

An excerpt from...

STRAIGHT AHEAD

A COMPREHENSIVE GUIDE TO THE BUSINESS OF JAZZ*

*[WITHOUT SACRIFICING DIGNITY OR ARTISTIC INTEGRITY]

Musicians Working Together

As a part of the *Straight Ahead Advice* blog

www.outwardvisions.com

BY MARTY KHAN

OUTWARD VISIONS BOOKS

CHAPTER 3 - MUSICIANS WORKING TOGETHER

One of the most ancient strategies for control and domination is to “divide and conquer.” Jazz musicians have fallen victim to this methodology since the inception of the jazz business. With gigs and record deals being akin to the availability of a single seat on the subway during rush hour, it’s inevitable that an extremely high degree of competition will exist among musicians for each and every one.

But it doesn’t have to be this way. Jazz musicians are too often like inhabitants of a land filled with rich and fertile soil and ideal amounts of rainfall, choosing to fight over the last sandwich at the local deli rather than plant their own crops. While musicians often state that self-empowerment and independence are their ultimate goals, I find that such talk is most often a position maintained until the next record deal, new agent or manager comes along to “make things happen.”

Even the rare phenomenon of a productive record deal and good management won’t produce empowerment and independence. That has to be steered by the artist – assuming of course, that it’s actually *desired* by the artist. But assuming it *is*, the most powerful tools the musician has are the music and the intellect and spirit behind it. And it doesn’t take a degree in physics or a new-age philosophy to recognize that a number of musicians coming together in a cooperative spirit will magnify that power enormously.

The regular exchange of ideas and sharing of knowledge that took place in the early days of jazz, throughout the modern era and into the avant-garde era of the ‘60s and early ‘70s, were immeasurably valuable to the art form. Likewise, musician-driven organizations like New York City’s Jazzmobile, Chicago’s Association for the Advancement of Creative Musicians (AACM) and St. Louis’ Black Artists Group (BAG) were all instrumental in establishing musical and professional partnerships among many musicians, providing a springboard for them and others through their involvement with the central organization.

In the ‘80s with the emergence of Lincoln Center, the focus shifted away from the artist and onto the presenting facility. These presenters exhibited virtually no concern for the holistic well-being of the scene. Instead they’ve embraced industry-anointed high-profile artists, along with some of their personal favorites who often work for lower fees than they were getting 20 years earlier in the same markets. Suddenly musicians – who’d always had to compete heavily for the few worthwhile gigs in town – were locked in fierce competition for an opportunity to play for 70% of the door in some squalid dump that had somehow been declared the center of the new “musicians’ scene.”

Meanwhile, with jazz education becoming big business and an institution unto itself, the very process of exchanging information and sharing ideas became packaged, processed and privatized. Everything has a price, regardless of whether it has any value. The *ultimate* price? After 60-some years of having no control over the business but complete control over the music, musicians lost control of the music in the early ‘80s and finally seem to be recognizing it some 20 years later.

Musician cooperatives, artist-driven festivals, artist-owned labels and self-produced events are becoming more commonplace. More and more musicians are looking into non-profit incorporation and are becoming more technology-proficient. Some of this is due to sheer desperation and some due to simpler technology. Maybe it's just the power of the music and its refusal to succumb to the humdrum forces working against it. The most profoundly important requirement is musicians' willingness to work together toward mutual benefit – musically and professionally. Just as being concerned about the well-being of your neighbor doesn't demand Communism, working cooperatively doesn't (and shouldn't) mean co-dependency. It simply means a willingness to work together to produce mutually rewarding results in which all parties feel that a proper balance exists.

As in any business arrangement, good judgment should be utilized regarding those with whom you're making the deal. Someone who is unlikely to pay back a cash loan is unlikely to carry his weight in a cooperative venture. Behavior and personality traits don't change whether it's a play-for-pay or some abstract everything-evens-out concept. And some people are simply sociopaths or plain uncooperative.

The key is to find the proper individuals who can all share the same spirit behind the reason for your coming together. Basically it's the same formula used for putting together an ensemble. Only this time the glue isn't the music, it's the business surrounding it.

There are numerous approaches that can be taken once the mindset of cooperative action is established. It can be as formal and committed as a marriage or as loose and free as sharing a cab. We'll look at the six basic categories, starting with the most formal.

A. The Cooperative Ensemble

While the same concepts viewed here would also apply to a mutually owned label, production company, recording, or even the manner in which a non-profit organization is utilized, here we're specifically going to look at the cooperative ensemble.

The classic example of course is the Modern Jazz Quartet. With salaries, paid vacations, health/pension benefits and overall corporate structure, the MJQ was not only the model cooperative ensemble, but also set the precedent for the highly effective business structure that served as inspiration to this writer's management approach.

To be truly effective a co-op cannot really function by majority rule. Instead, it pretty much demands unanimous agreement on most major issues. Otherwise discomfort and resentment can set in, eventually undermining the purpose of the co-op. For a manager/agent/record label, however, the co-op can be a nightmare of logistical complexity and arduous decision-making on even minor issues.

Personally, I've had management/representation relationships with a number of cooperative ensembles, most notably two of the highest-profile co-ops of the contemporary era – the Art Ensemble of Chicago and the World Saxophone Quartet. In managing both groups for nearly 15 years simultaneously, it was much like managing nine different groups in that all nine members had an equal say, and equal attention needed to be paid to each one's needs, wants and opinions.

The manager's responsibility is to make sure that each individual's concerns are blended properly into the mix. That allows the musicians to focus on the music. It's a difficult and often thankless job. Therefore, I strongly recommend that serious cooperative ventures be self-managed, preferably through a 501(c)(3) non-profit entity. If the co-op members don't have the ability or time to handle management responsibilities among themselves, a manager should be hired to *exclusively* handle the needs of the ensemble.

Fully exploring the concept of the co-op would take up far too much space here, but there are some key points and suggestions in regard to successfully establishing a cooperative ensemble.

In a cooperative, all income *and responsibilities* must be shared equally. Income is easy – the net amount of money, divided by the number of members. Responsibilities are a different issue, where the equity should eventually work out over the course of time. (In some cases, a restructure of the economic balance may be required to properly compensate a member who takes on a heavier degree of responsibility). I suggest that responsibilities be divided up by the natural ability to handle the job, possibly on a rotating basis if the situation merits it.

For example, one member can be in charge of dealing with the manager/agent/record label; another can deal with touring/performance logistics; another with keeping track of everyone's schedules; another with handling the finances; etc. A similar approach can be utilized in dealing with the music and repertoire as well.

The most essential quality, however, is each member's commitment to the cooperative, which *must* be clearly established at the very outset of forming the ensemble. There is no greater threat to a co-op's success than an imbalance in this area. In the situation where one or two members have a much higher profile and significantly greater opportunities on their own, such an imbalance is inevitable. To counteract that, real clarity and definition is essential from Jump Street.

By simple math a \$5000 gig with \$1000 in expenses for a cooperative quintet leaves \$800 for each member. The same gig for a leader/sidemen quintet where sidemen are paid \$500 leaves \$2000 for the leader. Furthermore, if the co-op's bookings are significantly tied into the reputation of one or two members, certain resentments can kick in regarding the distribution of income. Especially if those members are passing up on work with their own groups to work with the co-op. This must all be recognized and sensibly handled.

In this or any other circumstance where the members' commitment is not their top priority, time periods should be established for the ensemble's activities. During these periods the co-op should be the primary focus for the members. That doesn't mean that all work outside the co-op should be turned down, but some system should be devised that will enable the individual members to accept work without seriously disrupting the work possibilities for the ensemble. For this – and other obvious reasons – timely and explicit information should always be exchanged among the group's members and to all representatives.

I also strongly recommend that once a commitment is made by each member to accept an engagement with the cooperative that no conflicting gigs should be taken on a personal basis. Of course it would be absurd for a member to turn down a \$10,000 festival engagement for a share of a \$1000 local club gig. But most decisions of this nature are considerably less clear-cut and require an honest evaluation as to what's in the best interests of the cooperative.

This demands honest, forthright and regular discussion and re-evaluation between co-op members so that everyone is aware of opportunities, as well as potential problems. As I've stressed repeatedly, it's like playing music. The same checks, balances, preparations and confrontations that are necessary for making good music should be applied in a cooperative – or in any other business endeavor.

The cooperative should be viewed as an entity separate from its members, or if that's too heady, as an additional member. To my thinking, the corporate approach I'd utilize for a three-member cooperative (where each member is also a composer, leader or educator) would be four non-profit organizations – one for each member's activities and one for the cooperative. All kinds of agreements and relationships regarding recordings, publishing and other related issues could be defined through agreements among the organizations in a clean, clear and economical manner. Of course a single entity could be set up to facilitate the activities of all of the members, but inevitably conflicts will arise if they wish to pursue similar projects on an individual basis.

Whether choosing the multiple, single, or non-corporate path, the co-op can be a viable and productive concept for musicians to work together toward common goals. Just remember that the potential success of the cooperative ensemble is directly dependent upon the level of commitment its members bring to it.

B. Profit Sharing

While the cooperative ensemble presents certain challenges both artistically and structurally, similar advantages can be derived through the more easily manageable concept of profit sharing. This allows the individual artist to pursue a career as a leader or composer with a lesser burden of the extensive and often overwhelming costs of self-produced recording or performing. Where the co-op is equally divided profit sharing, in this approach the profit sharing can take a variety of forms. Sidemen could receive a small guaranteed fee plus a share of the profits; or some could be paid flat fees while others share profits; or the various musicians may all get different shares. There are endless variations on the theme.

The bottom line however is lower (or no) guaranteed fees in exchange for a percentage of the profits. This is often at play when artists "work the door." Sometimes the leader will pay guaranteed fees in the hopes that the door receipts will both cover the sidemen and turn a profit as well. But more often the sidemen's fees are directly based on those door receipts; either as a bonus above a small fee that the leader is confident enough to guarantee, or as a straight pre-determined percentage of the take (e.g., the leader gets two shares to each sideman's one, or the leader gets 40%, the other four split 60%, etc.).

These are all examples of profit sharing. Another example is performing as a sideman on a record date for free with a guaranteed promise of a specific amount of money (or specific percentage of the income) if and when the master is sold.

As in any business deal, all parties should be aware of both the potential gains and pitfalls of such an arrangement. A variation on this is barter, something that can be combined with profit sharing (or not).

C. Barter of Services

We've looked at barter a few times in this book, and extensively in the previous chapter as one of the *Seven Keys to Self-Empowerment*. Most of the examples I've cited have been service-oriented – studio time, management work, shared resources, etc. Musicians bartering with *each other* however, can be a relatively simple situation. You play on my date for free, I play on yours for free. Obviously this demands a certain balance in the actual value of the services being traded. A high-profile saxophonist who could command a recording fee of \$2000 or more is unlikely to swap recording services with a sideman drummer who would only receive scale. But that same saxophonist might have a four-week upcoming European tour with somewhat tight economics. Rather than paying out \$1200 a week to that same drummer, a deal could be struck for \$700 a week to balance out that \$2000 “recording fee.”

In the end it's all a wash. The same money has transacted, but the rhythm is different. From a psychological perspective, both the recording costs and tour expenses have been reduced to something more manageable, at least in perception. In essence these transactions are like loans where nobody is at risk. The saxophonist spends a day in the studio in March; there's no cost to him, just the expenditure of time. The drummer doesn't have to come up with the \$2000 at that time because the fee will be balanced out on the tour that comes up in May. On that tour the drummer receives \$2800 instead of \$4800, thereby “paying” the \$2000. But he's still making \$2800, which wouldn't necessarily be earned by staying at home.

Of course the saxophonist is taking a slight risk in that the drummer might cancel. But even in that case, it's not like losing \$2000; it's only losing the time in the studio where music is being played. That's hardly a nightmare scenario. Furthermore, a simple letter of understanding that outlines the barter can require the \$2000 payment in the event that the drummer cancels on the engagement.

Clearly this case is really just a matter of perception, with an element of deferred payment in tow. But extend this concept into a pattern of career planning, organizational development or mutual investment. Let's consider a record label owned by a higher profile artist who performs on a lesser-known musician's date that will be issued on the label. Or a cooperative label venture where the various artists involved perform on each other's recordings for just the share of the profits they'll derive from the label.

Extend the same concept to circumstances where a musician controls or has access to a recording studio, performance venue, rehearsal space, etc. Again, the possibilities are only limited by the creativity and imagination of those involved.

D. Project Partnership

Somewhere between the informal element of barter and the formal element of partnership, *project partnership* allows musicians to establish an agreement for mutual benefit on a specifically delineated idea. This could fall into any number of categories:

- a co-led recording project
- a mutually owned record company
- two ensembles offering a performance/residency package
- a grant proposal where one artist's ensemble commissions another artist to compose a work or to be featured as a soloist; and so forth.

The grant proposal is probably the most common form, especially because the funding entities generally demand a formal statement linking whatever parties are involved in any collaborative projects.

Let's play out a particular project partnership. The leader of a quintet affiliated with a non-profit organization pursues funding to commission a suite for sextet from a saxophonist/composer. The project calls for the creation of the work and its recording. This is a fairly common occurrence, more often by a composer/instrumentalist for his or her own group. These types of grants have always been around, from the welfare-like funding programs of the NEA to the more enlightened grants provided by Meet The Composer.

By bringing in another composer, a variety of new options and potential presents itself. Immediately it doubles the impact of the grant proposal to the funder through the reputation of the composer in addition to that of the leader/ensemble. It also extends the life and visibility of the commissioned work, which will most likely remain in the repertoire of both.

More importantly, this collaborative partnership creates new opportunities for bookings, additional recordings or further projects. The grant may call for just a recording, but why limit it to that? Any prestige surrounding the grant enhances its booking potential. Also, most of the large-scale arts presenters are in the non-profit realm and always looking to stroke the funders, who often have other funding programs that the presenters pursue.

The double-barreled reputations of the performers, the promotional value of "premiering" a commissioned work in a particular city, and the fact that whatever funding was received can be rolled into the overall financial plan, all provide a rich environment for the development of mutually beneficial activity to all.

That having been said, a serious word of warning must be given. *Don't be a shortsighted knucklehead.* Don't view a project like this just as an opportunity to make some good money for relatively little work.

Let's say the grant comes through for \$15,000. Here's the sucker plan. Book six hours in a studio for a live-to-two-track digital recording at \$100 an hour (\$600). Pay the four sidemen \$800 each (\$2800). A couple of hundred bucks for a celebratory meal leaves \$11,000. Composer gets 6K, leader gets 5K, and maybe you can sell the tape to some small company for \$4000. Pretty nice payday for the composer and leader, and some decent bread for the sidemen for a day or two of work.

Instead, let's view the \$15,000 as investment money for a project that will be beneficial to all involved, but still maintaining a properly advantageous balance for leader and composer. Plan the recording with proper studio time to result in a top-quality album. Maybe record multi-track with a rough 2-track mix

to allow it to be shopped around with a final mix down the line. Establish an in-town gig to perform and hone the material to be recorded. Use the grant to capitalize on the aforementioned booking opportunities. Maybe you'll end up with five gigs that total another \$10K with \$4000 in expenses, leaving \$6000. That raises the net to \$21,000 minus another \$1000 for the studio time, leaving \$20,000.

Let's split that \$20,000 as follows: \$7500 for the composer; \$6500 for the leader and \$1500 each for the sidemen. In addition, there's all of the future potential in those other cities for everyone involved, plus the experience of playing the music.

If "all that work" isn't worth it to the leader and composer for the additional \$1500 apiece, or to the sidemen for the extra \$700 – you should consider another business. This music didn't achieve its glorious legacy through mercenary commitment.

Idealism aside, every positive occurrence should be viewed not only for its inherent benefits, but for the new opportunities it can create. The worst-case scenario in the preceding is that nothing happens beyond the grant, so you go back to the "sucker plan," which is no longer that because at least you *made the effort* to make it larger. Even under the "failure" to make the project larger, a precedent has been created by both the artist/ensemble/non-profit and the composer. Similar projects can be conceived together or by either party with different partners.

These types of project partnerships do not limit individual pursuits in any way, and can be defined in any way that is satisfactory to all concerned, as long as it adheres to the commitments that must be made to the funder.

Again, the possibilities are endless – tours, concert series, co-led recordings/performances, marketing plans, etc. One variation on this has a great deal of potential, and this is

E. Shared Team Management

Any artist who is with a management or booking agency, a publicity firm or a record label is involved in shared team management; except that they have very little real say in how that management is handled or distributed among the artists involved. However, musicians can join together to avail themselves of those same services, but under their own conception and direction.

Let's view this from a booking perspective. A group of artists can mutually hire one individual to pursue engagements on their behalf. They could pool their leads and existing relationships, turning them over to this one person on behalf of all. Of course methodology and philosophy would need to be developed to insure fair compensation and proper representation for all concerned. It takes thought and intelligent perspective, but it doesn't need to be overly complex.

Phone and postage costs would be divided among the artists, and in cases such as booking conferences attended by the chosen representative on behalf of the artists, the expenses would be spread among the artists as well. Furthermore, the representative's presence (both at such conferences and in general) would be enhanced by the *roster* of artists as opposed to *one*. Additionally, once the representative achieves a foothold with a presenter or clubowner through one artist, it's likely that one or more of the

others will eventually benefit as well. This approach also allows for potential interactive projects among the artists, either through packaging of groups, co-leading of ensembles, guest appearances, etc. It also contributes to the “illusion of largeness” that is so attractive to all those folks who feel bigger is better.

And finally, doing business tends to produce more business, especially if things go smoothly. An individual artist or representative can only stay in contact with a particular presenter on a limited basis, often years apart. The collective agent can maintain a steady contact, keeping all the artists in regular visibility.

Obviously, a collective approach like this can be similarly effective in just about any other circumstance where outside professional assistance is needed; which leads to our final item for consideration in this section.

F. The Collective

Similar in concept to the *Cooperative* we examined a little earlier, the *Collective* allows separate artists to work toward mutually beneficial goals without (or with, if so desired) sharing in artistic endeavors together. The collective allows for the sharing of resources – human, physical, tactical, etc.

Specifically, this includes such items as those human resources outlined previously, as well as rehearsal and performance facilities, office space, reference materials and even a sharing of concepts and ideas that may be beneficial to all involved.

The concept of a collective is too often mistaken to be like a commune, founded on some ideology or Utopian vision. That’s fine, but it certainly doesn’t *demand* that kind of imperative. The collective should be conceived with its economic potential and intended productivity front and center, whether or not it also contains a particular artistic imperative.

Collectives do not have to be open to one and all either. They can be set up in any way that makes sense to those involved. It can be elastic, open to new members at large; or it can be specifically defined where one artist would have to leave for someone new to join. It can require specific levels of member participation and commitment, or it could be as simple as having a regular place where you can play music and meet other musicians.

Any student of jazz history knows about the legendary club scenes in New Orleans and Chicago in the ‘20s; New York from the ballrooms of the ‘20 and ‘30s through the clubs of the ‘40s and ‘50s, and the lofts of the ‘60s and ‘70s; the informal all-night sessions in homes and after-hours joints where musicians shared ideas in Philadelphia, Detroit and dozens of other cities. In an unofficial way, those scenes were collectives, places that produced mutually beneficial results to all who participated.

But as times change, everything changes. With the “greed is good” philosophy of the ‘80s taking hold and real estate becoming the prime urban commodity, musicians have been scattered about outside the big cities. Clubs can’t afford to keep up the rents on the slim margin that square business and artistic integrity may provide. All that’s left are clubs built upon outside investment, demanding either top names with guaranteed audiences, slick deals built around amassing video and audio masters of live

performances, or some attractiveness that makes the music secondary to being in the room itself. And of course there are the monoliths – the arts centers, heavily funded presenters or university arts presenting programs. None of this is very conducive to the development of the classic “scenes” from which so much great jazz history ensued.

So I propose the collective as a viable alternative. Join together with other musicians in your communities. Get to know each other and consider things that you can do together. Share your knowledge and pool your intellectual resources, and if appropriate, your artistic ones as well. Just be creative, remember who you are and why you do this, and deal straight with each other.

Let’s take a simple concept. Four artists get together in a town one or two hours outside a major city. There’s a club in town that’s willing to do jazz one night a week. The four artists get together and each takes one night at the club, performing with whatever ensemble they choose. On the fifth week, all four artists perform together, or with all their groups, or with a special guest artist or whatever. The upcoming dates are promoted in the press, on commercial radio and from the stage, along with posters and flyers that cover all five weeks. The existence of the collective (or just the concept) is an angle for publicity, regardless of who comprises it.

Let’s say the collective offers Saturday afternoon workshops designed for local high school and college students, possibly even a jam session or a regularly assembled student ensemble. Maybe even the occasional afternoon concert where the students perform with the main artists, designed to attract the parents and fellow students.

Voila! A scene is created. Play the media well and the collective can become a good attraction in a venue in the nearby big city. There are so many different possibilities and ideas in this area, and endless growth potential in performance, education and so forth. The investment is more in time, creativity and commitment than money, and the results can be so valuable in so many ways.

As a young hopeful musician (and as it turns out, an eventual committed professional), I was incredibly fortunate to be around for one of those now legendary scenes, the loft scene of the ‘60s and ‘70s in New York. There were various collectives (at various levels of formality) who performed in regular locations, active lofts with a fairly regular assemblage of consistent musicians at different levels of name recognition, and on the top level there were clubs like Slugs’, The Five Spot, The Village Vanguard, etc. Each place had its regulars in various rotations, and each had its unique perspective – with plenty of overlaps of course.

I settled into Slugs’ as a young fan and then Sam and Bea Rivers’ Studio Rivbea as a young musician a few years later. The knowledge and experience I acquired is utterly priceless. I played in one of Sam’s student ensembles every week for nearly two years, sometimes in open rehearsal, sometimes in performance and even on one of Rivbea’s legendary Festivals. I never received a dime or paid one out. My private lessons with Sam were financed by barter – a bunch of new carpets that were left behind by the previous tenant in my loft, along with occasionally helping out at the door or in the studio.

Among the ancillary benefits were hearing lots of amazing music, learning the ropes of production and business management (including some non-profit) and most importantly, gaining an understanding of the jazz life directly from some of its most important figures of the era, especially in many conversations with Sam.

There was an incredible amount of activity at Rivbea, and while it wasn't a collective by any means, there was a continuity and cohesiveness to the scene. Many artists from the obscure to world-renowned were consistent presences and an astonishing amount of information and ideas was exchanged on a constant basis. Sam kept at least six projects in regular activity, from student workshop ensembles to all-star orchestras. Funded through a combination of door receipts, grantsmanship and pragmatic negotiation, Rivbea probably offered more music education in a week than most university programs offer in a full four-year program.

The essence of it all comes down to musicians being willing to share. The information I received wasn't about bragging, showing off or shooting the breeze. It was about telling something to someone who wanted to learn, and the only price was the expectation that given that opportunity, I would be willing to do the same. That was never said, but it was always out there because it *didn't need* to be said. It's the tradition and we need to get back to it. Musicians working together. There's really no other way. Everything else is just treading water while waiting to be devoured by sharks.