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Music and the cutting edge of cultural expression

Kembrew McLeod interview by Juan Pablo Viteri

Juan Pablo Viteri (JP): It seems, in your works, especially those centering on freedom of expression and copyright laws, that music, above all other arts, plays a central role. Why do you think that is? Why is music so central to your reflections?

Kembrew McLeod (KM): I think the music industry often experiences some of the upheaval that other media industries eventually experience. Partially because historically music has always been relatively cheap to make, as opposed to television productions or movie productions and because of that a lot of music makers and independent record companies and other companies have been able to release music that, for instance, lyrically, would never be able to get through television networks or a Hollywood movie studio. Just because the overhead is low the cost of production is, relatively speaking, low. So, I am speaking about content that would easily be censored by television or movie industries. But, it could sneak its way through music because, again, historically speaking it has been relatively easy to put out a single. So that is one example of music being able to be on the cutting edge of culture and cultural expression.

Circling back to the question of copy right, the music industry also experienced the changes that digital culture and the internet created firs. At the time, in the late 1990's and early 2000's, it was easier to file share because, quite simply, the file is smaller than audiovisual MPEG. In other words, music was just easier to share on a song-by-song basis compared to movies. That is another example of the music

industry experiencing the changes that eventually transformed the larger media culture more generally. Again, that goes back to music being able to be created by independent producers. Also with, for example, file sharing, music is easier to share in terms of bandwidth compared to movies.

JP: Yes. That is a very practical answer and makes a lot of sense. For instance, you don't need professionals to produce music. And, music, in terms of digital technology, does produce smaller files which are easier to share. Certainly, those two aspects were significant for peer-to-peer platforms like Napster that prospered in the late 1990's and early 2000's. However, do you think that music is also a form of art that is much more widely consumed than other forms of art?

KM: Yeah, and more generally music is part of everyday life in so many different cultures. I am circling back to my original answer just because one of the reasons why it is so much part of all kinds of cultures is because it's really kind of the original Do-it-Yourself form of cultural creation. Because you can do it if you have an acoustic guitar and a voice, or you can do it if you have a really cheap laptop computer and you are making electronic dance music. It is so prevalent and so easy to distribute.

JP: Yes, I guess that music is and has been accessible at so many different levels in modern history.

KM: Exactly, it has always been relatively accessible to produce. In the early 20th century, if you are a blues musician and you just have a guitar and voice, small independent record labels realized that there is at least a small market for jazz and blues and it allowed people to become exposed to other cultures, like African American culture. Movies and television took much longer to catch up with how culture was operating underground. Television and movie industries are much more conservative because it requires a tremendous investment whereas in music the investment is much smaller and so people were willing to take risks on the kinds of music that eventually appealed to wide varieties of people.

JP: One of the main discussions that has driven your work is related to what happened with the debates that appeared along with the emergence of peer-to-peer services at the end of the 1990's. Still, the internet of the 1990's and the early 2000's is very different from what it is nowadays. This is something that you predicted would happen over ten years ago in Freedom of Expression. Do you think the internet is becoming a much more private space than it was fifteen years ago?

KM: I think that's the case. The internet has become much more privatized in the sense that internet service providers have a lot more control over monitoring "illegal content". Also, another thing that has really change significantly is the question of privacy and the fact

that our activities online today are much more easily tracked than they were fifteen years ago when I was writing the book. So, a lot of the kinds of freedom that existed during the time I was writing the book —2003 or 2004, with the first version being published in 2005 — have been transformed. A lot of those freedoms have been taken away because our access to the internet in America is controlled by private internet providers which have capitulated to the content industries and Hollywood in terms of what is allowed to be shared on their networks. When I was writing, I could have imagined how our activities could have been tracked on the micro level, but I probably wasn't even thinking about it at that time, and that has played a large role in basically stripping away a lot of the freedom that existed fifteen years ago.

JP: Definitely, things like the use of algorithms and corporations keeping track of their consumers is really something to be aware of right now. I've been reading this book Weapons of Math destruction, by Cathie O'Neil, in which she addresses how the internet, in many ways, is giving the power to control people to corporate entities by keeping track of what they consume and post. The effect of this is the reproduction of the status quo by offering people what is convenient for corporate powers to be consumed and accessed. Connecting that with music, if we follow the latest reports by the IFPI [International federation of the Phonographic Industry], it seems that they have moved from an initial rejection of emerging digital technologies to a point where they are now embracing these technologies. In fact, they are arguing that streaming services have helped the industry recover from the decline they suffered during the first decade of the 2000's. In that context, what do you think is going to be the future of music in a scenario in which technology seems to be working favorably for the recording industry?

KM: In streaming services like Spotify and other platforms there is a lot of control over the content. I should revise that and say there is complete control over the content that exists in its ecosystems, as opposed to file sharing, which was a much more democratic and basically wide open. Fifteen years ago, the internet was more "open" in a sense that more people could participate in uploading and sharing content through these file sharing networks. Today, the way the internet operates is in a very much more siloed manner. For instance, Facebook which is not even part of the free internet because it is a closed-up system you have to join, need to sign up to in order to belong, and is not easily searchable if you are not a member. You can't search through Facebook posts. The same is true with Spotify siloed ecosystem, where it is entirely choosing what it allows and what it doesn't allow. So, it has complete control over that music ecosystem in ways that in file sharing networks, fifteen years ago, that wasn't

true. It was just a more participatory system that was open to anyone who had access to an internet connection.

JP: Do you think that Spotify is working for themselves, for the record industry, for artists or for audiences? Who are the winners and losers in this scenario?

KM: I think that people who are winning in this scenario are Spotify and the recording industry — the labels and publishers — because they are the ones that are getting the most out of the revenue streams. In other words, they are connecting most of the money while individual artists and songwriters, by all accounts, are getting just a tiny amount per stream. In business agreements between Spotify and major labels both entities are getting most of the money and the artists are losing out financially because they are barely getting anything from millions of streams. You also asked about the audience. I do think the audiences are benefiting somewhat just in the sense that they are getting more access to music than they were in the 1990's and before that. For a monthly subscription fee you can get access to hundreds of millions of tracks. The tradeoff is that it is a system that favors the major labels that have business agreements with Spotify. And so, I would say, who wins? In this order: Spotify and the major labels, the audiences and, I would say, for the most part, the artists gain the least amount from this streaming system that has emerged.

JP: One of the things they also mention in those reports from the recording industry is that Latin America is now considered a very significant market. This comes as a surprise considering that only five years ago the region wasn´t even taken into consideration because of how much pirate content is available here. What repercussions do you think this newly found attention by the recording industry will have for the Latin American music industry?

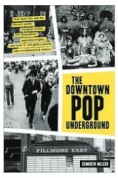
KM: I think this may be an example of how artists can benefit from this new streaming ecosystem because, while they might not be getting much revenue from streams, they are certainly getting more exposure on the world stage. It is much easier now for music coming from what was considered to be global margins, to occupy the center of global popular culture, just because the cost of distribution has dropped so much it makes it possible for Latin American artists to be exposed to millions or billions more people than ever before. And so, while the artists may not be gaining much from streaming revenues, their profile is greatly enhanced and that of course can lead professionally to other ways of making money.

JP: Yes, but on a cultural level, every time the recording industry puts their hands on a certain music genre, that cultural expression seems to be reduced to something simple, easily accessed, and less

culturally significant. In that sense, there could be an erosion of a musical genre´s cultural diversity and values.

KM: Yes, and I would like to add, much of what is played in Spotify is driven by playlists that are often managed by the Spotify company itself, and these playlists, of which I've seen a variety of different genres, really do kind of flatten or simplify the wide variety of musical expressions that exist within a different genres. I've seen Spotify's "Latin playlists" and it is a very one-dimensional version of what I know exists. Even though it is possible for a widely diverse range of music to be accessed by people and that stuff may actually be out there in the Spotify databases. So, if people know to look for it, it is there. Most people aren't going to know to look for it because their attention is going to be redirected to these corporate controlled playlists that aren't much different from what we in America call Top 40 radio which play just the same songs over and over again.

Books



Downtown Pop Underground: New York City and the Literary Punks, Renegade Artists, DIY Filmmakers, Mad Playwrights, and Rock n' Roll Glitter Queens who Revolutionized Culture, Nueva York: Harry N. Abrams, 2018

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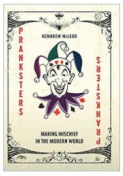

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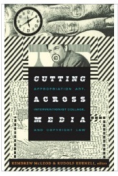

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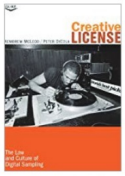


Creative License: The Law and Culture of Digital Sampling Kindle Edition, Co-autor: Peter DiCola, Durham: Duke University Press, 2011

Freedom of Expression: Resistance and Repression in the Age of Intellectual Property, Minneapolis: University of Minnesota Press. 2007

Owning Culture: Authorship, Ownership, and Intellectual Property Law (Popular Culture and Everyday Life), Berna: Peter Lang International Academic Publishers, 2001

JP: Definitively. As technology advances and the internet keeps generating changes in the ways we consume culture and share information, do you think that the gaps between global hegemonic centers and global peripheries are somehow closing?

KM: Oh, yeah I do. I am still being pessimistic about a lot of things but I think it is absolutely true that the gaps between global peripheries, as you said, and centers are closing. I guess the important thing to consider is, as these gaps are closing how do we ensure that the diversity of expressions that exists on the margins aren't just simply going to get flattened out as a few of these songs and artists make their way to the global center. The potential is there but I pessimistically imagined that the same kinds of logics that controlled media industries throughout the 20th century, which also flattened diversity, are going to continue to exist in the new internet that we are talking about today.

JP: In your introduction to Cutting Across Media (2013) with Rudolf Kuenzli, you mention the case of Woody Guthrie appropriating well-known folk songs, writing his own words, and turning them into anti-establishment songs. But, appropriation can

work in many directions. As I was reading, I couldn't help thinking of the Ecuadorian government paying for the rights to the melody of The Beatles' Hey Jude in order to create a shamelessly propagandistic TV spot. Do you think that this sort of appropriation — a hegemonic power appropriating popular culture — is more prevalent today?

KM: The case you give about The Beatles' songs being rewriting for propaganda purposes is very interesting. One thing I would say about cultural appropriation is that the way culture works has always been to absorb other cultural influences. Borrowing, appropriation, whatever you want to call it, is going to exist in any kind of culture. I think the danger is when the media is centralized to the point where a small number of corporations and governments can control what kinds of expressions flow through media. That is when the real danger occurs. When basically it becomes a one-way flow from top to bottom and it is the top absorbing these cultural expressions and rearticulating them in ways that the people who are being appropriated certainly wouldn't like. So the danger is when there is a centralized one-way flow of information. And depending of the country you are in and how the internet is policed within that country, the danger is greater or less. Nevertheless, I do think the existence of a networked form of communication like the internet, even if it is policed by a government, still offers a possibility for a more democratic multi-directional flow of information and cultural expression. But, of course, that is not taking into account the interventions by governments and corporations to basically control access to these flows. Returning to the example of Spotify, that is a great example of a kind of top down way of accessing information and cultural content in much the same way as governments control that access.

I just want to fininsh by emphasizing that in a networked form of communication there exists the possibility for people to get around that kind of one-way flow of information and get whatever kind of information or music is available. Open flows of information exist whether it is through technological work; say, for example, in China people being able to spoof networks so they can listen to certain kinds of music that is banned by the Chinesse government or whatever. The possibility exists; while that doesn't mean that it is accessible, that is good, at the very least.

JP: I agree. In terms of streaming platforms, while Spotify has become one of the most used platforms for music streaming, YouTube which still remains much more participative, continues to be more important. Do you think that platforms such us YouTube, as it is now, will continue to in years to come?

KM: No, I think YouTube is in the process of changing. Right now, they are introducing payed subscription services for video

content and, separately, for music. I absolutely believe that Google is going to start limiting access to musical contents to push people in the direction of subscribing. That would be good for people who have the money to subscribe to YouTube music, for instance; but I think that the way that people have been able to use YouTube in America and throughout the world in the past five years is changing and I think that it will continue to become a more closed system. That is Google's business model and that is the direction people are going to be pushed to subscribing. But, I think that for the last 10 years maybe YouTube has been a much more wild and chaotic ecosystem when it comes to music as opposed to the much more controlled ecosystem that Spotify is and, certainly, it will end up looking much more like Spotify.

JP: Definitely. Going back to the discussion on freedom of expression I'd like to talk about things that have been going on recently in popular culture in the United States. Childish Gambino's "This is America" or everything that Kendrik Lamar has been doing lately, for instance, has captured the attention of the whole world. Why do you think these artists, who are very critical of the status quo in the United States, are getting this much attention in today's global media and cultural landscapes?

KM: That sort of returns us to one of the main questions we were talking about: why is it that music has often been in the cutting edge of cultural expression compared to other entertainment or media industries like Hollywood or television. I think the reason why Childish Gambino and Kendric Lamar and other artists who have been very critical of American culture and the dominant cultures throughout the world can do this is because of one thing that I didn't talked about in my first answer which is the fact that music brings people pleasure; people dance to a beat and feel kind of a visceral reaction to music in ways that allow much more critical messages to sort of wash past them in ways that, for instance, choosing to read a particular article on printed media couldn't. The pleasure that people get out of listening to music shuts down a lot of the barriers that people would have to ideas that they wouldn't normally consider if they were reading it from the written page. There is just something about music that allows much more critical messages to get past the cultural gatekeepers because music brings people pleasure in ways that reading an article or a book does not.

JP: You are not a very conventional scholar. You are also an artist, a prankster, and you do things like producing these sort of movie trailers for the courses you teach. It seems to me that you try to work at the limits of what academia is supposed to be. Why do you do it and why do you think that it is important?

KM: Well, a lot of that comes from me being a teacher and having a twenty-five years teaching experience at college-level and knowing that one needs to find ways to engage with people and move people in ways that are unexpected and non-traditional. And that sort of connects back with what I was talking about with regards to music and people like Childish Gambino, Kendric Lamar and others. If you can catch people off guard in ways that they are not expecting, you can droll them in. And, I am not just talking about entertaining them, I also mean to catch people off guard because most of those who are taking this class aren't expecting to have this ridiculous parody of movie trailer. So, the reasons why I do that connects to my previous answer about music which is, the best way to get people to disarm their pre-existing notions about the world is to catch them off guard and then to try and keep holding their attention through unexpected tactics whether it be a trailer for a class or a prank intervention with a politician or any number of different things. That all comes back to learning to be a good teacher and engaging people through non-traditional forms.

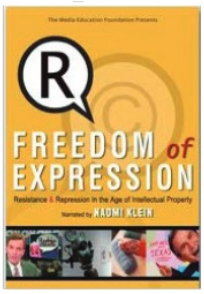
JP: Speaking about that. Do you think that academia, especially the Humanities, is too precarious in the way they approach language? Do you think that it is important to question traditional approaches to knowledge generation? And, do you thinking that it is important to create more effective and democratic approaches to put knowledge out there?

KM: Absolutely. I think that people in academia can still continue to do things that they have always done which is going to conferences, present their work at conferences, and present their work through traditional academic journals, but I believe that is extremely important. In addition to that, finding ways to engage wider audiences, which can be done either by the medium of print, or by simply finding ways to write more clearly and in a more engaging way, is important. That can also be achieved by "writing in different media" that is, through multimedia channels—whether it be a YouTube channel in which you are doing a video blog or actually producing documentaries in which you are packaging these critical academic ideas with moving pictures and multiple voices beyond the academic single voice. In terms of finding ways to write in print media in more engaging ways and expressing yourself in multimedia way, I think the sky is the limit. We should explore the many different opportunities that media technologies give us and Internet distribution give us to reach as wide an audience as possible in ways that grip people by their collars, shake them and get their attention, as oppose to delivering an academic paper to a small room of people and probably having that knowledge not circulate outside that room.

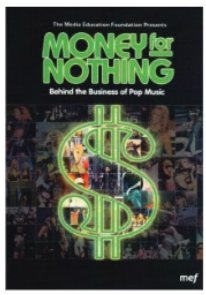
Documentary Films

Copyright Criminals: The Funky Drummer Edition, Productores: Benjamin Franzen y Kembrew McLeod, 2011

Copyright Criminals, Productores: Benjamin Franzen y Kembrew McLeod, 2010



Freedom of Expression:Resistance and Repression in the Age of Intellectual Property, Productores: Jeremy Smith y Kembrew McLeod, 2007



Money for Nothing: Behind the Business of Pop Music, Productor: Kembrew McLeod, Productores asociados: Jeremy Smith y Thom Monaham, 2001

JP: And I'd like to add something to that. I've been through most of your books, watched your documentary, and I really admire your work. I think that it's very obvious that your work has transcended academia and it has touched people outside of it. That's something that I find imperative, valuable and very inspiring. There is one frontier that knowledge is not always able to transcend, and that is language. From my experience, being from Latin America, forces you to access information in different language. I guess that is embedded in our mixed cultural background. But that doesn't seem to be the case for people in the Global North. Can you think of strategies to bring down that huge language barrier?

KM: I kind of want to turn that question around to you because immediately one thing that I have noticed is that with things like Google Translate and advances in artificial intelligence it becomes possible for me to read a Spanish language webpage, for instance. I think that is one potential key to making it a more two-way conversation between the Global South and the Global North. And then the more traditional ways in which that is being done is, for example, the "Creative License" book, which was translated into Spanish and is available in other languages as well. So yes, translation is a very important key to that, but I would like to ask you about your thoughts on platforms like Google Translate that make it possible for people to read, however problematically, websites in different languages. What do you think about that?

JP: I think these systems have a future but I think that translation should be understood in much more complex terms than just word-for-word or sentence-by-sentence translation. For instance, when a machine translates something automatically, it will never achieve a 100% accuracy. For me, translation is a very human act, every time something gets translated by someone it loses and gains something.

But, when you do it through these automatic systems there will only be loss. However, things do seem to be improving fast. For instance there is this service called Linguee which uses a webcrawler and achieves far better results. Likewise, there are other systems that use a crowdsource approach to helping the machine improve translations. So, I think there is a bright future in that. Still, technology is always surprising, I recently heard that they are developing earplugs that will let you receive instant translations as you hear something in a foreign language. But, at the same moment, I think that the process of learning a language is very important for human interaction. A language is not just form, or words that have one specific or transferable meaning. There are lots of cultural values embedded in a language and when you learn a new one, you get closer to understanding these cultural values. So, if you leave that to a machine or an automatic system you will never get in touch with the culture behind that language.

KM: I like what you said about that. With every translation done by humans there are things that are gained and things that are lost and I like the analogy of the machine translation as basically only losing. Like all of the kinds of twists and changes that occur in translations that are done by humans. I am thinking in the translation of poetry, for instance, there are also beautiful additions that can happen but, when a machine translates a poem, for instance, there is only loss.

One thing about the exchanges between the Global South and North. For there to be any kind of meaningful and sustained dialogue — an actual exchange back and forth, listening and conversing from both sides — not just the Global South learning the languages of the dominant international national systems, there needs to be some infrastructure that can maintain and continue these exchanges, and before continuing and exchanging, we need to start that. And that is a huge question that I don't have a simple answer for. I mean, what are those institutional infrastructures that would prompt, start and continue to maintain those dialogues? That is a much bigger political economic question.

JP: I think that Postcolonial studies may have interesting answers for that or, at the very least, they could help us understand that better. One of the proposals that comes to mind is Latin American Post-colonial thinker Bolivar Echeverría and his approach to mestizaje as a survival strategy. For our indigenous ancestors mixing with the culture of the colonizer was a strategy of survival. So that attitude of mixing is sort of embedded in our culture, because we've learn that our subsistence kind of dependents on that. And perhaps that is something that is less prevalent in the cultural heritage of people from "privileged" places.

KM: And just compared to fifty years ago in America even that has changed. I would say that there is much more openness. But then you have the kind of more practical political dangers of nationalists like Donald Trump who literally want to close borders, not just the flow of bodies into the Nation State, but also the flow of ideas. So, that is another battle that has to be wagged both internally in the privileged Global North, and specifically in the United States, by people like me. And in addition to the other seeming obstacles like language, it is sort of hard to address the problems that we are just talking about, when we have a nationalist like Donald Trump who comes along and has a government that is doing everything that it can to shut down these conversations and these flows of human bodies.

JP: Well I'll try to make a positive statement around that. Do you know Calle 13?

KM: Yes

JP: In a recent collaboration for a song called Emigrante, the lead singer, Residente, points out that no matter what they do to prevent us from entering the United States, we'll find a way to get in, so, at the end of the day, that probably will only end up strengthening our ability to turn things around, because we are forced to finding ways to get around that wall.

KM: And as you said, that increases the intelligence or skillset of these people to know how to come into a country and how to make it in life.

JP: Yes, and I think that, in many ways, forces us to think outside of the box. And trying to connect these ideas back with what we have been discussing here. After the rise of digital technologies, music piracy in Latin America just shows that we can turn technologies in our favor, and it does not matter if it is legal or not, because whoever is deciding what is legal and what is not, are thinking only in terms of their own private, corporative, and reduced interests. So, I think that kind of becomes an ethos or an attitude for Latin America. I mean this attitude of being willing to challenge adversity no matter if it is achieved through legal or illegal means.

KM: Actually, the theme of cultural center and periphery is a really important theme in my new book The Downtown Pop Underground (2018), which explorers downtown New York city and the various art scenes that flourished in the 1960's and 70's along with the oppositional forms of cultural expression that flourished during this time. What is really interesting about these people is that they did exactly what you are talking about within the context of that city and the United States. For instance, they found ways to express homosexual identities in ways that would be suppressed in other parts of the country. And, returning to the theme of center and periphery, what is interesting about downtown New York during this time is

that you have the downtown neighborhoods where all these underground creative artists are doing radical stuff and eventually created punk rock, but they are only a few subway stops away from what is called midtown New York, which is where all the centers of media power still exist. All the major magazines and newspapers publishers, existed just a few subway stops away, and that allowed for these very oppositional messages to eventually filter through national media channels. Because producers from midtown became aware of what was happening downtown and kind of gave all of these artists a platform to express weird subversive ideas through national media channels, even if corporate channels weren't even aware of how those messages were actually subversive. So, the connection between the center and the margins can even be seen at a micro level, just at the level of a city like New York.

JP: That is fascinating. I can immediately trace parallels with some Latin American cases. For instance, salsa and, more recently, reggaeton music — genres which the industry has promoted across the region — have very political ideas at the grassroot level such as Latin American integration, pride of being part of the African diaspora, and so on. But, as the industry commercialized these genres, they became trivialized. However, if you listen carefully, you can still find traces of those ideas. Reggaeton is a genre often accused of being trivial and misogynistic, which could be true, but there is a lot more to it. It was actually a very important cultural phenomenon in the context of Puerto Rico. Reggaeton gave a platform for the first time on an international level to the black mixed population of a country in which the dominant narratives have traditionally been dictated by a white mixed elite[1].

KM: And that's another example of what I was talking about at the very beginning of our conversation which is, there is something about music that enables more subversive forms of expression to kind of slip through the cultural gatekeepers in ways that do not do so in the same way with other media industries.

JP: Exactly. Well Kembrew, this has been a really fruitful conversation and I just want to finish with one more question. How does it feel owning "freedom of expression"?

KM: "Freedom of expression" had a really interesting life and death because I trademarked "freedom of expression" in 1998 and I didn't realize that I had to file a form five years into the literal life of the trademark. And the reason that I am using "life" and "death" is because these are actual legal technical terms. So, in America, a trademark is considered "life" if it is still enforceable; that is, if the person has done all the proper paperwork, which I did not do in the fifth year of its trademark. So, the other classification is "death" and the amazing thing about it is that if you go to the United States'

pattern and trademark office website and if you look for my trademark, it would literally say that freedom of expression is "dead". I didn't intent to kill freedom of expression through bureaucratic negligence, nor by neglecting to fill a form, but I did. The project itself was kind of performance art to begin with and it just ended perfectly with a kind of bureaucratic form of performance art, because this bureaucracy determines the trademark "freedom of expression" is now dead and so there is actually a US government website that officially proclaims that freedom of expression is dead, which, I just think is beautiful.

JP: Brilliant. It is definitively a poetic ending.

KM: I couldn't come up with a better ending to it. I was so happy that through my own negligence it ended that way. I was sad to no longer have control over it but I am happy that it ended in such a bureaucratically poetic way.

Notes

1 More detailed information about the cultural origins and the commercialization of salsa and reggaeton could be find in Negus, K. (1999). Music genres and corporate cultures. London, New York: Routledge, and Rivera-Rideau, P. (2015). Remixing Reggaetón: The Cultural Politics of Race in Puerto Rico, Duke University Press. Kindle Edition, respectively.

Additional information

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