited dream (a recording contract), the artist is faced with the momentous question of what to look for in such an arrangement.

Although the artist should unquestionably seek expert legal counsel in this area, in order to obtain the best possible deal under the circumstances, the following discussion hopefully will provide some insight into the maze which faces one in such a "fortunate position."

Initially, it should be understood that basically there are two deal structures: (a) One whereby the artist is signed directly to the record label or to a production company which has an agreement with the label; and (b) the other whereby the artist acquires his or her own production agreement directly with the label, pursuant to which the label pays the artist compensation which must cover both the artist and the producer.

Because both types of arrangements are common, and the author prefers the latter, this article will discuss the deal structure from the point of view of the artist who will acquire his or her own production agreement directly with the label, and will thereafter obtain a producer.

The basic points to look for in such an arrangement are as follows:

(1) *Term:* The initial term normally is for one year and the label will thereafter have four options to extend the initial term for one additional year each upon giving written notice to the artist at least thirty days prior to the end of the year of the term immediately preceding that for which the option is being exercised. The exercise of each option should be conditioned upon the label complying with all material obligations of the agreement to be performed by it

during the immediately preceding year.

(2) *Guaranteed Minimum Product:* During each year of the contract, the artist would record and the label would release a minimum of one album and three singles. The label could elect to release such singles from the albums rather than financing the production of additional masters to be utilized in connection with such singles.

(3) *Recording Budgets:* During each of the first and second years of the agreement, at least \$40,000 per album (including the producer's fee) should be provided. During each of the third, fourth and fifth years of the term, the production budgets should be increased at least \$5,000 above the budget for the immediately preceding year.

(4) *Advances:* The advance for the initial year should be at least \$25,000. Assuming that advance for the first year, the advances for the second, third, fourth and fifth years, respectively, should be \$30,000, \$40,000, \$50,000, and \$75,000. Advances are usually payable one-half on commencement of each year of the term and the balance upon delivery of the initial product for that particular year.

(5) *Royalties:* The basic royalties (so-called "domestic") should be based upon 100% of all retail disc sales. During the initial year, the royalty should be 11% for single records and 12% for albums. During each of the second, third, and fourth years of the term, the royalty rates would increase 1% in each category. During the fifth year, the rates would probably remain the same as in the fourth (i.e., 14% for single records and 15% for albums).

Royalties for disc sales outside the domestic territory should be 75% of the domestic rates. Tape sales should be paid for on the basis of 75% of the otherwise applicable rate (unless the label manufactures its own tapes, in which latter event the royalty should be the full applicable rate). K-Tel and record club sales would be paid for on the basis of 50% of the label's net receipts.

(6) *Additional Product:* In addition to the minimum product referred to above, the label could have an option to re-

quest one additional album during each of the second, third, fourth and fifth years of the term, provided that such request is made in writing no later than 90 days prior to the end of the year of the term during which such request is made. If the label exercises such an option, the royalty rate for that additional album and all singles therefrom should be 1% higher than the royalties which normally would be payable for such product during the year of its release. However, recording cost budgets for such product could be based upon the year of request by the label.

(7) *Promotion and Advertising Budgets:* Because it is absolutely critical that a record company adequately promote and advertise the product, the label should provide promotion and advertising budgets of at least \$5,000 per single record release and \$20,000 per album release. If possible, the artist should at least be consulted with respect to the expenditure of such sums. It would not be reasonable to expect a label to accord a new artist rights of approval over such expenditures.

All of the other terms and conditions of the contract would be subject to good faith negotiations between the parties at the time those forms are submitted to the artist's attorney for review. However, it should be noted that this article does not attempt to exhaust the subject matter from the point of view of a thorough analysis of the entire scope of deal points to be considered in such a situation. The attempt here is simply to provide an over view so that the reader will get an idea of the basic deal points involved, thereby enabling the artist to "solve the mystery" which normally surrounds the making of a record deal. Obtaining the advice and counsel of an attorney knowledgeable in the area will provide the artist with the maximum protection needed in order to secure a fair and equitable arrangement.

Finally, irrespective of how good the artist's deal looks on paper, that is just the beginning. Unless the product is superior and the label does its job effectively, the recording contract will be good for nothing but a scrapbook. >

Ideas are Everywhere



by Al Kasha

in association with Joel Hirschhorn

One of the most common complaints voiced by new lyricists is, "I can't seem to get any ideas. I've run out." The professional writer may also experience this block, but he knows how many sources of inspiration there are, and can consciously direct his attention to them.

The richest source of ideas is human relationships. Before the 1950's, lyrics primarily dealt with love, sad or happy, but in general terms, such as *YOU'RE BREAKING MY HEART* or *LOVE WALKED IN*. Now the field has opened to encompass all problems, and the people are characterized with more depth. Consider the characters you meet in songs — you see them around you all the time, and the trick is to become aware of them as dramatic material. Some are on *TOP OF THE WORLD*; others are *ALONE AGAIN, NATURALLY*. But behind these generalities, definite universal types can be found. *MAGGIE MAY* was an older woman trying to hang on to a young boy. If you're out on a boardwalk or at a carnival, you're likely to run into a *GYPSY WOMAN*. There's the *RICH GIRL*, the snob who depends on her "old man's money," someone you've met many times.

While you're wondering, "What can I write about?" you might open your mind to problems your friends are having. Take adultery, for example, which was cautiously handled years ago in *MIDNIGHT CONFESSIONS* and far more explicitly recently in *ME AND MRS. JONES*. The people you know who are wrestling with this situation may be following the same patterns in broad outline, but the details which individualize their relationships will be different and possibly intriguing in song form.

D-I-V-O-R-C-E took a novel approach to divorce, in which the mother spells out the word so her children won't understand what's taking place. You could handle the same subject in a courtroom, or write about a weekend visit where

animosity develops between the estranged couple. There are thousands of ways to handle a potentially explosive topic like this one.

The "swinger" is someone we've all met, whether the *LITTLE TOWN FLIRT* of the 1950's or the more blatant *RUBY TUESDAY* or *HONKY TONK WOMAN*. People have many facets, all of which can be dramatically utilized. Vanity is delineated with sardonic brilliance in *YOU'RE SO VAIN*. Other characteristics, such as lying, bragging, shyness, tyranny, can form the basis for an absorbing lyric.

Everything is grist for the creative mill. Movies on the Late Show can turn your mind on, as *ALONG CAME JONES* turned on the thoughts of its composers. A mood piece like *WILDFIRE* has the same brooding, hauntingly tragic quality of *WUTHERING HEIGHTS*. Books, television shows, newscasts, even the want ads . . . all of these have the seeds of hit songs contained in them.

History offers a wealth of material. *LADY GODIVA* found herself on top of the charts. *THE NIGHT THEY DROVE OLD DIXIE DOWN* painted a colorful picture of the Civil War period. *SNOOPY AND THE RED BARON* was a lighter look at combat. More contemporary history was touchingly drawn upon in *ABRAHAM, MARTIN AND JOHN*.

Analytical problems are a well that can never run dry. We've all had the experience of non-communication, punctuated by the *SOUNDS OF SILENCE*. We've all fought and tried to reconcile before going to bed, taking the attitude *WE CAN WORK IT OUT*. We've all been tormented to a greater or lesser degree, feeling as though we're having our *19TH NERVOUS BREAKDOWN*. Somewhere along the line, someone has said to us, *YOU'VE GOT A FRIEND* when we were troubled and lost. Perhaps we asked someone to *HELP ME MAKE IT THROUGH THE NIGHT*.

God can be viewed in numerous ways. He can be *MY SWEET LORD*, or he can be the holder of mysterious answers to a question like *WHY ME, LORD?* You can *PUT YOUR HAND IN THE HAND* of Jesus, or you can turn to Him with a plea such as *LORD, THIS TIME I NEED A MOUNTAIN*. You can worship Him, criticize Him, analyze Him, try to get closer to Him . . . the possible approaches are endless.

Nostalgia inspired *THE WAY WE WERE*. Time, in one guise or another, is a subject lyricists and poets have always grappled with. Maybe you've had a feeling you'd like to *TURN BACK THE HANDS OF TIME* or reflected *FUNNY HOW TIME SLIPS AWAY*. You've probably felt that flush of excitement, the feeling that it's *A TIME FOR US* when a love affair was working out successfully. Sometimes nostalgia can be employed in a sad, cynical way, such as in *GOODBYE, YELLOW BRICK ROAD*. Looking back to your own past can yield memories that may add up to a meaningful piece of material.

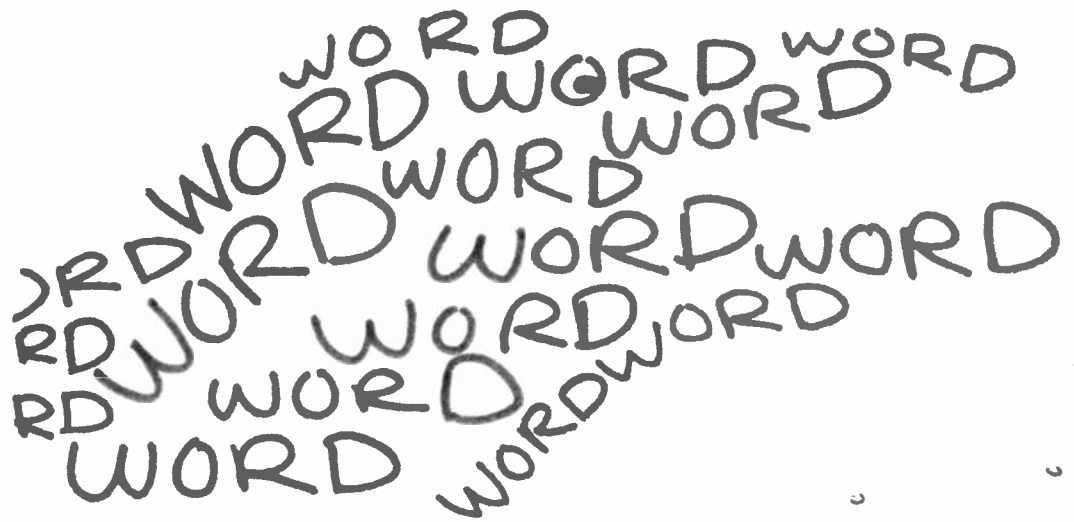
Social conditions provide musical platforms for the culture-conscious writer, whether it be war (*WAR*), crime (*IN THE GHETTO*), poverty (*LIVING IN THE CITY*), women's lib (*I AM WOMAN*), or civil rights (*BLOWING IN THE WIND*).

A creative writer even makes use of inanimate objects dramatically. Think of *WICHITA LINEMAN*, *TELEPHONE MAN*, *STAIRWAY TO HEAVEN*, *RAIN ON THE ROOF*, *WINDOWS OF THE WORLD* and now *HEAVEN ON THE SEVENTH FLOOR* which directs its conflict around a stalled elevator.

Story songs call upon you to be a musical scriptwriter. This form of musical fiction allows you tremendous imaginative leeway. *TIE A YELLOW RIBBON* and *HONEY* are fully fleshed movies as written. *HARPER VALLEY PTA* and *HOTEL CALIFORNIA* are about to be made into feature films, so complete and vivid are their scenarios, and *ODE TO BILLY JOE* has already made the transition to the big screen.

Philosophy may provide you with a dramatic springboard. Existentialism inspired *IS THAT ALL THERE IS*. The Beatles turned to Indian philosophy for many of their songs.

These are just a few of the roads that can be taken. Hopefully, the above examples will spark your thinking and free it to expand in a dozen directions. Every person is a potential biography, every incident a dramatic possibility, every natural wonder a potential metaphor. Developing your powers of observation will clear away any mental debris that has built up, and allow in a series of new and stimulating characters and situations. •



The Psychological and Emotional Impact

by Paul August

"I Love You." These words, according to psychiatrist Joost A.M. Meerloo, carry numerous messages . . . security, sexuality, ecstasy, affirmation, gratification, intimacy, admiration or responsibility. But this same statement might mean self-sacrifice, a wish for dependency, a conquest, guilt or desire to exploit another.

Words carry psychological and emotional impacts beyond their definitions. For the songwriter, the correct usage could mean the difference between discernment or disaster.

Meanings of words differ for each individual depending on their culture, sex, childhood, and immediate experiences. The word "sun" is a warm, life-giving, protecting and loving force in northern and tropical countries. In the Near East, however, "Sun" is a dangerous, threatening, devoid entity. Fire and water can symbolize warmth and nourishment as well as burning and flooding.

Sex makes a difference in the meaning we give words. Try this. What do you associate with the word "bow"? Now what would you associate with the word "file"? Florence L. Goodenough (that name is for real), a psychologist working at the University of Minnesota, tested young subjects from the ages of 11 to 22. She found that none of her male subjects selected a hair ribbon to refer to "bow." They thought of archery. A few females selected the bow and arrow concept but most chose to think of hair. In referring to "file," men alluded to wood or metals while women favored manicuring fingernails. Margaret Mead has stated what we already know . . . that men and women interpret certain words quite dif-

ferently. Is marriage security or bondage? Is love attachment or slavery? Is mother the symbol of strength or weakness?

Housewives listen to easy-listening and middle-of-the-road radio stations. Music for the male military consists of marches and battle hymns. We also have "heavy metal" music. Men and women are often affected differently by the same song.

The ethnic and social class backgrounds of groups influence their perceptions of words and the way they speak. In the United States, street language is short and ungrammatical. When Mick Jagger sang, "*I can't get no satisfaction*," his use of the double negative exemplified this. Lower class language is simple and repetitive, using numerous clichés like K.C. and the Sunshine Band, "*That's the way, I like it*." It uses few adjectives but more personal pronouns, "*She loves you, yea yea yea*."

Street language mixes reasons with conclusions, makes simple statements

with slang phrases and contains a great degree of implicit meaning.

I'm reminded of a student who once told me, "I like the 'you' songs."

"What's a 'you' song?" I asked.

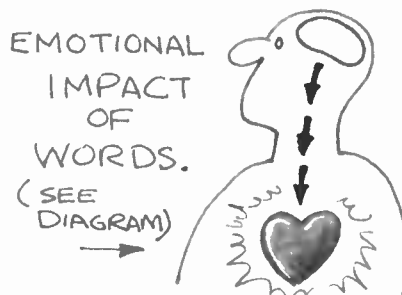
"It's when a song talks to you. Like Barry White is speaking only to me at the start of his record."

Two sociologists, Schatzman and Strauss, interviewed middle and lower class Americans. They found that the lower class described events from their own eyes, didn't bother to explain themselves and wandered into detailed accounts of a particular incident. Upper class respondents tried to be more objective, supplied perspective and context and organized their accounts with an over-all framework.

Rock, soul and blues tunes often use the fragmented, ungrammatical language of the streets. On the other hand, a Broadway show tune is written to conform with the language of the theatergoer.

Our childhood environment and ethnic background also influence our perception of words. "Punk," to a white middle-class mid-western person, is a scruffy, youthful trouble-maker. In the black dialect, "punk" is one term for homosexual. A black youngster says, "I'm gonna book to the crib." A white adult thinks he's taking a magazine to the child's bed. The original intention, however, is that I am going to leave (book) and return to my house (crib). The implication for the songwriter is clear. Write in the language you know.

Even immediate experiences influence our perceptions of words. During the Alfred Hitchcock movie, "Psycho," a local





of Words

TV station paused for a commercial after the scene where Janet Leigh had just been slashed to death in a shower with a long butcher knife. The commercial was a prize offer from Shell gasoline to get a free butcher knife with every fill-up of gas. After the preceding scene, the word knife was ghastly. The commercial lost



Communication between two people is fraught with difficulties. As William James noted, when two people are conversing, there are six personalities psychologically present. If I talk to you, we have, 1) me as I see myself, 2) me as you see me, 3) how I really am. Then we have 4) you as you see yourself, 5) you as I see you and 6) you as you really are (or as a third person might see it). Our conversation gets crowded quickly.

One method psychologists use to unravel our interpretation of words is free association. Rommetveit's text, *Words, Meanings and Messages*, refers to a study where students responded to two words. The word "cottage" was associated with cabin, home, house, lake and cheese. For

the songwriter, or the poet, both of whom know this intuitively, the double association of "cottage" with both home and cheese can create a serene feminine image of backwoods contentment.

Some words engender their opposites. In the same study, the word "deep" was associated with high and shallow as well as dark, hole, low and water. Consider one George Harrison song, *Within You And Without You*. A contradiction? No. Life goes on within you but it can also go on without you. The story of the universe in five well-chosen words.

Are there any universal words which all humanity can understand? Psychiatrist Carl Jung believed that man shares a collective unconscious. All mankind has universally experienced love, hunger, birth, growing, pleasure and pain. Sigmund Freud took a different view. He theorized that man represses his true feelings and they come forth during dreams or so-called "Freudian Slips," like when the Mayor of San Francisco objected to President Carter sending his city a supersonic transport airplane with many hookers. (The metaphor he really wanted was, "strings attached.") Freud interpreted certain words as having universal sexual symbolism.

Erich Fromm takes the opposite view. In his book, *"The Forgotten Language,"* Fromm implies that each individual has his own mythology. The emotional impact of words differ from person to person based on their past experience. A chair is that in which we sit. However, to a person who has just been hit with a chair, it becomes a terrible weapon. "Mother" is a word loaded with complex emotional reactions ranging from love and acceptance to hate and rejection, depending on how that person was mothered.

The precise use of words has troubled man since the beginnings of Western Civilization. The Greek philosopher Aristotle introduced his entire philosophical system by carefully defining the word "definition." He went on to define his terms so students knew exactly what he meant by justice, anger, life and reason.

Plato, on the other hand, used words in their metaphorical context, explaining his philosophy with fables, symbols and legends. Love? When Earth began, according to Plato, mankind consisted of beings with two heads, four arms and legs and three sexes: male-male, female-female, and male-female. These dual-bodied beasts



decided to revolt against the Gods who retaliated by splitting them in two with lightning. The result was the one-headed, four-limbed beings we are today. Since then, however, we have constantly sought our other half. The mythology of love, for Plato, is the seeking of the one half for the other



Cartoons by Alex Granado

half, the intense sexual drawing together that completes us with another to become a total being.

One study in psycholinguistics, by C. E. Osgood, claimed that there were certain positive universal words: good, sweet, bright, up and smooth. This study brings to mind the compositions of Stephen Foster. His 19th Century songs were layered with words like sunlight, beautiful, flowers, romance, dance, dewdrops, dawn, dreamer ... highly charged positive images.

This contrasts with the success of the 20th Century songwriters. Bob Dylan's words are urbanized, industrialized observations of his environment and the history which preceded it ... subterranean, man, woman, wind, sand, babe, motorcycle, farewell. Still, upon closer look, we see images of countrysides, lights, windows, traveling, sun, birth and love in his songs.

Psychologists do know that we cannot separate mind from body. One experimental subject was told to imagine his arm socking an opponent in a fight. The arm was perfectly still with electrodes attached. The electrical impulses emitted by the inactive arm were similar to those of actual fighting. Just by thinking of hitting, his arm was reacting.

This is how songs affect moods. Rock and roll ... run, dance, jump ... the suggestion of activity creates a mood of excitement. The relaxation of soft music develops the opposite effect. We can not separate emotions and thoughts from the body's reactions.

Certain words have shock value in the English language. Given the self-censorship of most metropolitan radio stations, songwriters don't often have the opportunity to create shock value. Perhaps this might be loosening up somewhat. A recent hit tune, *Rich Girl*, received major airplay in most areas despite the use of "bitch" in the lyrics.

At the opposite end of the emotional spectrum, we can find sacred words.



"Jesus" is a word that once made Catholics bow their heads. In gospel music, "Jesus" is much more visual and physical than the word "God."

Using the language of your audience is the most positive way to get response. During the fifties, one record company made a disc called *High School USA*. The gimmick chorus blabbered the



name of *your* high school. The producers made different versions of the same record to appeal to high school students in different regions of the USA ... the San Francisco version calling out school names in the bay area ... the L.A.



version, the Philadelphia version, the New York version ...

Slick gimmicks might sell records but they don't make songs. The use of words as lyrics require knowledge of music and a sense of context. At the end of the Eagle's song, *California Hotel*, the singer screams, "You can check out but you can never leave." The sense of isolation and confinement is reinforced with a piercing guitar note which breaks into a high wailing electric cry of despair. The words inspire the guitar. The guitar forces more passion into the phrase, an excellent blend of lyrics, music, arrangement and studio engineering.

Another nice image on the popular song charts is the Peter Frampton re-make of an old soul tune, "Here I am. Signed, sealed, delivered. I'm yours." The statement is crisp and clear. There is a sense of submissiveness at having surrendered a signature, being sealed and ultimately delivered. This is finalized with the reinforcing image, "I'm yours." It increases the submission

and blends the singer with his woman, much like Plato would have us return to the other half of our lives.

Still we have to return to the individual's acceptance of the words. When B.B. King sings "... *thrill is gone*," he knows that misery loves company. For his audience, that song articulates an emotion or an unconscious fear. The Blues. But "the thrill" doesn't mean the same to upper-class professionals. Dr. Frederic Loomis, physician, provides us with this example from his autobiography.

A 35 year old woman came to Dr. Loomis. She wanted a child but was afraid because she once had a disease characterized by a vibration or rumbling in the heart. This vibration, called a "thrill," could be felt by putting a finger on a patient's chest during an examination.

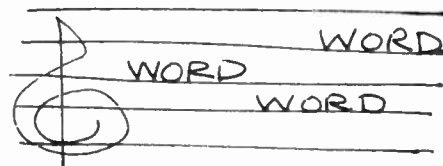
Dr. Loomis explains, "When this woman undressed, and was lying on my table in her white kimono, my stethoscope quickly found the heart sounds I expected. Dictating to my nurse, I described them carefully. I put my stethoscope aside and felt intently for the typical vibration which may be found in a small but variable area of the left chest.

"I closed my eyes for better concentration and felt long and carefully for the tremor. I did not find it. With my hand still on the woman's bare breast, lifting it upward and out of the way, I finally turned to the nurse and said: 'No thrill.'

"The patient's black eyes snapped open and with venom in her voice she said: 'Well, isn't that just too bad? Perhaps it's just as well you don't get one. That isn't what I came for.'

"My nurse almost choked and my explanation still seems a nightmare of futile words."

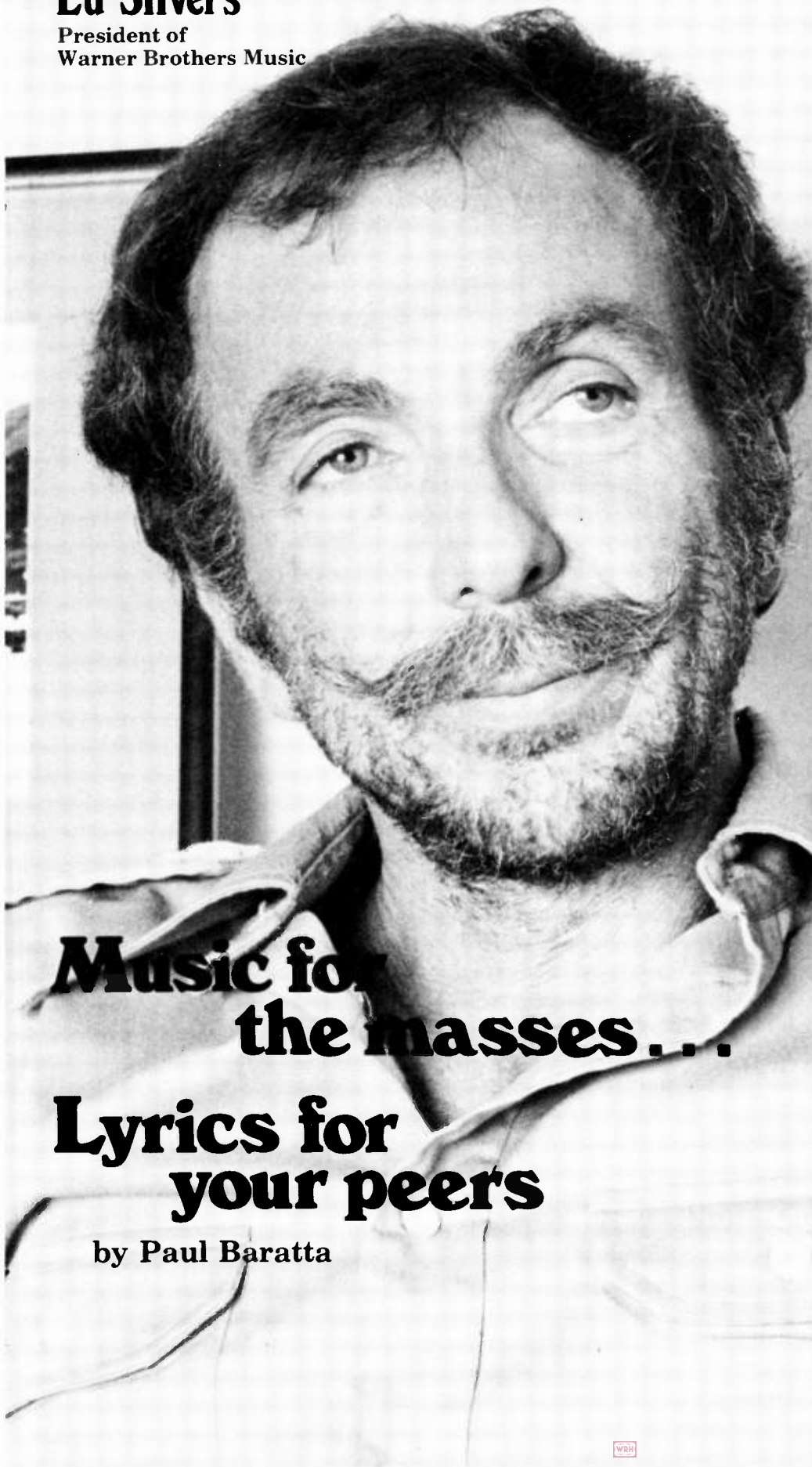
Yes, dear songwriters, words can have quite an emotional impact. ■



Publisher Rap:

Ed Silvers

President of
Warner Brothers Music



**Music for
the masses...**

**Lyrics for
your peers**

by Paul Baratta

You've heard the old story about the guy who began by sweeping floors and wound up company president. It's a good story and one you don't hear too often nowadays. Today, seemingly, people want to start at the top and work their way up from there. *Rags to Riches*, a hit song of twenty five years ago, would have to be retitled *Well Off To Better* if it were to have appeal in the current market.

Ed Silvers left his home in Philadelphia at age sixteen and put himself through the University of Miami in Coral Gables. His vehicle for self support was the piano and he was able to make a buck because of all the music required at college affairs and local hotels.

In 1957, he couldn't land a job in the field he had studied, (Chemistry), so he traded his beaker and flask for broom and shovel and went to work sweeping floors in a record distributorship for \$30 a week. He didn't stay there long and quickly got involved as a local record promotion man. He worked his way up to head of east coast promotion for Liberty Records in 1961 after a year in Los Angeles with Liberty, and then Snuff Garrett made him an A&R man and he started producing records.

Ed didn't like record production because of all the artist problems involved, but through that experience, he found he had a knack for picking hit songs. He wanted to get involved in music publishing.

Liberty had a publishing company and Ed was given a job as their New York rep, and after a year there he went to work for April/Blackwood Music.

But Ed felt he wanted to go into business for himself... he wanted some ownership of copyright. He was financed by Marvin Schlacter and Florence Greenberg, (who jointly owned Sceptre Records), and met writers Nick Ashford and Valerie Simpson. They became friends as well as working together professionally, and had a lot of R & B hits as a result.

Ed left New York and went to Los Angeles to go into partnership with Snuff Garrett which proved a very successful endeavor. They built Viva Records along with a hot little publishing company called Viva Music. Viva was eventually sold to a mini-conglomerate, Snuff retired, and Ed stayed on to run the publishing company. Warner Brothers eventually acquired the catalog and shortly thereafter, in January 1971, they offered the presidency of Warner Brothers Music to Ed making beaker and flask and broom and shovel a permanent part of the past.

The following is our publisher rap with Ed Silvers which took place in his

Publisher Rap

continued

office at Warner Brothers Music in Los Angeles.

SW: Tell us something about Warner Music. How big is it and who are some of the writers you have?

ED: In income earned, I would say there is no dispute we are the largest music publishing company in the world. From the time I came here in '71 to the present, we've increased nearly 400 percent in gross income. I don't know exactly how that happened, but I think the business success of a publishing company is a matter of common sense. I don't think there are any geniuses in the business end of the music industry . . . only in the creative end of it. The guys who built successful music companies, built them based on a lot of hard work, a generous amount of common sense and on personal relationships. Certainly it has something to do with your taste in music, but there are lots of people who aren't music mavens who are very successful in records and publishing. You don't have to have the ear. I know a lot of my contemporaries are very successful music publishers and they really aren't into songs. They're just good general administrators and good business people, and they surround themselves with people who have good ears.

We are a contemporary company in that most of our writers would not qualify as writers under the old publishing definition of that term. They're not staff writers, they're artists. The only music we get from them is already recorded. I'm talking about people like the Eagles and Jackson Browne and Yes.

We have a very small group of what I would term staff writers. The best example of a staff writer is Alan O'Day who has been my staff writer since the Viva days . . . nine or ten years now, and we've had some hits such as *Angie Baby*. Of course Alan has embarked on a recording career himself and hit the top of the charts with *Undercover Angel*. He's the perfect example of the kind of graduation that takes place within a publishing company.

SW: Did Alan have a lot of first person guidance when he first started with you as a writer?

ED: Absolutely! That's one of the reasons I like to keep my staff of writers small. I don't want to fall into the trap of having so many writers that we really lose direct personal touch with them. A personal relationship is very important in developing a songwriter and when neither myself or my professional staff have the time to spend with each writer, the writer staff is too big.

SW: We occasionally get letters from writers who mail a tape to a publisher and have it returned marked, "unsolicited material-return to sender." What are your comments on that?

ED: Well, I'm almost afraid to say this and by saying it, may have to change the policy. I have found writers through tapes that I received by mail. One of our writers, Byron Walls, came to us via that route. At about seven in the evening, I was listening to tapes that had come to us because we make it a policy to listen to what comes in . . . as much as we can. Lots of times we kinda spread things out among our staff and screen it. Certainly, nine times out of ten the material is just not professional enough . . . it's songwriting in its real roughest stage.

But this tape I got from Byron Walls just spun my head around and I had to call him immediately. We eventually came to a deal.

The point is that although the odds are great against turning up a smash in that manner, we do listen. I feel we have to have our ears open. If we just totally isolate ourselves from everybody outside the industry, we're never going to have a chance to discover that one piece of special talent, so we all listen to tapes . . . all of us.

But, if we are suddenly inundated with tapes because of this article, we won't be able to listen. So the policy could change depending on the workload our staff has to carry.

SW: Do you have any theories on what constitutes a hit song?

ED: I have very little in the way of theories . . . I judge songs by sheer instinct. My personal taste and common sense dictate to me what a hit song is. It's hard to describe. I don't think judging songs is a God-given talent at all. I think it's an acquired talent. I think in order to judge songs, the prerequisites are a love of doing it in the first place, a basic intelligence, and a strong leaning toward music. I see that evidenced all around me. For instance, we train our professional staff from the stock room up. Everybody who is on the professional force in this office has at one time worked in the stock room. I've seen guys from the stock room who didn't really know a good song from a bad one when they started here, who've acquired a song taste that is absolutely extraordinary. So I really feel that given the interest and application, taste can be guided and acquired. And I think that what happened accidentally to me, is happening on purpose to them.

SW: Tell us something about the print business . . . it seems to be getting big again.

ED: It is getting bigger and I feel Warner's has spearheaded that growth. We have increased our print volume 100 percent since 1971. I would compare the distribution of printed publications to the record business in 1949 in that there aren't enough stores carrying printed publications today, just as there weren't enough record stores in '49 to make it the \$2 billion business it is now. We are getting deeply involved with major high traffic record stores and have made exclusive deals with over 500 book stores that are selling our folios exclusively. And we've developed special merchandising techniques to aid the sale including browser boxes so that folios can be properly displayed and not be hidden away on some obscure shelf in the dead-traffic area of the store.

SW: For writers out there who ask themselves, "How can I get started?", or "What are they looking for?", or "How do I go about this?", what would be your advice?

ED: The best advice I can give is to try writing while you're listening whole heartedly and very loudly to Top-40 radio. Top-40 is playing hits and the object of writing, if you're writing with an eye toward profit, is to write hits. So I think imitation is necessary, certainly at the start of a writer's career. People are greatly influenced by what they hear on the radio whether they know it or not. My taste, and what I am looking for, is always influenced by what I'm hearing on the radio. My background was record promotion which is where I think I acquired my taste in songs. I listened constantly to the radio as a promotion man and even before that, as a musician.

So I think a writer should do a lot of listening and then try to write like somebody you like a lot. Obviously, you can't copy a song, but you can certainly imitate certain styles . . . use certain patterns of chord construction. I think that can have a great bearing on a writer's future. And I also would recommend reading as much about the subject of songwriting as possible. I would say *this* magazine is a *must* for people serious about their writing.

SW: What happens when the trendsetter comes along who isn't using relatively established forms, or he's got a new way of expressing himself musically like Bacharach?

ED: Burt Bacharach didn't start out writing like the Bacharach we know today. If you listen to some early Bacharach songs, you'll note that he didn't have that characteristic Bacharach melody line and that characteristic rhythm that later became a trademark. So after he became a professional songwriter, he acquired his own

identity. Most of the writers I've known in my years in the business have gone through that same evolution.

SW: Would you say that Alan O'Day went through that evolution?

ED: Alan has a personality to his writing, but I don't think he has made that complete evolution as yet. He's right in the middle of it. He's writing extremely commercial songs now, but I think he's capable of writing some pretty far out songs too. Alan, to me, is a very structured songwriter. He knows the art of songwriting. He was taught it well and he's expanding on it now at his own pace and I think he'll be writing strange and different music within five years. I don't know what direction he'll go in and I don't think he knows it yet. But right now it's important that Alan write hits for himself that are easily understood by the potential buyer out there.

SW: What kind of songs are you most receptive to, and do you sense a trend in any particular direction?

ED: I don't sense a trend, but I will tell you that songs of a widely varied nature are being grabbed . . . Disco, Jazz, Pop, R & B . . . as long as they are of super high quality. But of all the songs to pitch, I can still get a formula song recorded the quickest. As far as new trends though, I don't have a prayer at this moment. All I know is if it comes along, the best of it is what we'll be trying to pull into Warner Brothers Music.

SW: Do you have an opinion as to which is the most important to a hit song, words or music?

ED: I'm an old lyrics favorite. I believe lyrics are probably 70 percent of the battle in getting a song recorded. If you come up with a dynamite lyric, you can talk any producer or artist into recording it, even if the melody is not that strong.

SW: What attracted you to Alan's music . . . his lyrics or his music?

ED: Alan O'Day to me, is a really good combination of words and music . . . I like them both. Alan is an ideal staff writer insofar as he is very flexible. He can get very cute with lyrics, or he can be very straightforward. He can write a very pretty melody and he can write a heavy rhythm tune. Alan has a great deal of musical scope because I think he's probably been listening to radio as long as I have and has listened seriously. Music is a very serious business to him. It's his craft, it's his life and he works very hard at it.

SW: You touched on the producer/artist level . . . what about the radio listener level? Do you still think it's the lyrics that are the most important to the consumer?



“A writer must interact with other writers and immerse himself in this business.”

ED: No, I don't think it's lyrics that are most important in that case. In fact, I seriously doubt that the listener who goes out and buys a record has really understood the lyrics on that record. He gets a feeling . . . he understands part of it . . . maybe the chorus, or his own personal understanding which may be a misunderstanding. A lot of people misunderstood *Angie Baby* which came out in the interview you did with Alan. Yet they loved the record and bought it anyway. There's a feel to Helen Reddy's record that made them buy it. I would say that certainly the overall sound of the record and catching just a snatch of the lyrics is most important in motivating a listener to go out and buy a record. But it's more the overall sound of the record on the air, than it is the lyrics. That's typical of record buyers. But to get a song recorded . . . to get it past a producer or an artist, I think lyrics are of prime importance.

SW: Must a writer copyright his songs before submitting them to a publisher?

ED: Absolutely unnecessary! Not only are reputable publishers not out to rip off a songwriter, the writer is protected by a common law copyright. The songwriters' fear of having a song ripped off years ago was a rational fear when song stealing was at a peak. The

days of Tin Pan Alley . . . the days when the same writer would go to five different publishers and sell the same song five times for \$100 a crack, (forget the royalties . . . he was off for Miami for a \$500 weekend), . . . that doesn't happen any longer. The courts have become more sophisticated. Common-law copyright is an acceptable dogma in the courts now, so there's no reason for a new writer to have to spend money to copyright his songs.

SW: A songwriter living in Wyoming, or Indiana . . . how does he get started?

ED: He's gotta come to Music City, USA. And that is four cities . . . or I should say four areas rather than cities. Those are the Los Angeles area, the New York area which would certainly incorporate Baltimore, Washington and Philadelphia, (all three highly musical cities), the Nashville area which would encompass Memphis and Muscle Shoals and the adjoining areas that are record production centers, and last, but not least, Chicago . . . a kind of midwestern grouping there.

SW: Aren't there more areas than that now that have a great deal of activity . . . Austin, Atlanta and Dallas, for instance?

ED: Yes, there are . . . there's talent coming out of Miami . . . look at TK Records. There are always people coming from other areas, but my advice to the writer is he has to become inundated with this business. For a new writer to go to Miami with no experience, or to Cleveland where we've seen some activity lately, is not enough in my opinion. If he comes to Los Angeles, or New York, he's going to be exposed to every kind of music available. The record companies are located in the major areas and there are more people in the business around for him to bounce off of and to learn from. When a writer I'm interested in is living in the midwest and he wants to deal with us, one of the prerequisites I insist on is that he move. He's gotta be next to me. I want him here in my office. I want him in a demo studio. And I want him bouncing off the other writers here. I want him to get the total input of what this company has to offer. And not just this company . . . I want him talking to Screen Gems writers, and Irving-Almo writers, and Chappell writers. It's all part of the pattern of growth. A writer must interact with other writers and immerse himself in this business. He must be surrounded by what's happening musically, or he's not going to be able to respond to it. And responding to, and reflecting what is happening musically, is a major step towards a songwriter writing the type of songs that will catch the ear of the publisher, the producer, and the public. ●

Songwriter Interview:

The Bee Gees

Straight Talkin'

By Paul Baratta



On September 1, 1946, a musical dynasty began . . . son Barry was born to the Gibb Family in England. The trio was completed in a single stroke when on December 22, 1949, the twins . . . Robin and Maurice, came wailing into the world. Robin's first cry was probably slightly higher than Maurice's and with a bit more vibrato, but only God would remember if their voices, together with Barry's, formed perfect three part harmony right out of the starting gate. I would like to think so and suspect that that's the way it was.

When you listen to a record by the Bee Gees, their vocal expertise is very evident. Listen to the current record by Samatha Sang of a song written by Barry and Robin . . . *Emotion* . . . on which the Bee Gees make an enormous vocal contribution, and listen to their crisp attack, their beautiful harmony, and their complete believability, and you'll hear why the Brothers Gibb take back seats to no one as a vocal group.

But their talent as songwriters is, for me, what sets them apart. There was *New York Mining Disaster 1941*, *Holiday* and *To Love Somebody* in 1967, a year of psychedelia, and their sound seemed set apart and attracted me. At that point I was a fan of their sound. It was melodic relief from Blue Cheer and other groups who had OD'ed on Marshall amps.

Then in 1968, along came *Massachusetts* and *I've Gotta Get A Message To You*, and I was further convinced.

Then, also in 1968, they had a hit with *I Started A Joke* and it finally dawned on me . . . these guys were really excellent songwriters.

Everything that has happened since has confirmed that dawning. . . *Lonely Days*, *How Can You Mend A Broken*

Heart, *Don't Wanna Live Inside Myself*, *Run To Me*, *Jive Talkin'*, *Nights On Broadway*, *Fanny (Be Tender With My Love)*, *You Should Be Dancing*, *Love So Right*, *Boogie Child*, *How Deep Is Your Love*, and the current *Staying Alive*.

The latter two selections are from the Film "Saturday Night Fever" which stars John Travolta and features new songs written for the motion picture by Barry, Robin and Maurice.

Further evidence of their talent as songwriters is the list of artists who have recorded the brothers' compositions such as Tavares, (*More Than A Woman* from the above mentioned film), Samatha Sang, (the current smash, *Emotion*, previously discussed), brother Andy Gibb's number one record, *I Just Want To Be Your Everything*, as well as cover records by the likes of Roberta Flack, Jose Feliciano, Johnny Mathis, Rita Coolidge, Glen Campbell, Yvonne Elliman, Rufus, Richie Havens, Al Green, Olivia Newton-John, Tom Jones, Englebert Humperdinck, Nina Simone and the immortal Elvis Presley.

No slouches these guys as you can see. And well you can understand my delight when in the summer of 1976, I noticed a subscription to Songwriter Magazine we received from Barry Gibb. A month later I received a call from Vivien Friedman who is Director of Public Relations for Chappel Music in New York. Chappel administers the Stigwood Publishing Group who publish the Bee Gees songs, and she wanted to know if I would be interested in getting a story on an English group which would be written by a writer in London.

"May I ask who the group is?"

"The Bee Gees," replied Vivien.

"Well I must confess, I'm very selfish," I said. "I enjoy putting this

magazine together and I really get my creative goodie off doing these stories. I've been a fan of the Bee Gees for a long time and have great respect for their talent, and there's just no way I'm not going to get the pleasure of doing that story."

"I can understand that," Vivien replied, "but I don't know when the next time will be that the guys will be out on the west coast."

"That's alright," I replied. "I'll wait."

In the year and a half since that conversation, much coordination has gone down between Vivien and Anni Ivil, who is publicist for RSO records until finally, Barry, Robin and Maurice came to Los Angeles to film "Sgt. Pepper's Lonely Hearts Club Band."

A Friday afternoon in November of last year, I was sitting in my office when the phone rang . . . it was Anni Ivil.

"The boys were just called off the set of 'Sgt. Pepper'," she said, "and they're at their home. Would you like to interview them now?"

"Absolutely!" It was four o'clock. "Tell them we'll be there by 4:30!"

We arrived at the home they were renting in Beverly Hills and were ushered into the living room to meet Barry and Robin. Maurice was held up on the set of "Sgt. Pepper" for a few more "takes," so we went ahead with Barry and Robin.

Appropriately, they served a spot or tea and, as we were filling our cups, I commented about how delighted it made me when I saw Barry's subscription to Songwriter come in the office.

"What happened," Barry explained, "is I walked into a recording studio in Montreal and saw the magazine and thought, 'What a great idea' Actually, I've very much enjoyed reading about

Photography by Richard DiLello and Bobby Furst



Barry, Robin and Maurice Gibb

how other writers go about writing their songs."

I also commented that I had read in Rolling Stone that Robin said, "Nobody ever asks us about our songwriting. Some people don't even know we write our own songs."

"That's true," Robin stated. "BMI named us songwriters of the year in 1976 and yet the Playboy Magazine poll didn't even mention us."

"We've never been mentioned as songwriters in the Playboy poll," Barry adds, "which confuses me. They named an artist in that poll who hadn't released product in over two years and although I respect that artist enormously, how can you represent the past year of recordings if you haven't released product."

"Since *Jive Talkin'* on, we've had three platinum albums with all our own material, have had hits with our songs by other artists, but our songwriting has never been mentioned in that poll."

"It's the principle of the thing," Robin continued, "no matter how important or unimportant a poll may be to an individual."

It was quite obvious that songwriting held a special place in the hearts of the Bee Gees and they were quite serious about it. In fact, during the course of the interview, I found them to be quite serious and businesslike about their professional life. As far as the brothers as people, they have a natural flair for droll comedy which was amply evidenced during our time with them. And when Maurice joined us after finishing his chores on the film set, he proved to be quite a comic of a slightly broader variety than either his twin, or his older brother. I'll be anxious to see them in "Sgt. Pepper." I have a sneaking suspicion that their performances are going to be quite natural and very entertaining based on meeting them.

But how did it all start? How did they get started writing songs and performing?

"Well, when I was about ten," Barry begins, "and Robin and Maurice about seven, we started writing songs. Now that's a bit young for writing songs and we certainly didn't write anything that was worth anything. We wrote one song called *Turtle Dove* and another about a year after that called *Let Me Love You*. We were just little kids sitting at home thinking, 'Let's write songs.'"

"We had a natural three part harmony when we were eight and five years old. No one knew how we got it, least of all us, but we had it without understanding anything we were doing. I was playing a cheese box with wires on it . . . that was my instrument. There was something there that said, 'You guys are going to be on stage the rest of your lives.' There wasn't any question

what we were going to do . . . we knew where we were going and what we wanted to do even as children."

"We were born in England on the Isle of Man," Robin explains, "and were taken to Australia where we lived for a few years before we got disgusted with it and got out."

Barry continues, "Australia keeps



Barry

"We write together more than separately."

asking us to tour there. . . 'You're our boys.' and all that, and although the country did some good for us, it left a bad taste in our mouth. You'll find out why in a few minutes."

"What was your first hit *down under*?" we asked.

"The first hit we had in Sydney, Australia, was *Wine and Women*," Robin replied. "But we had to buy out the record shops ourselves to give it a chance. We had the wrong image to sell a record . . . we were too young. It wasn't like today when any age is no barrier if the record is a hit. Then, you had to be sort of near enough to 18 to have a hit record. We weren't even in our teens although Barry was just about creeping up there."

"So we assembled our fan club in Sydney Town Hall . . . just about ten people . . . the Bee Gee fan club."

"We gave them all money," Barry confides. "We got together 200 pounds . . . about \$400 . . . and sent our fan club into the most important city shops and department stores and had them buy our record."

"We told them to go into the record shops that the radio stations used as a guide," Robin continues. "It was basic mathematics. How do you get on the charts? Answer — sell records! How do the radio stations know what's selling? We figured the radio stations would call the biggest shops and the key department stores to see what was selling. So

that's where we had our fan club do the buying."

"How many did you have to buy?" I asked.

"About 400, all on a weekend," Barry replied. "We found out from the record company when radio stations check the stores to compile the charts."

"Where did you get the money to buy 400 records?" I asked, admiring their youthful enterprise.

"We borrowed it," Barry stated simply.

Robin picks it up from there. "We found out what day TUE, which was the biggest Top-40 record station at that time in Sydney, made up their chart. It was done on Tuesday, printed on Tues-



Maurice

"A title can always inspire a songwriter."

day night, and was in the stores on Wednesday. So we got together on Friday because we had to have a good sale on that weekend for them to pick up on Tuesday."

"No one was buying our record," Barry told us.

"It went in on the Tuesday after that weekend at 30 on the charts just as we figured it would do." A note of amused triumph crosses Robin's face as he tells us this. "So what happens then is they stepped up the airplay . . . the airplay got the people to buy the record, and that was it. I guess that was a cheat, but you always spend a bit of money on PR don't you?"

"It isn't cheating," Barry argued, "because you'd pay for a full page ad in the newspapers to get people to buy things, so we spent it in the record shops."

"Alright, paying for an ad in the newspapers to get people to buy your record is a cheat," Robin rebutted, "but buying your own record in the shops is a cheat cheat!"

"How did you get to the point of re-



Robin

"We always want to be part of now."

cording for a record label? Had you been performing?" we asked.

"Before the recording began," Barry explained, "we were working in the middle of a speedway in Brisbane. In between each race, we would sing. This is a gig we conned our way into getting. They told us we could have whatever the crowd threw in the way of cash.

"So we would stand in the middle of the speedway and sing, and people would throw money onto the sawdust track, and we would run out on the track and pick it up. This was . . . what year was that Rob? . . . 1959. . . . Eighteen years ago.

"There was a race driver who knew a disc jockey named Bill Gates. His initials were B.G. . . . the Brothers Gibb, B.G. . . . my initials are B.G., and Bill Gates suggested that that's what we should call ourselves . . . the Bee Gees.

"So Bill Gates, and Bill Good (B.G.), the racing driver, got together and came to our house, bought us a new guitar and said, 'Hey boys, we want to manage you. We want to promote you.'

"Bill was the stronger of the two as a manager. He was leading disc jockey on a radio station in Brisbane and he made tapes of us and played them on the air. That's how we first got radio play in Australia."

"But the entire time we lived there," Robin explains, "we only had two hits and we had thirteen flops including *The Three Kisses Of Love*, *Claustrophobia*, and *I Was A Lover, A Leader Of Men*, which was subsequently released on an Atco album in 1970."

"We were at a point where we threw the towel in in Australia and were going to try for England," Barry relates.

"There was no choice," Robin remem-

bers. "The manager of our record company called me one day and said, 'Look, you're out . . . get out! We don't want to make another record with you!' The most recording time they gave us in their studio was an hour to make a two-sided record. In those days, a record company had its top artists and its nobody artists. We were the nobody artists. The top artist would get all the time in the studio.

"Everybody said at that point, 'Get out, you're useless!' Everytime we released a record they said, (spoken in a weary voice for emphasis), 'Here they go . . . trying again.' Those were our reviews! That was all our reviews consisted of . . . 'Another Bee Gees record. Phew!!' That's what they'd write . . . an exasperated 'phew,' like why didn't the Bee Gees give up the ghost?"

"Did you learn a lot from that experience?" we asked.

"Well, that was all part of the education, wasn't it?" Robin replied.

"The memories I have of Australia were that they were very unfair to us right to the end," Barry stated. "Even when we were on the boat, we'd keep getting reports from friends about the record we released before we left which was *Spicks and Specks*. The record became a hit there while we were on the boat to England, and the local papers had stories like: 'Bee Gees Abandon Australia.' I thought that was unfair.

"So we reach England and what happens when we arrive? . . . the first people we meet coming off the ship is another rock group who advised us to go back. We talked with them awhile and they told us the Walker Brothers were fading and Eric Clapton was rising and they really tried to convince us not to try to make it in England. But that gave us the added incentive to give it a go.

"We had sent tapes ahead before we left Australia and had hopes that someone who heard them would contact us."

"A couple of days after we arrived," Robin continues, "I was home alone and the phone rang. It was a young lady who said she was calling on behalf of Robert Stigwood. (e.g. Stigwood was, at the time, an associate of Brian Epstein who managed the Beatles.) We got together and signed a management deal with Stigwood who became our manager and has been our manager ever since. And, to make that moment more memorable still, the girl who made the call for Stigwood became my wife."

"Two months after that," Barry adds, "we had a hit record with *New York Mining Disaster 1941* both in England and America."

"You guys seem to have total respect for Stigwood," we observed.

"Well," Robin comments, "he's been our manager for ten years now. There's

been big ups and big downs and big fights. But the fights are good. I think the closer you are to somebody, the more likely it is that you fight. In fact it's not healthy that you not fight. A good fight clears the air."

"And we have to fight," Barry states, "because the Bee Gees view is that management doesn't have ownership of an artist and doesn't make an artist successful. The artist must be in control of what's happening to him. You must have the discussion level where you all sit down and decide what you're going to do next. And when differences of opinion arise, an artist must fight for what he thinks is right."

"You see, we know the record business," Robin says, "and we're just not going to have somebody tell us what record we're going to release if we don't feel it's the right choice."

"Why was *Jive Talkin'* released as the first single off the 'Main Course' album instead of *Nights on Broadway*?" we asked.

"Because it was a departure," Barry replied. "It was a departure from the ballad style we were most often associated with.

"When it became a hit, people started saying that we had stepped down to be a disco group which was sort of a put down to disco music as well. We don't think disco is bad music . . . we think it's happy and has a wide appeal. It's for people to dance to . . . that's what it's all about.

"And we had been writing about politics, and saving the world for so many years. We decided to try something lighthearted, and we did. We didn't cunningly go into disco music to gain greater strength in the record market as some people implied. We simply try to embrace all kinds of music . . . whatever music there is."

"Also," Robin adds, "it should be stated that when *Jive Talkin'* came out, disco music wasn't very big, so how could we have been capitalizing? If anything, we contributed to today's disco music entity by doing *Jive Talkin'*."

"When we did the 'Main Course' album," Barry explains, "what we had decided to do was come out with an album that was framed in an R & B vein. We weren't thinking of disco music when we wrote *Jive Talkin'*."

"How do you guys go about writing? How do you approach it? Do you write alone . . . do you write with your voices . . . ?"

"We write together more than anything else," Barry responds. "We find that bashing it between each other is the best way for us. And we do use our voices a lot in our writing."

"Let's give them an idea how we wrote *Emotion*," Robin suggests and then explains. "We wrote that song out-

side on the porch in about an hour's time one night. What we do is just sit and strum until something happens. We don't plan songs. We'll take the idea as far as we can until we reach a point where we seem to be blocked, and then we go back again and try to work through it."

"Sometimes, after we've reached our first block," Barry offers, "we come up with a title and suddenly, that gives us another place to go. A title can always inspire a songwriter. We write a lot of titles down and give them a lot of thought."

"We also write to rhythms," Robin interjects. "We might be sitting outside and we must look weird tapping out a beat hitting our hands against our legs and working out a song with no instruments. People who aren't into songwriting look at us and think we're ready for the rubber room."

Barry continues. . . . "And we don't write it down until we've got the structure pretty well set. We get the song to the point where we can more or less hear the finished record in our heads. We can hear what we want on it, so the matter of production becomes easy. And when we go into the studio, we know what we want because we wrote the song and can hear all the things we want on the record."

"Do you go into the studio with complete charts, or is it just head arrangements?"

"We can't write music for starters," Robin informed us. "Semi-quavers and all that stuff. I wouldn't know a semi-

quaver from a black hollow!"

"When reading music is necessary," Barry says, "our co-producer, Albhy Galuten has read music all his life so he can cover us. At this point in our lives, learning to read music might take away from something that has been natural to us all our lives."

"As an example," Robin relates, "there was this pianist in Australia who was backing us and he hit a chord that we asked him to play and we liked it and shouted, 'Good!' But he said, 'That's wrong!' We said, 'It may be wrong, but it sounds good!' He said, 'Yes, but technically it's wrong so I cannot play it.' He was sticking to rules and wouldn't play what he had learned to be wrong, even though it sounded good."

Barry explains, "It was . . . *Will you still love me tomorrow* . . . Instead of A minor, we told him to play a C . . . it's a warmer chord and it worked real nice. But he wouldn't have it. He said, 'It's got to be A minor!'"

"What's the word Australians use?" Robin asked Barry.

"Oh, you mean cobber," he replied.

"Right," Robin confirmed. "What he said was, 'Sorry cobber, it's wrong!' Real huffy."

"On *How Deep Is Your Love*," we commented, "one can't help but be impressed with the melodic content. There are really some lovely chords and beautiful melody lines in that song. And the interplay between the background voices is really admirable. How do you guys get the background voices out like that and have so much presence on them?"

"Experiment and failure, experiment and failure, and experiment and success," Barry answered. "If you spend enough time doing vocals, you can get what you want. I don't agree with the process where an artist goes in the studio, sings one vocal and it feels right so everyone says, 'Wow!' That's alright, but let's have a vocal that feels right and is an impeccable vocal at the same time. Why not? You just do it till it's right. You can accomplish that without doing it so often that it becomes bland."

"How long did it take you to write *How Deep Is Your Love*?"

"About the same as *Emotion*," Robin responded. "About an hour. But a lot of the textures you hear in the song were added on later. We didn't change any lyrics, mind you, but the way we recorded it was a little different than the way we wrote it in terms of construction. A little different for the better, I think."

"When you collaborate on a song, do you collaborate on words and music? . . . Is it basically one person's idea?"

"It can start out as one person's idea and then we both sit down and develop it, or all three develop it if we're all writing together," answers Barry.

Robin adds, "We don't sit down and say 'Alright, you think of the words and I'll think of the music.' We don't do it like that."

"But if the original concept for the song started out as an idea that one of us thought of independently, there's no ego involved to the point where one would say, 'It's my idea, I'm going to





"We would like to spread our music as far as it will go."

finish the song.' There's none of that. If we get an idea, we bring it up and work on each other . . . bounce off each other."

"We've been doing this for twenty years now," Barry says, "and after all that time we've learned a lot about writing songs. And I think we all have a good instinct for where to have a song rise and where to take it down again. You do it often enough and you just get to know . . . it becomes an instinct."

We remarked to Barry that we were knocked out with the fact that he had made "I" a long note in *I Just Want To*

Be Your Everything. "Most people would naturally say *I just want to be your everything* all in one line," we remarked, "and to break the line up was . . ."

"The word 'just' was vital," Barry stated. "It came about because I was looking for a way to sing it and place the emphasis on that word. When it first went on the charts and was listed only as *I Want To Be Your Everything*, I could have screamed. The whole idea of that title was the word 'Just' . . . *I JUST Want To Be Your Everything*, 'just' meaning, 'That's all I want'. That was the sentiment. So I had to figure out a way to put that line into a chorus

and then harmonize on top of that. There are various ways we work out our voices on record. As I said earlier, experiment and failure, experiment and failure, experiment and success."

"Do you think you might get involved



"We also write to rhythms."



"We sing much better in the studio than on stage."

where it would lay on a nice melody line and emphasize *just*."

"How do you guys characterize yourselves professionally? What do you see yourselves as . . . writers, performers, singers?"

"As songwriters," Barry responded.

"Songwriters and recorders of our music before performers," Robin amplifies. "Performers is the last thing. We don't claim to have the world's greatest stage act, you know. We don't rely on stage gadgetry or the like. We simply go on stage and, to the best of our ability, perform the music we write and have had success with."

"Actually," Barry adds, "we sing much better in the studio than we do on stage. We're a good recording group and we're able to do a lot of things with our voices in terms of range which allows us to experiment quite a bit."

"When we record, we use our range to our advantage by establishing a solid foundation. First we place a block of voices in a low range and then go in and sing the same thing an octave higher,

in producing other artists? Or writing for other artists?"

"Yes," replied Barry. "We would like to spread our music as far as it will go. If we can write for some more films, we'd love to do that, too."

"We want to do what we're doing right now until we drop," Robin adds. "There's no age limit . . . you don't put an age limit on writing songs. I mean, God, there were people writing in the last century way into their 60's and 70's and it was the popular music of the day. Writing lasts forever. Beethoven wrote until he died. I mean no one came up to him and said, 'Hey Ludwig . . . you're in your thirties!! You gotta quit!!'"

"What do you tell songwriters who come up to you asking for advice?"

"It's hard to say something meaningful," Barry replies, "because we just don't know if they are songwriters. We didn't know where to begin when we started. I guess if you're a songwriter and you're writing songs that have enough depth and meaning to be hits, then you've got to start figuring out how to get them made into records. Everybody's approach to getting that accomplished is a matter of knowing how to apply who they are in the most positive fashion. And being ready for the step."

"Being ready is an important consideration," Robin offers. "Sometimes a writer will approach me and say, 'Can I talk to you? I've written this fantastic song . . . I'm a songwriter.' Well, are you



a songwriter because you've written one song? As the old saw goes, 'One swallow does not a summer make.'"

"In terms of writing songs, do you guys think you'll ever run dry?"

"I used to, but not anymore," Barry answered. "Now I believe what I started to believe in four or five years ago . . . positive thinking. There was a period when we weren't having success, and a characteristic I noticed about us at that time was we were very negative in our thinking. I think that changed the Bee Gees and we got ourselves in a rut. The worst part about that was we refused to come out of it. We shut the door on everybody and said, 'We like what we're doing . . . go away!' That did us a lot of damage."

"When we realized that negative thinking was the element that was destroying us, we came out of it. Positive thinking means success . . . people have proven it over and over again. It isn't just a statement. If you really hold a positive thought in your head, and you really believe in what you're doing, and you say to yourself when you're doing it, 'This is going to be successful,' when you tell that to other people, they'll believe you. If you tell them, 'I'm worried about this record . . . I don't think it's going to make it,' they'll believe that too. And the more you pass that on, the more destructive it is. That thought transfers to someone else's head and that person transports it one step further and ultimately, you have a flop. The only people who succeed in anything they do, are the people who are positive about what they're doing."

"As there is a relationship between success being connected with a mental attitude, do you feel there is a certain mystical quality about songwriting that adds to your own conscious and instinctive abilities?"

"Yes, quite often," Barry replied.

"Sometimes we're sitting there writing a song, and you know, Robin, how we can't think of something and it just comes? We just leave it to the open spaces . . . we just play along and when it's time to do that line, sometimes both of us sing the same line. But it's not just a good line, it's an amazing line, and we both look at each other and say, 'Well, geez, where did that come from?' And we'll sit there looking at each other numbly, especially when we find out that that line connects with the lines before it, which wasn't planned at all."

"It just comes," confirms Robin. "And sometimes we surprise ourselves as if somebody had said, 'Put that line there.' It's like we're picking it up from somewhere . . . as if somebody is trying to get hold of us and tell us that that's the line to use."

"No line looked so right to me," offered Barry, "as, *I thought you came*

forever, but you came to break my heart. But we didn't think of it. We sat there singing along and there it was. Maybe we did think of it, but not on a conscious level."

We commented that the Bee Gees have had an amazing career . . . twenty years in the business and they seem to be getting better. So often you see careers in this contemporary world of music that last for five or six years and then burn out and smoke into yesterday.

"There's no room for being just a part of yesterday," Robin offered. "We want to be part of now . . . you know . . . contemporary. We want to have some relation to music as it is today. We never want people to say, 'Ah, they were the late sixties, or they were the late seventies.' People are so decade oriented. As soon as the decade is over, it's time for all the new artists to come in. We want to override all that."

Barry concludes, "It's a matter of whether you want to be established over a long period of time, or whether you just want to make it while you can. We've always maintained ever since we went in this business, that we always want to *become* . . . we always want to *be* . . . we must always try to improve. Once you believe you're there, you've had it. You sit down and think, 'Oh great, I'm successful!' That leaves you nowhere to go mentally and you go stale. And when you go stale, that's the end of the line, clobber."

The end of the line is nowhere in sight for the Brothers Gibb. Maurice came in at that point and you could see the genuine friendship that exists amongst the three. He related his escapades on the "Sgt. Pepper" set to his brothers and they interacted like a comedy trio . . . a joke here, a droll line there, and always someone willing to play straight man in the gang.

And before we left, they played us a cassette demo of a song that they had just written. It's called *Where Do I Go*, and I'd make book that it will be a hit when they eventually get around to recording and releasing it. The demo was real rough, and the song wasn't quite completed yet, but it's a winner. As Barry said about it, "The lyrics aren't finished yet, but when they are they'll mean something. And it has a nice melody. But there's a good feeling about it. The song isn't there yet . . . but it's going to be there."

Based on overcoming the obstacles presented them in their youth in Australia, based on their past performance, based on their potential, based on their positive attitude, and based on having met them, if the Bee Gees tell me straight that, "It's going to be there," you can rest assured I'm bloody well going to believe the coppers. ♪



"We're songwriters and recorders of our music more than performers."

All writers learn from other writers

by Clarence Selman

Songs have been written for centuries although few of them are remembered for very long. Some of them are though, and we even know who wrote them in some cases. Even when we don't, most of the songs that live on are known by title, remembered melody and verse and gleefully or knowledgeably (whichever the case may be) referred to as P. D. (The case being dictated by whether you are being asked about it, or whether you just "wrote around it"). None of the above will mean anything to you unless you are "writing," which is the subject of this short article. "Writing and the discipline" we all need but seldom practice in order to do it.

All writers learn from other writers and these other writers can be either predecessors or peers. Some of the people I will quote below are both for me.

Leon Payne told me, "Clarence, writing is a lonely thing to do. I have to make myself do it." He said, "Hell, I always wanted to be a lawyer, but when I realized I could write, but couldn't be a lawyer, I wrote for me and I still do." He went on to add, "My publishers turned down *I LOVE YOU BECAUSE*, but it was a hit the first time it was out, and has been cut at least once a year ever since I wrote it. But remember, son, if I hadn't written it, none of that would have happened."

I guess what Leon wanted me to know was not to be afraid of what I might write. He wanted me to know if I had anything to say I would have to set aside a time and see if I could say it.

Robert Service said he could never write about reality. He said he had to write from imagination and even then felt jaded if, as a writer, he forced himself to write. Then, he said, "Once having begun I was a man possessed, sometimes working more than a year before I could stop."

I suppose what Robert Service really meant was that he wrote without a schedule but once he had begun one, he was loyal to it. Incidentally, Robert Service also said he wrote the things he liked, not to please his intellectual friends, but to please instead the masses of people he did not know. Of one thing we can be certain. He did write, some-



Clarence Selman with Maggie Cavender

times a year before he could stop.

Cindy Walker said, "Clarence, I never write just to be writing. Every time I write a song, I can hear someone I want to sing doing it." And she said, "Sometimes I work for weeks getting a single word just right for them. The people I'm writing for don't always do the songs I wrote for them; some of them I don't even know, and they never get to hear them, but I write what I feel almost all the time."

This is just an excerpt from a long and beautiful conversation with a very beautiful lady, and I can't quote it all here. I would call your attention to this little bit of it. . . . "I write what I feel almost all of the time." I am certain Cindy Walker keeps herself feeling good and writes "almost all the time."

Dallas Frazier said, "Clarence, writing reminds me of a carpenter who has all the lumber he needs, all the nails, the tools and the plans for what he is supposed to build. I know until he starts sawing, hammering, measuring and nailing, nothing is gonna get built." So, he said, "I get me a demo set up for a week away. I know I have to have me six good songs by then so I write them."

I think what Dallas was telling me was he knows his business and tends to it. Like the carpenter, if he didn't work nothing would be built. If Dallas didn't write he wouldn't have those six good songs.

Hank Cochran said in answer to my question as to what made him want to be a writer: "I felt I had something to say. I knew a lot of the good writers, knew most of the good songs, or at least

the ones I liked and had heard, so I started working at it." I knew Hank well during the years we were talking about and did Hank work! Sometimes too hard, I think, but then Hank was always a master of simplicity. As Johnny Cash once told me, "Clarence, simplicity is complicated." Hank proved that beyond question for me when he said in part . . . "I started working at it."

Tom T. Hall said, "I write a little bit every day. I like the early morning hours so before I get into anything else or get my mind cluttered up with anything else, I write anywhere from one to three hours, and keep five or six ideas kicking around about all of the time." I asked, "Tom, what is writing?" He said, "Looking at a blank sheet of paper, holding a pen, and wondering what I'm gonna put on it."

What all of this means is there wouldn't be any P. D. songs to write around were it not for someone writing. There would not be any forgotten or unremembered songs if it were not for someone writing.

You are entitled to ask, "Does he do any of the things he is telling us he learned from all those guys?" The answer is sometimes.

This was a blank sheet of paper before I sat here with a pen in my hand wondering what I was gonna put on it.

About Clarence Selman . . .

A transplanted Texan, Clarence Selman was, in his words, "brought to Nashville by Ray Price in 1961." In Texas, Selman had been writing and producing records; and working in a full role in the music business there.

Upon his arrival in Nashville . . . and still writing, he became general manager of Jim Reeves Enterprises where he accomplished much in seven years, moving on to the general managership of Buckhorn Music where he spent five fruitful years. For several years now he has been General Manager of Tom T. Hall's Hallnote Music and Toybox Recording Studio.

To mention but a few of Selman's compositions . . . *SEVEN DAYS*, recorded by Jim Reeves; Dave Dudley's disc *SILVER RAILS*; *BLINDFOLD OF LOVE* ala George Jones; *NOTHING TO CRY FOR* with Bonnie Guitar; *LOVE FOREVER* . . . Bobby Bare; Marilyn Sellars *FRIENDSHIP*, and *ALWAYS A FEW THINGS* which has numerous cuts but the biggest record was by Dana.

Clarence Selman is a charter member of the Nashville Songwriters Association, International — and was chairman of that committee, which, ten years ago wrote the original constitution and bylaws for the formation of the organization. He served as NSAI's first treasurer; was president for two terms, consecutively, which is all that is allowed by the bylaws. He has researched, funded, and given time to the organization during its entire lifetime. Every member of NSAI is proud of Clarence and his continuing service to the organization.

— Maggie Cavender

A Discussion with an Artist's Personal Manager



Moderator, Lou Stallman

LOU: Sid, what was your background prior to management?

SID: In 1970 I became a manager converting from the accounting business. I had been an accountant in the music business since 1949, so it was a transition.

I chose to pursue the business management of strictly music people, giving up my entire accounting practice. In 1969, the first person I managed was B. B. King and since then have managed Papa John Creech, Sweet Inspirations, Gladys Knight and the Pips, Gene McDaniels and the Stories.

We got to the point where we had an east coast and west coast operation and managed as many as fourteen artists at one time. It got a little too much and I decided to cut back, to just two or three artists. We're in that category right now.

I currently manage Gladys Knight and the Pips, The Pips (a separate entity), The Temptations, Gene McDaniels and The Voltage Brothers which is a new baby group. We are hoping they will become a major factor in the music business.

WRITER: Would you describe yourself primarily as a personal manager or a business manager?

SID: I'm primarily a personal manager. I don't take business-management clients separately unless I manage them. There are cases where I business-managed acts over the last fifteen years, such as Chip Taylor, Trade Martin, Chuck Willis, Elie Greenwich and Claus Ogerman. I business-managed Don Costa and Teddy Randazzo before I became a manager. As I converted to become a manager, I've asked some clients to find another business manager, but because we have had a past

relationship, they feel comfortable and stay with me.

WRITER: Do you usually provide accounting services for your clients?

SID: I have it available if they want to use it. When you become a manager you've got to get an overall look at the acts. If you go to a manager and that manager controls seven facets of that artist's life, there are no checks and counter balances, so it doesn't make good business sense to have one man do seven things. No one's checking him out.

I always like to have an independent attorney and an independent accountant if I can. That way there are checks and balances.

WRITER: Does your company function as a publisher for the artists on your roster who write their own songs?

SID: I have a theory on publishing. Being a manager, I advise my writer/artist clients to form their own publishing companies — and I administer these companies through companies that I have in the United States and in every country in the world. In other words, I make sure that they own a hundred percent of their own songs. I get my percentage as administrator.

WRITER: Could you explain the function of the personal manager, as opposed to business manager.

SID: A business manager is a fancy name for an accountant who is able to charge ten times the amount of money he normally would get because he usually ties in on a percentage and all he does is take a few more phone calls.

He takes care of all the income, makes all your deposits, writes all your checks, pays all your bills and is supposed to advise you on the disposal — what to do with your money, try to help

you budget yourself so that at the end of your career you have something left, and he takes care of your taxes.

He's also usually consulted on a contract if it is brought to his attention. When an act is beginning, a business manager is superfluous to a degree, but when it comes to big contracts and big decisions, an act needs a business manager who is a qualified accountant or a qualified attorney who hires an accountant.

A personal manager is involved in the overall career of the artist. He has to mastermind putting together the ingredients of the artist's material. Even though he's not qualified musically as an arranger or writer, he has to give general opinions as to what the act should look like. He should be able to direct the staging of the act, should be able to decide where the act should be exposed, should be able to arrange dates for the act through an agency and create an image for the group. He has to work with promotion people — generally create the excitement inside and outside the industry for the demand for the act.

WRITER: How closely does the manager work with the producer and is there ever any problem?

SID: We like to work with the producer but on an arm's length basis. We know that the producer's qualifications are his track record and we like to give him as much freedom as possible. Some managers don't. They take complete control of the producer and put the guy under severe strain. They'll interject material that they want to do, but we like to let him be free. Then we listen to the tracks before the mix and after the mix. If it's no good at that point, we say we don't like it, and sometimes we destroy the whole project.

It's important to have a rapport with the producer — He's a creative person who knows we can help him tremendously, giving him other opportunities, using him on other groups.

WRITER: Do you also act as liaison between artists and, record companies?

SID: Absolutely. We're very involved with all record companies. We tie in with every department of the record company. Part of our job is to make sure that the record company functions as a record company should, and we sometimes create separate divisions in our organization equivalent to record company's so that each person meshes with the record companies' divisions — p.r., radio, AM-FM promotion, black promotion. We make sure they do the work and we look at the results. If it isn't done, I go in and see the president of the company and say, "Look, you didn't produce. This city is not coming, and what's wrong? You got to spend some more money."

WRITER: How long does it take for an act that no one has heard of that you sign to catch fire?

SID: If you want to follow the Voltage Brothers, we signed them about seven months ago. They are an all-black vocal group who were working gigs in New Jersey on weekends, and that's where we picked them up. From that point on we brought in the producer.

We signed the Voltage Brothers to Lifesong Records, which is Terry Cashman and Tommy West. They signed the label distribution deal with Epic Records. We created full-page ads which came out in January for the group. We set up a promotional tour in ten cities and we have local stories being emanated. We are doing a community-action benefit program in Philadelphia that ties in with a national charity campaign.

They are going on tour with Michael Henderson and they will be an opening act with Melba Moore and Teddy Pendergrass.

WRITER: Who is paying for all of this?

SID: Usually it is the record company that pays for all of this. The manager is not a factor. The company funds it and the manager does it. We will be using all the record company's facilities and all their divisions.

There is no one format for money situations. Some record companies pay for some things, some record companies pay for it all. Some record companies don't even want to touch it, and you do it.

Some acts pay for it and the manager doesn't pay for it. It is all a relative situation for the individual act. That's on all levels, by the way.

WRITER: Is one hit record enough to break a new act? Or does it take more than that?

SID: Sometimes one is enough to open all the doors. At least it will allow the group to become exposed and if the act has really got it, then they will be successful. But sometimes it can be a one-record act.

WRITER: What is the difference between promoting a soul group like the Temptations and promoting a white artist like James Taylor?

SID: There are barriers, you know — there are radio-play barriers, there are acceptance barriers, there are exposure barriers. You cannot, as a black artist, do a lot of things the white artist does; you can't play the concerts that bring in the big money. I'm talking about the Led Zeppelins and the Elton Johns and the Grand Funks — You cannot start a black group or black artist other than in the black area, the black market.

Then it has to cross over. The cross-

over is always the difficult part. We've crossed over two artists. I've managed B.B. King, and Gladys Knight and the Pips.

One of the reasons people buy records is they have a love relationship with an artist. A lot of white kids cannot have a sex-symbol relationship with a black artist. Shaun Cassidy has thousands of kids buying his records — they love his picture. And if you have a black artist like Al Green, he doesn't have that market.

A lot of black people have never been exposed to certain white music. I know some black people in the music business who have not heard Peter Frampton. They wouldn't know James Taylor because they listen to the Ojays and the Spinners.

As they get older, of course, and get more money, they will go into a club and see Sinatra or they go into a concert and see a white group.

WRITER: Is it easier to break a black act than a white act, that is getting air play?

SID: A lot of white managers now are looking to sign black acts because you get a faster reading on the success of an act.

LOU: From the manager's viewpoint, what do you think are the fundamental issues confronting you today?

SID: I think one of the biggest issues is professionalism in management.

There are so many managers who are unqualified taking acts and not being able to deliver for them.

Sometimes if the manager is not a full-time professional, he's not in the management business as a business. I don't approve of lawyers being managers. They are on the fringes of the business; they've got their own practice. There's a trend today in business where lawyers grab ten, fifteen, twenty percent of acts, and all they provide is con-

tractual services and peripheral advice on the telephone as to how these acts should run their careers.

They don't actually function as a manager.

Club owners are managers too, and you know how far a club owner can take you. I'm not saying they shouldn't be managers, but that they should make the commitment to be a manager and apply business thoughts to being a manager.

We set up definite programs: a one year program, two-year program, and three-year programs. For every one of our acts that have become successful we did that.

Any time a major company in the industrial world, let's say, General Motors, comes out with a car, they don't knock out that car and throw it away after five years. They put so much into it that it becomes institutionalized. As a result, the car is worth a lot more money in the sixth year than it was in the first year.

Same thing with management. We try to limit our activity to talented artists and people who are really committed to the business and who will say to you, "we're going to stay with you forever, because we believe you can handle all levels of management," such as working small clubs in New Jersey; to working in Las Vegas; to being on major tours around the world, or doing command performances in England or having your own network television show.

The artist, in effect, is expressing confidence in me as a manager knowing we have been involved in all of the above levels and can guarantee a professional effort toward the client's ultimate goals of success. That's the kind of approach we like to get involved with in acts. That's how you build a reputation and a solid business approach to career management and that's what we feel Sidney A. Seidenberg, Inc. has achieved. ♦

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The Validity of the Publisher-Songwriter Agreement

(or Will America Follow England's Lead?)

by Jeffrey L. Graubart

SRS' Note:

Jeffrey L. Graubart, counsel for Songwriters Resources & Services in San Francisco, was graduated from Northwestern University School of Law (J.D. 1965). He was associated with Curtis Friedman & Marks, Chicago (1965-67), a staff attorney for Capitol Records, Inc. (1968-70), and a sole practitioner, San Francisco (1970 to present). He is a governor of the National Academy of Recording Arts and Sciences (San Francisco Chapter) and of the Lawyers' Club of San Francisco. He is an instructor in Music Law at the College of Recording Arts, San Francisco, and Family Light Music School, Sausalito, and is the author of "Piracy on the High C's: The Record Industry's Legal Battle with Bootleg Music Makers."

Mr. Graubart agreed to publish this article as a public service to songwriters who are advised to consult their own attorneys on the applicability to their activities of the issues discussed here.

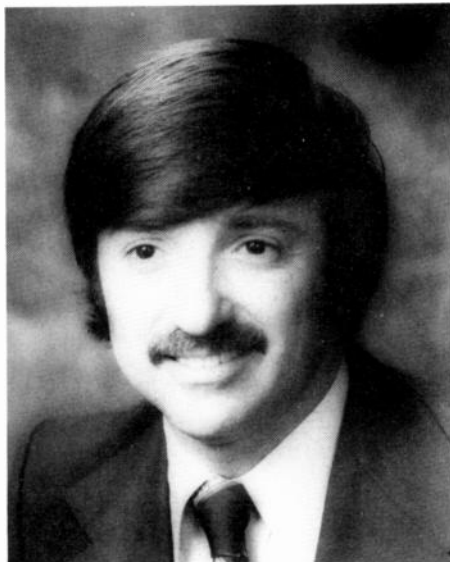
SRS has been deeply concerned with the songwriter-publisher contracts in current use which appear to be weighted heavily in favor of the publisher, and patently unfair to the songwriter. SRS believes such contracts are particularly oppressive now that the name "publisher" itself has become a misnomer, that "publishing" can be defined as recording, and the role of the publisher has become virtually that of an agent, soliciting recording companies and artists to perform the publishing function.

It has been suggested from time to time that the Publisher-Songwriter Agreement is void because it lacks consideration.

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If consideration is defined as the return given by one for the act or promise of another, when a songwriter grants to the publisher his or her song, including the copyright, what does the publisher give to the writer in return?

A basic rule of contract law is that a contract without consideration (or a substitute thereof) is invalid. In the August, 1976 issue of Songwriter, Leroy F. Colton, Esq., in the SRS Open Forum, suggested that the Legislature should examine "... the propriety of allowing a publisher to own a copyright created by another for its lifetime with-



out consideration in the first instance, and with only a vague and implied promise to exploit the work and a promise to pay monies to the songwriter only if and when the work, in fact, generates income."

Applying general legal principles to the Publisher-Songwriter Agreement, the purpose of this article will be to explore the fairness of that class of agreement, examining (i) whether consideration (of any kind) is present in the usual Publisher-Songwriter Agreement and (ii) under what circumstances, if at all, a court will void a Publisher-Songwriter Agreement.

Is Consideration Recited?

Because courts have believed that it would be an unwarranted interference with freedom of contract if they were to relieve an adult party from a bad bargain, courts decided long ago that any detriment (i.e. an act or promise to do what one is not legally obligated to do) no matter how economically inadequate, will support a promise. Thus, the mere payment by the publisher to the writer of one dollar (\$1.00) if actually paid, could suffice as adequate consideration.

A reading of many so-called standard, popular Songwriters Agreements shows that in these agreements, the publisher fails even to promise to pay the dollar, perhaps on the proposition accepted in California and Tennessee, but not New

York and Illinois, that any written promise is rebuttably presumed to be supported by consideration. Publishers instead, base the presence of consideration in the agreement upon (i) the publishers' implied and vague promise to exploit (meaning to utilize, make available and get the value or usefulness out of, rather than meaning to make use illegitimately for one's own advantage or profit) the song and (ii) the publishers' promise to pay monies to the songwriter only if and when the song generates income.

Two further questions are thereby raised: (i) Is the publisher's implied promise sufficient to qualify as consideration? (ii) Is the publisher's promise to pay if and when the work generates income, in fact an illusory promise which will not support consideration?

Implied Promise

There is much legal authority for the proposition that an implied promise, found by the inferences of the facts set forth in the agreement is sufficient to qualify as consideration. A well known case with facts strikingly similar to the typical Publisher-Songwriter situation is the New York case of *Wood v. Lucy, Lady Duff Gordon*, 222 N. Y. 88, 118 N. E. 214 (1917). There, the plaintiff, Wood had a business organization adapted to the placing of fashion designs. He entered into a written agreement with Lady Duff Gordon, a creator of fashions. He was to have the exclusive right to place or license her exclusive designs, and endorsements on the designs of other, and take out copyrights to protect them and in return, he was to have one-half (½) of "all profits and revenues derived from any contracts he might make."

Lady Duff Gordon, after signing a written agreement reciting these facts, subsequently placed her endorsements on fabrics, dresses and millinery without Wood's knowledge and withheld the profits from him. When sued by Wood, she claimed that the contract was worthless because in it Wood did not bind himself to do anything.

The court, however, disagreed, saying, although it was true that Wood did not promise in so many words that he would use reasonable efforts to place her endorsements and market her designs, nevertheless such a promise was to be implied. "A promise may be lacking, and yet the whole writing may be 'instinct with an obligation, imperfectly expressed . . . If that is so there is a contract. . .'"

"The implication is that plaintiff's business organization will be used for the purpose for which it is adapted . . . Her sole compensation for the grant of an exclusive agency is to be one-half of all the profits resulting from the plaintiff's efforts. Unless he gave his efforts,

she could never get anything. Without an implied promise, the transaction cannot have such business 'efficacy as both parties must have intended . . . ' His promise to pay the defendant one-half of the profits and revenues resulting from the exclusive agency and to render accounts monthly was a promise to use reasonable efforts to bring profits and revenues into existence."

The principle of *Wood v. Lucy, Lady Duff Gordon* in finding by inferences drawn from the facts an implied promise so as to sustain a contract has been accepted by many other courts. The analogy between *Wood* and a music publisher on one hand and *Lady Duff Gordon* and a songwriter on the other hand cannot be missed.

Apparently, the implied promise to exploit the writer's song will qualify as sufficient consideration to sustain a contract.

Illusory Promise

Is a promise to pay which is conditioned upon some future event which is within the control of one of the parties an illusory promise which would invalidate an agreement?

Modern court decisions, through a process of interpretations has answered "No".

Contracts containing such promises are called aleatory contracts, that is, depending on an uncertain event or contingency as to both profit and loss.

The publisher's promise to pay a portion of the income from the writer's song to the songwriter if and when the work generates income is a conditional promise by which the publisher has protected himself with the writer's consent against the possibility that the publisher will be unable to successfully exploit the work. In doing so, the publisher has impliedly promised to use his best efforts to bring about the happening of the condition of his promise. There is no illusion to his promise although it is conditional.

It is well settled in law that a promise is not an insufficient consideration for a return promise, merely because it is conditional upon an uncertain and fortuitous event and it may never have to be performed.

The analysis of these questions show that consideration is present in the usual Publisher-Songwriter Agreement. Although that does not mean that these agreements are therefore necessarily fair, it should put to an end to the oft-repeated query of whether these agreements are void because of lack of consideration. The simple conclusion is No.

The foregoing, however, does not put an end to the issue of the fairness of the Publisher-Songwriter Agreement and the songwriter's remedy in ending a Publisher-Songwriter contract found to be so unfair as to be contrary to public policy.

Public Policy

The issue of fairness of a contract, as previously mentioned, will not normally be investigated by an American court if lawful consideration can be shown to exist.

That issue however, has been recently fully litigated in the English courts in *A. Schroeder Music Publishing Company Limited vs. Tony Macaulay* [1974] 3 All E. R. 616.

There, the young songwriter plaintiff (Macaulay) sought to repudiate the contract he had with the defendant music publisher and was successful in doing so

in the trial court, in the Court of Appeal and again in the House of Lords (equivalent to the U.S. Supreme Court).

Macaulay had signed a contract with the defendant, a worldwide organization of music publishers, by which the composer agreed to assign to the publisher all of the copyrights in his existing work and in future works composed during the subsequent five year period.

For that, defendant publishers agreed to pay plaintiff an advance equivalent to about \$100.00. Subsequent advances of the same amount were due each time

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The Diminished Seventh Chord

by Ladd McIntosh

One of the least understood and most incorrectly used chords is the diminished seventh. Where does the chord come from? To what chords may it resolve? How may it properly and intelligently be used? These are all questions the serious songwriter should ask him-

self and then seek out the answers, for the diminished seventh is a useful chord and has a definite place and purpose. Here is how we feel about it.

Generally, chords derived from the major scale are much more common (and useful) than those derived from the

minor. A quick look at seventh chords built on the notes of a major scale reveals major seventh chords built on the first and fourth degrees (I and IV); minor sevenths on II, III and VI and a minor seventh flat five on VII (Ex. 1). No diminished sevenths are found in major. Right away this tells us that our chord is probably used less than these.

A look at four-part chords built on the notes of a comparable harmonic minor scale do reveal the diminished seventh built on the seventh degree (Ex. 2). Now we know where it comes from.

We also know that the *definitive* chords of either a major or minor key are those chords built on II, V and I. Thus in C major, Dmi7, G7 and Cmaj7 serve this purpose while Dmi7b5, G7b9 and either Cmimaj7, Cmi7, Cmi6 or Cmi do likewise in the key of C minor. Again, we find no diminished seventh chords here. It isn't until we look at diatonic substitutions for our definitive chords that we begin to find a possible use for the diminished seventh. As the VII chord in the minor key, it may be substituted for the V chord in that same key. Another way to look at this would be: B diminished seventh is made up of the top four notes of G7b9 (Ex. 3).

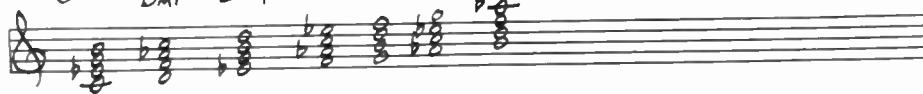
Now let us examine the relationships between the various notes of the chord. *The interval between each successive note of the chord is a minor third.* This means that the chord itself is symmetrical. You may invert it, but you will still be sounding and writing a diminished seventh chord (Ex. 4). This means that the notes 'c', 'e-flat', 'f-sharp' and 'a' — when sounded together — could be correctly called Cdim7, Ebdim7 or Adim7 depending upon which note is on the bottom (Ex. 5).

Logic tells us that there should be twelve different diminished seventh chords since there are twelve different notes in our chromatic scale. Actually, there are only *three* different diminished sevenths: The one in example five which is made up four different notes and has four different names; the notes 'c-sharp', 'e', 'g' and 'b-flat' — also called by four different names (Ex. 6); and the notes 'b', 'd', 'f' and 'a-flat' (or 'g-sharp') — also known by four different names. (Ex. 7). Figuring on enharmonic spell-

Ex. 1 Cmaj7 Dmi7 Emi7 Fmaj7 G7 Ami7 Bmi7b5



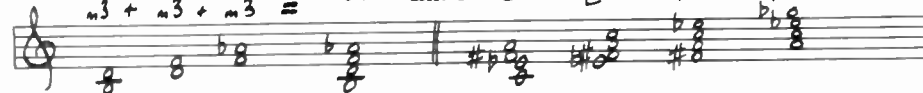
Ex. 2 Cmi7 Dmi7b5 Ebmaj7b5 Fmi7 G7 Abmaj7 Bb7



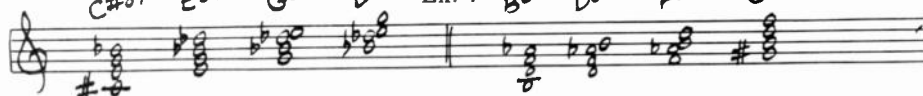
Ex. 3 G + Bb7 = G7b9



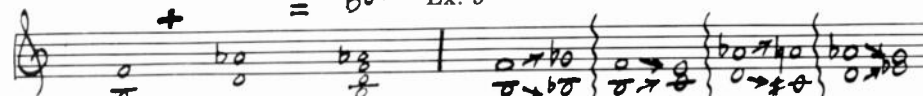
Ex. 4 m3 + m3 + m3 = o7 Ex. 5 Cb7 Eb7 F#b7 Ab7



Ex. 6 C#b7 Eb7 Gb7 Bb7 Ex. 7 Bb7 Db7 Fb7 G#b7



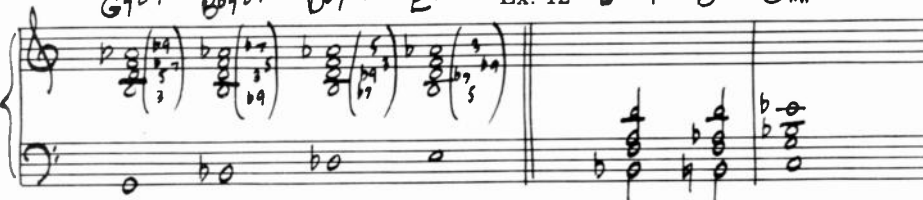
Ex. 8 + = Bb7 Ex. 9



Ex. 10 Fmaj7 (Bb7)



Ex. 11 G7b9 Bb7b9 Db7b9 Eb7b9 Ex. 12 Bbmaj7 Bb7 Cmi7



ings (G#dim7 and Abdim7 are the same), we actually have *more* than twelve different labels for what is essentially only *three* different chords. Amazing.

If we combine two minor third intervals together, the resultant is a *tritone*. (The importance of tritones was discussed at length in this column in the June and July, 1977 issues of this magazine.) This chord has not one, but two tritones! We already know that tritones want to resolve by half step in opposite directions. When we realize that this chord has a tritone between the first and third notes and also, the second and fourth, we are very much aware of the motion that this chord demands. Indeed, this is the crux of this chord: It *demands* motion.

An interesting way to think of this chord is that it *contracts* the preceding harmony while *expanding* into that which follows — that is, it resolves.

In example eight we see the two tritones that make up a Bdim7. Being tritones, both have an innate tendency to resolve either outward or inward (Ex. 9). The chord, when sounded, is literally waiting to move on to the next chord. But which tritone do we allow to dominate? Since the chord is symmetric, we can't answer that. Everything is equal. What we *can* do, however, is let the chord resolve to *any chord built on any of the eight notes to which these two tritones are leaning*. Look at example nine again. There are a total of eight different notes to which the two tritones want to resolve. We may build just about any type of chord on any of these eight different notes and the result should sound fine following the Bdim7. The possibilities are almost endless and maybe a bit overwhelming.

As an experiment you might try sounding Bdim7 and following it in succession with major seventh chords built on B-flat, C, C-sharp, E-flat, E, F-sharp, G and A. The Bdim7 will resolve very nicely to each one of these.

Then do the same with dominant seventh chords built on each of the eight notes. Try it again with minor seventh chords. And again with minor triads. Minor seven flat five chords are also excellent possibilities.

This little exercise should make it apparent to you just how flexible this little chord can be. You should keep this flexibility in mind.

Arrangers, aware of this flexibility, are constantly using the diminished seventh chord to smoothly harmonize a non-chord tone such as in example 10. Please note that when using a diminished seventh in this manner, it is rarely labeled since it is only used to voice the one melody note.

Another way of thinking about the

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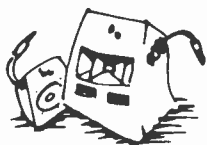
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The Final Transfer

by Leo de Gar Kulka

Over the period of the last 14 articles, we have discussed all the different links in the recording chain, from the microphone to the phonograph record. This is the final link in the recording chain when all the prior efforts of creative activities get reduced to the medium in which it will finally reach the public. It is *this* medium, the phonograph record, on which the radio station gets to play the songs, and which the "consumer" buys. It is because of what he hears on the PHONOGRAPH RECORD that he spends his money to have one of his very own, and thereby start the trickle of dollars coming in. And, of course, the dollars come to you the songwriter. Because that is a fact, I most urgently feel that the songwriter and all persons involved in the creative process, ought to have a pretty good understanding of what is involved here.

As a songwriter, you are, and should always be concerned, that your song SOUNDS as good as possible. Even your demo's ought to be on record, because that is still the most convenient and the most natural way for anybody to listen and to judge your efforts. But at the same time, those who listen and judge whether or not to use your song, compare your demo to commercial recordings! More times than not, a bad sounding record will so much distract from the song, that it will be passed over. That's bad because the only way you, the songwriter, can make a living, is to have your song on a record that sells. (Or a similar commercial medium.)

38 Regardless of the type of recording, whether 16 track, 24 track, 1/4 track, or 1/2 track stereo, the final product which the listener receives and which the ultimate buyer purchases at the store is the *phonograph record*. The least amount of information is available for the new wave of recording engineers about this transfer process, and the least amount of consideration is being given to the problems of the capabilities of the phonograph by the average recording engineer. It never ceases to amaze me that producers and engineers will spend untold hours in the studio searching for some obscure "sound" of an instrument prior to recording it on

multichannel. Then they spend days recording the song with overdubs of various instruments, with minute attention being paid to the character, the intensity, or to the feeling of a particularly inane guitar lick, being under the impression that the absence or the presence of this mysterious "something" holds the key towards a hit record or a flop. The engineer and the producer will then spend untold hours with the help of additional arms and even computers to mix the tune down to its final two track stereo form and then, when finished, turn the master tape over to the record company or to some person, without any further supervision, and expect to get a good record.

Another example is, that it is assumed that when there is a vocalist, the vocalist is placed in the center! There have been occasions where I have received tapes without any guidelines or test tones, and where I assumed that the producer wished the vocal to be in the center, only to be told later, at the time the test pressing was delivered, that what the producer *really* meant, was for the vocal to be somewhat off center right or off center left. WHO PAYS FOR THIS?

In most of the European countries (whose recorded product is touted as being the very finest in quality), it is the producer's job to furnish the mastering engineer with a completely equalized limited, and finished tape master. There is a reference tone at the beginning of the tape, which not only denotes the maximum recording level which will be found on that side of the tape, but will also provide a tone of 15 thousand cycles which makes it possible for the mastering engineer to adjust the azimuth of his playback head to exactly match that of the azimuth of the machine of which the tape was originally recorded. This way the two machines are exactly alike, and the material played back in the mastering room now sounds exactly the way the recording engineer wished his masters to be. It is then the mastering engineer's job to transfer this master tape, one to one, without making any changes to the sound, concerning himself only

with the utmost quality of the actual disk cut.

In this country and in England (and in most countries where rock and roll is being produced nowadays), the mastering engineer is being charged with the job of not only making *objective* but also *subjective* decisions, which I personally feel places an unfair burden on the mastering engineer who is, as I said before, being forced to second guess the wishes and the desires of the producer. Personally I will not make any major subjective changes of the program, unless I have instructions from the producer, or unless the producer is with me in the mastering room to approve them.

If the producer and the engineer would have had the experience and the technical knowledge of producing a master tape which could be transferred as is, or, as we say, "one to one" to disk, then there wouldn't be much of a problem. Basically the engineer transferring from tape to disk should be making only one type of decision and that is an objective decision regarding the quality of the record groove, the absence of distortion, and the flat frequency response of his playback and his recording equipment. Unfortunately, the engineer and the record producer very seldom provide the transferring engineer with the proper information in order to make it possible for him to effect such a transfer. For instance: an LP will be furnished completely assembled to the mastering engineer, without giving him any idea of the length of time of the cuts. This makes it necessary for the disk cutting engineer to play and time the entire two sides of the album. This, of course, takes time, and time has to be paid for, time, that the engineer and the producer were spending anyway in listening to the tunes, and therefore could have just as easily run a stopwatch and noted the times and the total amount of running time per side on the legend sheet of the album!

Further, since it very seldom happens that the dubdown of an album is all done in the same day, and in many instances not even in the same studio, it very often happens that track one is louder than track two; where the balance between the channels left and right are different on track three than on track four; where levels wander all over the place, where dynamic ranges are completely haphazard. This necessitates the disk mastering engineer to examine and copiously analyze the recording and try to second guess what the producer and the engineer really had in mind. Chances are 50/50 that the second guess would be the wrong decision.

If you then consider, that some so-called producers create so-called master tapes, where each selection requires a

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WHO'S WHO

from page 12



NEW YORK

Vincent Candilora, Director of Writer

Affiliation

SESAC

10 Columbus Circle

New York, N.Y. 10019

(212) 586-3450

Other Office: Nashville

Vincent studied audio engineering and, when SESAC built a small studio for the use of its members, he was hired to run the studio. He went on to the Broadcast licensing department, where he worked for three years. Until about four years ago, SESAC was strictly a publishers' organization. When the policy changed to include writer members, Vincent and Nick Arcomano started the affiliation department. A screening committee was formed to which writers could submit material. If the screening committee feels that the writer has potential, SESAC will work with the writer in their studio, guide him in the right direction, promote the songs that are released, and distribute records abroad to generate sub-publishing activity for both writer and publisher members.

SESAC is a privately owned performing rights organization, which was formed in 1931. Vincent says, "We're smaller than ASCAP or BMI and we feel that's our greatest advantage. Because we are small, we can be more efficient and give more personalized service. But we're not small in terms of our licensing activities. We license 95% of the total industry. We offer the small publisher the convenience of representing their mechanical and synchronization rights as well as performances. That helps us internally, too. Because of it, we know exactly what is happening with the copyrights we represent."

"We have all kinds of writer members: jazz, pop, religious, avant garde, and classical. We want publishers to know that we have good material available."

"We're looking for professional songwriters who have had material placed, but have not yet affiliated with a performance rights organization. You may submit a tape to our screening committee on reel to reel or cassette. Please put leaders between the songs if it's on reel to reel. Include lyric sheets and a self-addressed, stamped envelope."



NASHVILLE

Randy Cox,

Director of Catalog Promotion

Paragon Music Corp — ASCAP

New Pax Music Press — BMI

JoySong — SESAC

803 18th Ave. South

Nashville, TN 37203

(615) 327-2835

Also: Paragon Associates, Paragon Records, NewPax Records.

Randy came to the music business after a thirteen year ministry in church music, during which he wrote original anthems for choirs and majored in church music at Memphis State University. Since Randy started working for Paragon in December of '76, he has produced an album for Family Reunion, Doug Oldham's traveling group.

Paragon was formed two and a half years ago by a group of men including Bob MacKenzie, Bill Gaither, Robert Huff and Gary S. Paxton. Bob MacKenzie was associated with John T. Benson and produced several albums with Bill Gaither, one of which, "Alleluia," went gold. Randy was hired to promote the Gaither and Paragon catalogs, which contain songs by Stuart Hamblen, *This Ole House* and *Until Then*; Bill Gaither's *He Touched Me* and *Because He Lives*; and Gary S. Paxton's *He Was There All The Time* and *The World Didn't Give It To Me* and *The World Can't Take It Away*.

Randy is looking for "Contemporary Christian music with theologically sound strong lyrics, that really have something to say in a unique way . . . songs that can be adapted to several artists. Doug Oldham, Truth, Richard Roberts, Word artist Evie, and Ernie Ford are examples of the kind of artists that we deal with. You may submit a maximum of three songs on cassette only with lyric sheets and a self-addressed, stamped envelope. Please allow time for review of your tape."

"The major principle that I work on is that the song is the key to an artists' ministry. A ministry is a relationship with people that is based on a personal experience with Jesus. It's a life changing experience that's only found in Christian music. The lyric message is what makes the song something more than just a nice tune. Artists are very particular about the lyric content that they will sing. The artist is standing out there all by his lonesome with only the song between him and the audience. The message of the song can make or break his impact on the audience. Consider the message!"



Bob Witte, President

Jop Music — ASCAP

Pointed Star Music — BMI

50 Music Square West

Nashville, TN 37203

(615) 327-4077

Also: Jim Owens Productions

Bob wrestled steers and rode bulls and bareback horses for ten years, then became a rodeo clown for eight years. He moved to Nashville to promote a rodeo and met Henry Hurt of Chappell, who recruited Bob's talents into the music business. By 1975, Bob was working Charlie Daniel's catalog, Rada Dara Music. He got ten cuts in eleven months, with artists such as Mel Tillis and T.G. Sheppard.

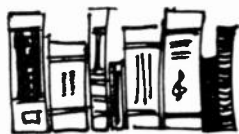
Bob's wife, Jan Gray, was performing at Faron Young's club and attracted Jim Owens' attention. Jim Owens has produced two Jerry Reed Specials and the Barbie Benton '77 Christmas Special, with Mickey Gilley, Dave and Sugar, Freddie Weller, Johnny Rodriguez, and more. Jim approached Bob, as Jan's manager, about a TV appearance. Bob turned around and sold Jim on the idea of starting a music publishing company. In September of '76, Bob went to work for Jim and launched Jop Music.

The first song Jop published was *A Cowboy Is*, which Bob co-wrote with Jan Gray and Bob House. It was recorded by Chris LeDoux, the bareback riding champion of the world. The second song, *Mr. D.J.*, was written by Gil Francis and Bob House, recorded by T.G. Sheppard, and, as of this writing, is still climbing the charts. Gil Francis wrote *It's About Time* and it was cut by Mel McDaniels.

Bob is open to all types of songs. You may submit a maximum of three songs on cassette or reel to reel, with leaders between the songs if possible, and lyric sheets. Send a self-addressed, stamped envelope if you want your tape back.

Bob says, "If you're going to write a song about a rodeo cowboy or an oil rigger, do some research on that job or that person. Go for authenticity. For instance, the most sought after rodeo prizes are trophy buckles and hand carved trophy saddles, not silver saddles as they say in *Bandy the Rodeo Clown*."

Bob is still clowning around for the Nashville Pickers, a music industry baseball team that plays for charity. In their after game shows, he has brought the rodeo clown character up on the stage. He adds, "I'm thankful to the music business for accepting an old rodeo clown." ○



The Books You Should Read Are On Songwriter's Bookshelf



How I Write Songs (Why You Can) by Tom T. Hall. Over 10 years of Tom T. Hall's commercial success go into this practical and non-technical guide to songwriting and the music industry. Also included are definitions of music business terms and expressions, examples of songwriter contracts and analyses of Tom's own biggest hits. 158 pages. \$7.95

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SRS from page 35

the previous advance was recouped by defendant publishers from royalties due plaintiff. As is quite common in these agreements, there was no express obligation on the defendants to exploit any composition of the plaintiff.

The plaintiff contended that the agreement was *oppressive*, an *unreasonable restraint of trade* (his inability to deal with his compositions for a five year period except with the defendant) and therefore *void as being against public policy*.

At each level, the court agreed. The House of Lords, in affirming the judgment of the trial court which had declared the agreement to be void, made the following observations:

1. If the publisher is not bound with a "positive undertaking" to exploit a composer's works, it would be an unreasonable restraint of trade to tie the composer "... for this period of years so that his work will be sterilized and he can earn nothing from his abilities as a composer if the publisher chooses not to publish."

2. Had the composer had the right to recover his compositions after a reasonable time of inactivity by the publisher, the agreement would not be against public policy.

3. Because the contract was not negotiated between the parties, but instead the plaintiff was offered a "take-it-or-leave-it" agreement by a party with superior bargaining power, the agreement was oppressive and did not satisfy the test of fairness, i.e. whether the restrictions are both reasonably necessary for the protection of the legitimate interests of the publisher and commensurate with the benefits secured to the songwriter.

A week later, another English court, hearing a case involving Fleetwood Mac's original manager, who also had a publishing agreement with members of the group, (*Clifford Davis Management Ltd. v. WEA Records, Ltd. and another* [1975] 1 All E. R. 237) refused to grant the manager an injunction against distribution of Fleetwood Mac records in England which embodied compositions apparently subject to his prior publishing agreement. The court, referring to "standard" clauses in the agreement, called them "amazing provisions" and cited the precedent of the *Macauley* case as the authority for its refusal.

American law has its deep roots in English law. Whether American courts will adopt the logic of *Schroeder vs. Macauley*, and create the revolution in the U. S. music publishing industry which is already underway in that industry in England, remains to be answered. A

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different level setting and a different type of equalization, then you must also realize that whatever changes are to be made, must be made in the space of approximately three seconds, for that is the average time between cuts on a record. It must also be realized, that once the needle has been dropped, and the record starts to be cut, the needle must remain down. This forces mastering facilities to have more than one stereo channel, so that pre-programming and program path switching can be accomplished in the three seconds between tunes. The additionally needed equipment investment naturally reflects in the charges brought against the producer and eventually the artist.

Why do I take the time to tell you, the songwriter, all this? Because eventually you will be faced with some of these problems. Sometimes engineers try to make you think what a fantastic and mysterious power they possess — and that you are much too ignorant to be asked to comprehend all this! They want you to have "faith" in their manipulations.

Well, there is no magic, and no magic will replace knowledge and meticulous and careful working habits. I, as well as all knowledgeable engineers and studio owners, appreciate an educated client to an ignorant one. . . . It is only those who themselves are ignorant, that need to guard their secret . . . which is "I know almost as little as you do!"

Now you know. Therefore don't be cowed by the mystique of the control room or the studio. It is basically a place where the sound, which is created by the musician, by the songwriter, by the singer-artist, is captured onto a permanent medium in as true a fashion as possible. Of course there are devices and inventions which enable the engineer to "enhance" the sound, to make it more interesting, to make it conform with the sounds YOU, the *songwriter*, the producer, the arranger HEARD INSIDE YOUR HEAD when YOU CONCEIVED the idea in the first place.

I sincerely trust that these past articles have been of some help to you to make you understand the basic engineering principles. In the following articles we will discuss some of the "tricks" which can help you, the songwriter, make better and more effective use of us studio engineering types.

The College for Recording Arts has recently been accredited by the National Association of Trade and Technical Schools, which is a government recognized accrediting organization under HEW. This not only assures the quality of instruction but also signifies that CRA is meeting the most stringent re-

quirements for veterans, and licensed by the Bureau for Postsecondary Education of the State of California. The department of Immigration and Naturalization allows aspiring foreign students to attend our diploma course on non-immigrant student visas. The spring semester starts on February 6, 1978 and there are still some openings for the summer semester starting June 12, 1978.

To accommodate the student demand, we are looking for persons possessing the qualifications to assist in teaching some Audio, Music and Music Business courses. Age, or anything else is no criteria. All that counts is a most thorough knowledge and experience in the subject to be taught, and the enthusiasm and capability to effectively communicate this knowledge to our students. If you know of someone who would make an outstanding instructor, or if you feel that you would like to join CRA, please do send me full particulars and we will arrange for an interview. Thank you.

Leo de Gar Kulka, President
COLLEGE FOR RECORDING ARTS.
665 Harrison Street
San Francisco, Calif. 94107
#415-781-6306

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LEN LATIMER, Publisher

Placing your songs is a tough business!

It takes a great deal of talent to create a good and saleable song. But then your job is only half done and problems arise. What do you do with it? Who do you sell it to? Who's a good publisher? What about independent producers? What kind of songs do they want and, more importantly, will they listen?

These questions become obstacles which the songwriter must overcome if he is to become successful. **Tunesmith** helps you solve these problems. **Tunesmith** is a monthly newsletter that brings you honest, accurate, up-to-date leads of legitimate producers, artists, and publishers needing good songs. Besides giving you important contacts and their hard to find addresses, we also give you background information on the person, the kind of songs they need, tips on submitting your songs, and a monthly analysis of the trends and styles being set on the nation's top charts.

Tunesmith is the result of many hours interviewing, probing, and investigating, to search out those people throughout the country who are currently in need of material and will listen. We cover the gamut from Pop, R&B, Country to Easy Listening. Whether you're looking for a publisher, producer, or simply want to get recordings, **Tunesmith** is for you. If you're really serious about songwriting, our confidential report is a must (besides, it's tax deductible).

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R&B Top 10

Songwriter	Title	Artist	Publisher, Licensee, Label
1. Chuck Jackson Marvin Yancy	Our Love	● Natalie Cole	Enterprises/Chappell, ASCAP (Capitol)
2. George Duke	Reach For It	George Duke	Mycenae, ASCAP (Epic)
3. M. Cooper	Flun	Con Funk Shun	Val-Le Joe, BMI (Mercury)
4. Norman Whitfield	Ooh Boy	Rose Royce	May Twelfth, Warner-Tamerlane, BMI (Whitfield)
5. Al Green, F. Jordan, R. Fairlay	Belle	Al Green	Jec/Al Green, BMI (Hi)
6. S. Allen, H. Brown, M. Kikerson, L. Jordan, C. Miller, L. Oskar	Galaxy	War	Far Out, ASCAP (MCA)
7. K. Lehman, B. Wards, N. Rodgers	Dance, Dance, Dance	Chic	Cotillion/Kreimers, BMI (Atlantic)
8. A. McKinney, V. White, R. Wright	Come Go With Me	Pockets	Verdangel/Pocket, BMI (Columbia)
9. M. White, V. White, S. Burke	Serpentine Fire	Earth, Wind & Fire	Sagittare/Free Delivery, BMI (Columbia)
10. Pam Sawyer, Marilyn McLeod	You Can't Turn Me Off	● High Energy	Jobete, ASCAP (Motown)

Country Top 10

Songwriter	Title	Artist	Publisher, Licensee, Label
1. D. Coe	Take This Job And Shove It	● Johnny Paycheck	Warner-Tamerlane, BMI (Epic)
2. Paul Anka, J. Revaux, P. Francois	My Way	Elvis Presley	Spanka, BMI (RCA)
3. Tommy Boyce, Bobby Hart, Wes Farrell	Come A Little Bit Closer	Johnny Duncan (with Jamie Fricke)	Morris, BMI (Columbia)
4. D. Wilkins, T. Marshall	Georgia Keeps Pulling On My Ring	Conway Twitty	Emerald Isle/Battleground, BMI (MCA)
5. S. Throckmorton	I'm Kneeing Deep In Loving You	● Dave & Sugar	Tree, BMI (RCA)
6. A. Jordan	What A Difference You Made In My Life	● Ronnie Milsap	Chess, ASCAP (RCA)
7. A. Nugetre	Chains of Love	● Mickey Gilley	Belinda/Unichappell, BMI (Playboy)
8. S. Throckmorton	Middle Age Crazy	● Jerry Lee Lewis	Tree, BMI (Mercury)
9. L. Hargrove	Savin' This Love For You	● Johnny Rodriguez	Window, BMI
10. K. Sowder, C. Bolow, W. Stevenson	Lovely Street	● Rex Allen Jr.	Four Star, BMI

Easy Listening Top 10

Songwriter	Title	Artist	Publisher, Licensee, Label
1. Barry Gibb, Robin Gibb	Emotion	● Samantha Sang	Barry Gibb/Fleming, Stigwood, BMI (Private Stock)
2. Neil Diamond	Desiree	Neil Diamond	Stonebridge, ASCAP (Columbia)
3. Billy Joel	Just The Way You Are	Billy Joel	Joelongs, BMI (Columbia)
4. Roy Orbison	Blue Bayou	● Linda Ronstadt	Acuff-Rose, BMI (Asylum)
5. Paul Anka, J. Revaux, P. Francois	My Way	Elvis Presley	Spanka, BMI (RCA)
6. Barry Gibb, Robin Gibb, Maurice Gibb	How Deep Is Your Love	Bee Gees	Stigwood, BMI (RSO)
7. John Denver	How Can I Leave You Again	John Denver	Cherry Lane, ASCAP (RCA)
8. B. Beckett, J. C. Crowley	Baby Come Back	Player	Touch Of Gold/Crowbeck, Stigwood, BMI (Polydor)
9. Randy Newman	Short People	Randy Newman	Hightree, BMI (Warner Bros.)
10. Harvey Shields	The Way I Feel Tonight	● Bay City Rollers	Rosewater Careers, BMI (Arista)

Songwriter Top 40

Songwriter	Title	Artist	Producer	Publisher, Licensee, Label
1. Paul Simon	Slip Slidin' Away	Paul Simon	Paul Simon, Phil Ramone	Paul Simon, BMI (Columbia)
2. Bob Welch	Sentimental Lady	Bob Welch	Lindsay Buckingham, Christine McVie	Warner Bros., ASCAP (Capitol)
3. Barry Mann, Cynthia Weil	Here You Come Again	● Dolly Parton	Gary Klein	Screen Gems/EMI, Summerhill, (RCA)
4. Jack Conrad, Ray Kennedy	Isn't It Time	● Babys	Ron Nevison	Jacon/X-ray, BMI (Chrysalis)
5. P. Beckett, J. C. Crowley	Baby Come Back	Player	Dennis Lambert, Brian Potter	Touch Of Gold/Crowbeck, Stigwood, BMI (Polydor)
6. L. R. Hanks, A. Grey	Back In Love Again	LTD	Bobby Martin	iceman, BMI (A&M)
7. Barry Gibb, Robin Gibb, Maurice Gibb	How Deep Is Your Love	Bee Gees	Bee Gees, Karl Richardson, Albhy Galuter, For Karibby Productions	Stigwood, BMI (RSO)
8. Roy Orbison	Blue Bayou	● Linda Ronstadt	Peter Asher	Acuff-Rose, BMI (Asylum)
9. Rod Stewart	You're In My Heart	Rod Stewart	Tom Dowd	Riva, ASCAP (Warner Bros.)
10. D. DeYoung	Come Sail Away	Styx	Styx	Almo, Stygian Songs, ASCAP (A&M)
11. Pam Sawyer, Marilyn McLeod	You Can't Turn Me Off	● High Energy	Kent Washborn	Jobete, ASCAP (Motown)
12. Steve Miller, C. McCarty	Swingtown	Steve Miller	Steve Miller	Sailor, ASCAP (Capitol)
13. Eric Carmen	Hey Deanie	● Shaun Cassidy	Michael Lloyd for Mike Curb Productions	CAM/USA, BMI (Capitol)
14. Freddie Mercury	We Are The Champions	Queen	Queen	Queen, ASCAP (Elektra)
15. Dion Dimucci, E. Maresca	Runaround Sue	● Left Garrett	Michael Lloyd for Mike Curb Productions	Rush Schwartz, ASCAP (Atlantic)
16. Paul Davis	I Go Crazy	Paul Davis	Paul Davis	Web IV, BMI (Web IV)
17. Maurice White, U. White, S. Burke	Serpentine Fire	Earth, Wind & Fire	Maurice White	Sagittare/Free Delivery, BMI (Columbia)
18. Randy Newman	Short People	Randy Newman	Lenny Waronker, Russ Titelman	Hightree, BMI (Warner Bros.)
19. Jeff Lynne	Turn To Stone	Electric Light Orchestra	Jeff Lynne	Unart/Jet, BMI (United Artists)
20. Paul Anka, J. Revaux, C. Francois	My Way	Elvis Presley	Elvis Presley	Spanka, BMI (RCA)
21. Harvey Shields	The Way I Feel Tonight	● Bay City Rollers	Harry Maslin	Rosewater Careers, BMI (Arista)
22. Billy Joel	Just The Way You Are	Billy Joel	Phil Ramone	Joelongs, BMI (Columbia)
23. Kenny Lehman, Bernard Edwards, Nil Rogers	Dance, Dance, Dance, Yowsah	Chic	Nil Rogers, Kenny Lehman, Bernard Edwards	Cotillion/Kreimers, BMI (Atlantic)
24. Tom Snow, F. Golden	Gettin' Ready For Love	● Diana Ross	Richard Perry	Braintree/Snow, Gold's Gold, BMI (Motown)
25. Ben E. Benjamin, S. Marcus, G. Caldwell	Don't Let Me Be Misunderstood	Santa Esmerelda, Jean Manuel	Nicholas Skorsky, Jean Manuel, De Scarano	Ben E. Benjamin, ASCAP (Casablanca)
26. Barry Gibb, Andy Gibb	Love Is Thicker Than Water	Andy Gibb	Barry Gibb, Albhy Galuter, Karl Richardson	Stigwood/Andy Gibb, High & Bartara, BMI (RSO)
27. Joe Brooks	You Light Up My Life	● Debby Boone	Joe Brooks for Mike Curb Prods	Big Hit, ASCAP (Warner Curb)
28. S. Walsh, P. Ehart, R. Steinhart, Kirshner	Point of Know Return	Kansas	Jeff Garmann	Dan Kirshner, BMI (Columbia)
29. Sandy Linzer, D. Randell	Native New Yorker	Odyssey	Sandy Linzer, Charlie Calello	Featherbed/Desiderata, Unichappell, BMI (RCA)
30. Paul McCartney	Girls School	Paul McCartney & Wings	Paul McCartney	MPL Communications, ATV Music, BMI (Capitol)
31. Neil Diamond	Desiree	Neil Diamond	Bob Gaudio	Stonebridge, ASCAP (Columbia)
32. Barry Gibb, Robin Gibb	Emotion	● Samantha Sang	Barry Gibb, Albhy Galuter, Karl Richardson	Barry Gibb/Fleming, Stigwood, BMI (Private Stock)
33. Cynthia Weil, Barry Mann	You're My Soul And Inspiration	● Donny & Marie Osmond	Mike Curb, Michael Lloyd	Screen Gems, EMI, BMI (Polydor)
34. G. Morton, S. Throckmorton	If We're Not Back In Love By Monday	● Millie Jackson	Brad Shapiro, Millie Jackson	Tree, BMI (Polydor)
35. Walter Becker, Donald Fagen	Peg	Steely Dan	Gary Katz	ABC/Dunhill, BMI (ABC)
36. Dan Hill, Barry Mann	Sometimes When We Touch	Dan Hill	ATV/Welbeck, McCauley, Fred Molin	ASCAP/Mann/Weil, BMI (20th Century)
37. Barry Gibb, Robin Gibb, Maurice Gibb	Stayin' Alive	Bee Gees	Bee Gees, Karl Richardson, Albhy Galuter, For Karibby Productions	Stigwood/Unichappell, BMI (RSO)
38. Bill Withers	Lovely Day	Bill Withers	Bill Withers, Clarence McDonald	Golden/Withers, Chappell, BMI (Columbia)
39. Peter Frampton	Tried To Love	● Peter Frampton	Peter Frampton	Almo/Framdee, ASCAP (A&M)
40. John Denver	How Can I Leave You Again	John Denver	Milton Okun	Cherry Lane, ASCAP (RCA)

Composition from page 37

diminished seventh is that it is an incomplete dominant seven flat nine (of the V chord in minor). Look at example three once again. Bdim7 is also the top four notes of a G7b9 chord. But since the chord is also Ddim7, Fdim7 and G#dim7, we may add a note a *major third below* any of these chords and realize a different dominant seven flat nine each time. Another way to express it is: Find the note a major third below any note of a diminished seventh chord and sound it below all four notes of the diminished chord. The result will be one of four different dominant seventh flat nine chords (Ex. 11).

Probably the most common employment of the diminished seventh is in an *ascending bass line progression* such as example 12. Notice how the bass line moves up chromatically. Notice also how the major seventh of the first chord resolves *downward* to the diminished seventh of the second. This is the contraction mentioned earlier. Notice also how the resolution of the second chord is to a larger chord form — the minor seventh.

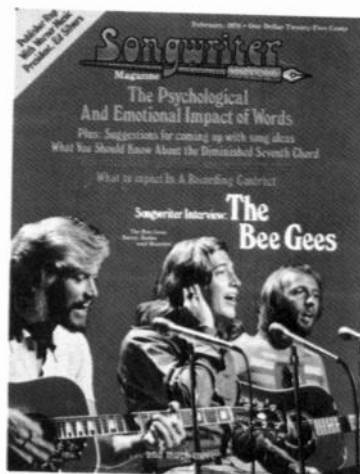
Some great tunes that actually use a diminished chord in the progression are: *Once I Loved, Out of Nowhere, It Could Happen To You, Come Rain or Come Shine, Cabaret, Goin' Out Of My Head* and *Call Me Irresponsible*.

There is one point of confusion that needs to be clarified. The interval of a diminished seventh is identical in sound to the interval of a major sixth. Most writers will use this enharmonic equivalent in spelling out the chord (examples 5, 6 and 7) just to save time and to facilitate reading. An 'a-natural' is a damnsight easier to read than a 'b-double flat', which is what a correct diminished seventh interval above middle 'c' is. There are even some people who go so far as to call the diminished seventh chord a diminished sixth! This defies only tradition but could lead to a little confusion. In any case, be aware that both labels apply to the same thing. ✕

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Songwriter Q&A

Q I'm 24, and an aspiring songwriter. I'd like help with publishing my songs. On page 24 of the 10/75 issue of *Songwriter*, there is a series called "Who's Who" by Pat & Pete Luboff. I can't seem to find other "Who's Who" interviews. If you can, please tell me the issues and prices of the rest of these publisher interviews. Also, please tell me how to acquire your Publishers Directory, which lists names of publishers.

Scott Kaye
East Williston, NY

A Pat & Pete Luboff's "Who's Who" column appears in every issue of *Songwriter*, and back issues may be purchased for \$1.50 each from *Songwriter Magazine*, P.O. Box 3510, Hollywood, CA 90028. The "Publishers Directory" is now called "Music Directory" and the 1978 edition (which lists Publishers, Record Companies, Producers, Personal Managers and Professional Organizations) is available from the same source for \$2.00.

Q I have a question about music lawyers. Besides handling legal matters, could lawyers help the new, unknown songwriter place his material, make contacts, and get staff writing jobs with publishers? I've heard that many have a lot of pull and sometimes act as managers. Please set me straight.

LaVerne
Sundquist Jr.
Lancaster, CA

A Some do, some don't. You just have to check out each one individually. But if you find a lawyer who is giving you some extra-curricular assistance with your career, we feel it's to your benefit, because having an association with a "heavyweight" lawyer will usually give you, the unknown, more credibility.

Q I've been faced with something I never thought I'd be up against. There are more than two publishers who are now interested in my mate-

rial. Is it dangerous to get bound between two contracts — or do I have a better chance to get my songs recorded?

Keith Nichols
Nanuet, NY

A It's only dangerous if you sign an exclusive deal for certain songs with more than one publisher. Then you'd be breaking the law, which is always dangerous. But having several publishers interested in your material could work out well for you. It affords the opportunity to figure out who can give you the best deal for your songs — not just in terms of finance, but also enthusiasm.

Q I recently sent a song that I wrote to a company, and their representative said he liked my song very much, and also felt that I sang it very well. He said he would like to make a record of the song, but that I would have to pay \$3,800 for production fees. He stated that his company would pay all publishing costs because songwriters should never pay to have their songs published, but that all artists, even big artists, pay for their recording sessions. Is this true, and does \$3,800 sound reasonable for a recording session?

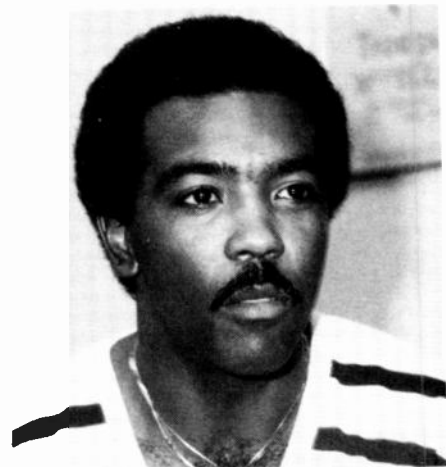
Paul Borucki
Buffalo, NY

A These days, an average album with ten songs costs about \$60,000 to record — or, about \$6,000 per song. So, under normal, legitimate circumstances, \$3,800 would be reasonable for a union-budgeted session recorded in a quality studio (See "How To Budget a Union Session", *Songwriter*, September 1977). As for the question about even big artists paying for their sessions, this is hypothetically true. What usually happens is the record company pays for the sessions at first, but considers the money it lays out as an advance against the artists' future royalties. In other words, most reputable record labels are prepared to gamble their own money to make records, but your guy doesn't seem prepared to take any risks.

Next Month

One of the hottest new writer-producer teams in the country who have penned such hits as *This Will Be* and *Inseparable* . . .

Chuck Jackson



Marvin Yancy

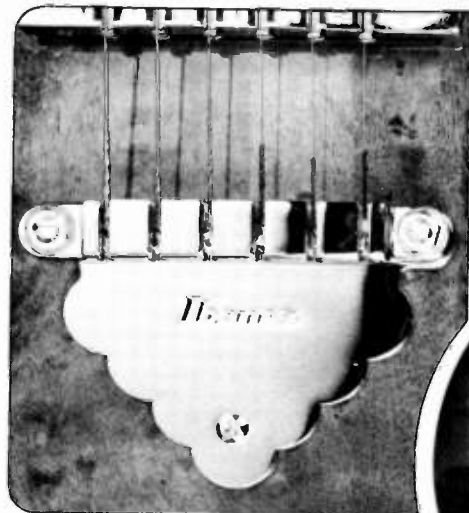
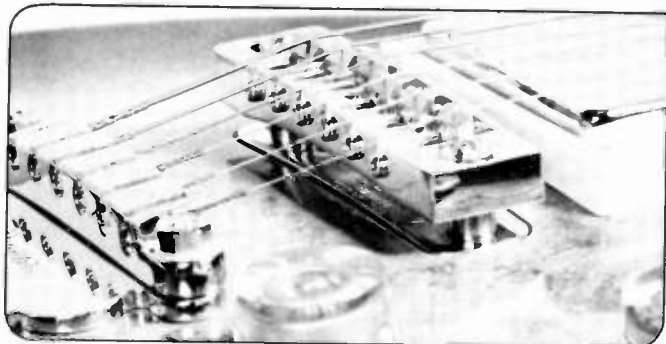
They met at Jerry Butler's workshop in Chicago and good things happened from the start. Marvin, whose background was steeped in church music, and Chuck, born in the south and who came to Chicago as an art director for Playboy, hooked up with Natalie Cole and not only produced her records, but wrote most of the songs. Result . . . Natalie dethroned Aretha and the team took flight. Read how they got there, their philosophy about working together and about writing songs. You'll be impressed by them and learn a lot through their experiences. Read about Jackson and Yancy in the March issue . . . plus much more about songwriting in *Songwriter*.

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*Locking bridge and tailpiece — just set the height and lock them in place. The bridge mounts solid into a heavy metal sustain block.

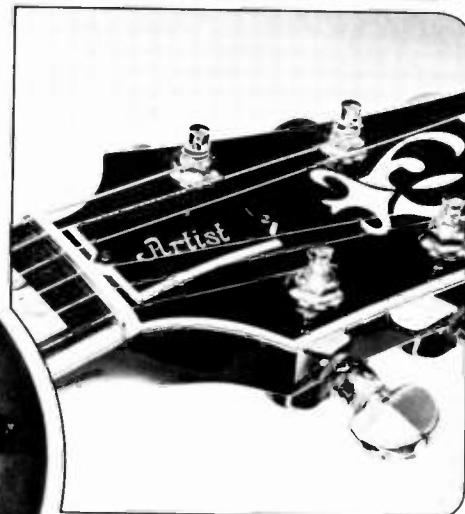
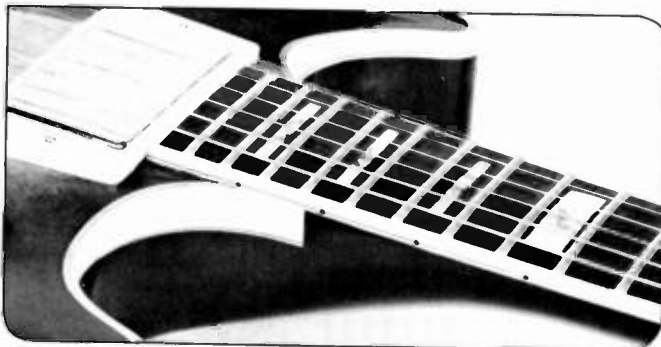
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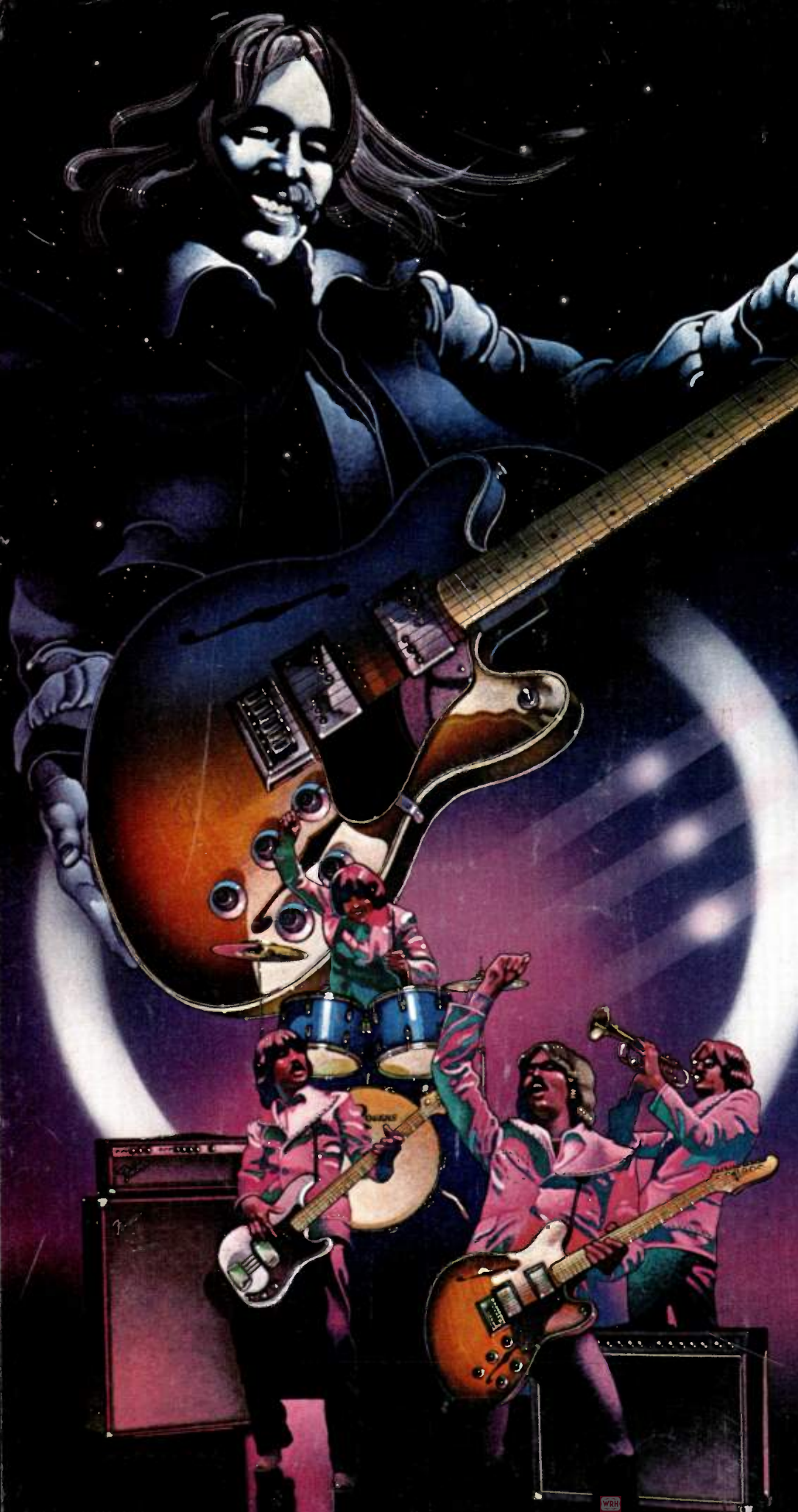


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