

## ETHNOMUSICOLOGICAL EDUCATION FOR A HUMANE SOCIETY: ETHICAL ISSUES IN THE POST-COLONIAL, POST-APARTHEID ERA

*by*

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In this paper I want initially to discuss some ethical problems which we educators have on the whole somewhat neglected: firstly, ethical issues that need to be incorporated into the education of students of the traditional and popular musics of the world at the secondary and tertiary level in this post-colonial and post-apartheid era, and secondly, the related ethical issues affecting the work of ethnomusicologists as they study and record the musics of traditional communities throughout the world, and especially the recent transformation of field recordings made by ethnomusicologists and others into the commercial product which we know as 'world music', or music that is, or is claimed to be, based on traditional music but has been adapted to a popular musical idiom and has thereby been made 'palatable' for commercial exploitation.

As I shall argue in this paper, these moral issues are not only important in the training of students of the traditional and popular musics of the world, but also in the education of music performers, musicologists, composers and sound technologists as well as those students who eventually go into business in the music or tourist industries. What I have to say is also, of course, relevant to the concerns of school teachers, who have introduced or intend to introduce into their curricula, the traditional or popular musics of, say, part of Africa, Aboriginal Australia, the Americas or Asia.

One excellent example of such curricular development is the South African government's newly-written National Curriculum 2005 for Music and the Performing Arts, which I hear will be implemented in the middle-level secondary schools in the next few years (hopefully by 2005) and then expanded to primary and upper secondary levels. This curriculum touches on several of the ethical issues which I shall briefly discuss today. Entitled 'Our Changing Culture', the curriculum proposes allocating tasks to students which include performing and composing using diverse cultural repertoires — e.g. creating compositions through 'found' materials, including traditional uses of the voice, or instruments (globally sourced) which demonstrate an understanding of diverse cultural conventions as in melody, rhythm, harmony and form. 'Found' vocal techniques include unison, multiphony, harmony and other culturally specific uses of the voice while instrumental techniques include playing percussion instruments with other instrumental and vocal parts and traditional and

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novel body percussion techniques — i.e. instruments of diverse cultural conventions. Aural training in such a curriculum of study should include responding in movement and listening exercises in various mixed styles and critical training should include the analysis and evaluation of the quality of a musical performance.

In Africa, the curriculum stresses, it is important to preserve a living tradition of marginalised and vanishing cultural sounds, to experiment with diverse fusing musical conventions, and to reproduce globally-sourced traditional musical sounds and conventions so that students understand the relationship between culture and society and comprehend the nature of a culturally diverse community. They may thereby posit themselves to be able to promote international understanding, develop fair critical approaches, understand the powers of performing and creating art forms and items as expressions of culture, develop culture-fair attitudes and practices, and participate meaningfully in their own culture. By the end of Grade 9, learners should be able to define and describe culture, how it functions and develops in a community, to describe and analyse how culture has developed in South Africa, and to explain the factors influencing culture change in society. In learning to analyse and critically evaluate expressions of particular cultures or individuals, they should be able to avoid chauvinism while being conscious of gender, race, class, cultural and religious differences in cultural experience.

In this imaginative curriculum, which has far-reaching implications, secondary school students will be required to complete assignments on the general theme of explaining change in a cultural setting, in particular by carrying out field work at local festivals, in other 'places and spaces', in urban and rural environments, and drawing attention to sounds and symbols they observe in the process.

The ethical problems raised in this paper may thus be seen to be relevant to South African secondary school students as well as to tertiary level students everywhere. I am arguing that, with the rapid pace of technological advancements, the globalising of the world economy, and the increasing commodification of the world's traditional musics, the main ethical issues that arise are these: Who is it that owns the music? Who becomes wealthy from its commercial exploitation? Are copyright laws adequate to protect the original owners and inspired conceivers or makers of the music? What kind of compensation should be given to communities whose music is thus exploited?

Let us look briefly at the historical background to these issues. Ever since the invention of recording machines in the late nineteenth century, ethnomusicologists and other collectors have travelled into the world's traditional societies, requested permission of the elders or other leaders of the community to study and record their music and thereafter used it for their own scholarly purposes: depositing it in archives, analysing it, discussing its social functions, publishing on it and issuing annotated recordings of it. Collectors justified this activity mainly on the grounds that they were doing valuable conservation work in recording unique songs and

instrumental music of fragile orally transmitting traditions, indeed in some cases recording whole musical genres for future generations to look back on and know their heritage. Since musical pieces, genres and repertoires everywhere continually change over time and sometimes die out, only to be replaced by new creative forms, it was (and is) felt that records need to be kept of these creative musical experiences. Ethnomusicologists believed, and perhaps justifiably, that they were contributing through their work to the general knowledge and appreciation of humanity, for all societies make valuable music. Indeed they felt they were contributing to the making of a humane society in which members of each culture could respect the others for the depth of their musical expressions.

But was their activity free of ethical problems? Did they always demonstrate due respect for and provide proper compensation for the indigenous musicians who collaborated with them in the field? Were they aware of the ethical questions that arose from their transactions?

Until the late 1980s, they – or ‘we’, as I am one of them – were not, I believe, very conscious of the ethical issues. We were still influenced by the oppressive, patriarchal thinking of the colonial era, whereby white scholars and post-graduate students went out into so-called ‘primitive’ or economically poor communities with the latest recording equipment, returning to our home bases to pursue our study of the music collected and share our knowledge with a wider community of scholars and musicians. Such scholars as we never became rich, but without even consciously doing so, we acted in concord with local power structures which controlled our entry into the communities. Arguably the colonial period, which began in Africa, Asia and elsewhere in approximately the fifteenth century, began to dissipate with the end of the Vietnam war in 1975, with an even more oppressive system dragging on, however, in South Africa until apartheid was abolished a few short years ago. Of course, imperialism still recurs in different forms and still influences students and scholars of music, especially of the traditional and popular forms. But since the 1980s, many students and ethnomusicologists have begun to question the assumptions of the colonial era, have been engaged in exercises of self-criticism, and have trained a few indigenous scholars in Africa, Asia and elsewhere who have brought new perspectives and methods to the discipline.

As a result of our efforts to record the traditional musics of the world, ethnomusicologists have succeeded in preserving many dying or obsolete musical items of great value for their new communities and for musicians who use these materials syncretically to create new musical expressions. Of course, artists everywhere have an inalienable right to use anyone’s recordings creatively, to adopt and mould creative ideas originating among other individuals or societies into new compositions or improvised performances. Clearly, since there is no such thing as a ‘pure, unadulterated’ music-culture anywhere in the world, musicians, like other artists, have always borrowed, combined, and transformed musical ideas from other

cultures. As the theorists of music-culture contact have argued, the results of contact between musicians of two or more cultures in long-term contact range from the simple borrowing of an instrument or musical idea in a new piece to the creative transformation of a style or genre (as in the case of the syncretic South African - Dutch patois called *ghommaliédjes* and *Nederlandliédjes*, or the Portuguese-Malay synthesis called *kroncong*, which developed in Indonesia over the past few centuries)<sup>2</sup>

While we should of course feel free to celebrate such syncretism, we need, explicitly in the 1990s, to be constantly aware that the process of attaining it can be exploitative – for example, when powerless musicians are given very little or nothing in return for recordings made of their creative property – whether by collectors in the field or by CD editors and publishers. In fact, for each positive example we might find that there are other examples that are far from positive – and music is not the only art form to provide them. A Melbourne newspaper recently published a photograph of an Aboriginal painter Johnny Warangkula Tjupurrula on its front page. A talented artist, he lives in poverty and poor health while his paintings have long since appreciated in value and been sold for high prices by and to others. The treatment he has received is not just shabby but inexcusably unethical. Likewise Aboriginal musicians' instruments and ritual music have been exploited for the commercial profit of others. For example, the past few years have seen a boom in international interest in the *didjeridu* (hollow log trumpet) of North Australia and some white Australians and non-traditional part-Aborigines have exploited this interest by mass-producing didjeridus made of cheap bamboo instead of the traditional white ant-bored log, and selling them to tourists or overseas suppliers. They have also mass-produced pre-recorded cassettes of didjeridu music and sold them at large profits.

Mass-production for profit is inimical to the Aboriginal way of life, for in traditional society, only authorised custodians of the didjeridu ritual and musical tradition are allowed to make and play the instrument. Furthermore, it is the business people who exploit the tradition, who get rich out of the world-wide didjeridu boom, while the musicians and owners of the traditions still live in poverty. What can we learn from this? Musicians everywhere need to become more aware of such appropriative practices, of taking without compensation, even 'taking without asking'. Access to superior technologies of recording and distribution does not imply a right to 'take without asking'; neither scholars nor consumers may assume 'rights' in the use of the world's traditional musics. And yet, of the many ethical issues that have recently arisen in the field of ethnomusicology, the most blatant and pressing is the increasing commercial exploitation of the traditional musics of the world, whether in their traditional forms or in new syncretic versions, under the label of 'world music'.

Clearly, the process of making music into a commodity throughout this century

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<sup>2</sup> See Nettl 1978 and 1985, Kartomi 1981 and Kartomi & Blum 1994.

has had the positive benefit of giving millions of people access to many more diverse musical experiences than ever before. But the downside of this is the misuse, appropriation and exploitation of traditional musicians by those who are greedy for profits. In Indonesia, as in many second and third world countries, copyright law only began to be developed in the early 1990s. Despite a copyright company having been set up, piracy remains rife and it is still difficult to implement copyright law. Not only in Indonesia, but in India, South Africa and all over the world, copyright law remains ill-equipped to provide cross-cultural protection in vases where non-Western music is projected into the commercial music industry. Peter Manuel's study of *Cassette culture: popular music and technology in North India* provides vivid and plentiful examples of the extent of cassette piracy in that area. What is to be done to rectify the situation, there and elsewhere?

Copyright laws in the West had few practical ramifications for traditional music before the 1980s. In the 1990s, however, communication systems quickened, portable recording technology developed, tourist travel to 'experience traditional cultures' became common and digital sampling allowed recorded sound to be stored for manipulation by musicians and sound engineers. First world individuals and companies rapidly began to see that large profits could possibly be made out of 'world music'. The success of albums such as Paul Simon's *Graceland* in 1986, and *Rhythm of the saints* in 1990 (using African and Latin American music respectively) exposed the formidable profits available when Western pop stars incorporate non-Western music into their songs.

Meanwhile the commercial music industry gained enormous political power to protect these profits. The industry's leaders and lawyers they employed took little or no notice of the non-financial aspects of the world music industry, especially the protection of the traditional owners of the music. Given the substantial sums of money at stake — *Graceland* has sold over 3.5 million copies worldwide and *Rhythm of the saints* sold 1.3 million copies in the first four weeks of its release — politicians were quick to protect music industry profits from harm. Further, because the top six companies were and still are located in the West, powerful lobbying groups have made sure that contracts and recordings are governed by laws that are financially advantageous to them. Although Paul Simon as an individual, treated the musicians of *Graceland* well, hiring African musicians rather than using sampled field recordings and paying them generously in both performing fees and royalties, copyright laws would not have prevented many other musicians who were/are involved in the world music scene and copied Simon's example from engaging in unfair contracts or even blatant appropriation of less sophisticated musicians' music (see Mills 1996). As music-cultures come increasingly into contact with each other via recorded sound, respect for the needs and beliefs of non-Western communities is given low priority.

Ethnomusicologists occupy an uneasy middle ground. Although they do not



become rich from their collecting activities, they can easily become unwitting colluders, even by default, in unethical or exploitative behaviour. In the early 1990s, for example, ethnomusicologist Hugo Zemp was shocked to find that by giving permission to two businessmen to create an album *Deep forest*, in which digital samples of music collected by him in the Solomon Islands and from African pygmies were fused with 'techno-house' rhythms, he was allowing the traditional cultures to be exploited. This occurred despite the fact that the businessmen had obtained UNESCO support for the album. Zemp was not told that his recordings from the Solomon Islands would be used to create a widely sold commercial 'house' album, nor that the album's cover would contain false assertions about the meaning of the music. Despite the album's proclaimed respect for the rites and customs of so-called 'primitive' societies, it failed even to credit the source for the music sampled in the most successful track, 'Sweet Lullaby'.<sup>3</sup>

Copyright is the primary mechanism that controls the profitable use of music. However, copyright schemes in virtually every country, if they exist at all, are inadequate for the protection of indigenous music. Western law regards music as individual property; its owner is given the exclusive right to perform, copy, record and distribute a song or a piece of music. But such a view ignores the fact that there is much below the surface of individual ownership in the case of world music production and copyright. Let us take an example and examine the issues involved. If, say, a well-known composer or pop musician were to borrow a traditional children's song melody from a commercial record to include on his own CD after having adapted it into a new stylistic and instrumental idiom, no one would object, for that musician would only be engaging in a desirable creative process, as engaged in by musicians everywhere. The ethical question that arises however is this: who is it that becomes wealthy from this success of this new product? Is it the traditional performers of the original song, the recordists of the children's singing, the new composer-improviser or the production and distribution company that issued the syncretic new musical creation? Are existing copyright laws in the countries of origin adequate to cover these various levels of contribution to and responsibility for the finished product? Who is the primary owner of copyright in this instance: the composer (or, as in the case of syncretic forms, the composers), the performer, the collector or the distributor? Presumably the indigenous community or composer is the primary owner, the performer(s) the secondary owners, the collector(s) the tertiary owners and the distributor(s) — usually a company — the final owners. Each owner in the chain should, of course, be receiving money from at least one other of the owners or, in the last case, from commercial sales. The reality is, however that indigenous musicians at present are in a defenceless position regarding copyright.

How should one litigate on behalf of an indigenous community against appropriation by other parties? An analysis of the Universal Declaration of Human

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<sup>3</sup> See Sanchez & Marquet 1992 and Zemp 1996.

Rights, the Berne Convention and the General Agreement on Tariffs and Trade (GATT) reveals that international legislation that directly concerns traditional music rarely exists; the only provisions merely place the decision of how and when to protect traditional music at the discretion of each national government, thus placing the protection of non-Western music in the hands of potentially overloaded, insincere or unstable government regimes, as Mills points out (1996:60).

Presumably, in time, effective legislation can address issues of copyright ownership which seem, after all, to be potentially clear. It is more difficult to legislate about other ethical issues which arise out of the commercial exploitation of 'world music'. Is payment a sufficient compensation if, in the interests of commercial gain, the integrity of the original music is violated as in some of the examples already cited? The question may be phrased in terms of authenticity and appropriation, and spectacular examples are provided by the Australian didjeridu, as already discussed. Although its symbolic potential and significance for the Aboriginal people is acknowledged, even unconsciously, by many people, a respect for its traditional meanings is not reflected in all its uses.

The 1990s practice of 'sampling', whereby a musician or producer takes a sound or series of sounds from the original source and makes use of it in an entirely new social, political and intellectual context, is one of the most contentious yet widespread practices that technology has made possible. Issues of ownership, authenticity and integrity coalesce in this practice of appropriation, in which copyright law and ethical practice are equally challenged. Pseudo-scientific or pseudo-historical descriptive commentary may be seen as no more than a marketing stratagem if the end use to which the music is put violates its original values. A discourse on Arabian modes, included in advertising material for a recent CD of world music from Turkey, Tunisia, Iraq and Iran, sits awkwardly with the sexual innuendo of the final invitation to the purchaser to 'add these to your drum groove and look out for belly dancers'. Overtly sexual images of women, long used for commercial purposes, degrade image and product alike. A recent commercial CD of Balinese music, for example, tries to sell traditional Balinese music with a cover photograph of a topless Balinese dancer – an instance of crass commercialisation and sexual exploitation which ought not be tolerated.

How then should laws be developed to make it possible for collectors to make recordings of traditional music available without being exploitative of traditional musicians? At present there is no clear route. However, there are some basic principles, in the observance of which a collector will know that he or she has acted according to ethical standards – i.e. having 1) paid the musicians properly and gained their consent to record at the time of recording; 2) taken steps to prevent their music being appropriated by world music artists who may claim that their syncretic music products are actually and authentically the 'indigenous music' on which their products are based; and 3) ensured that any further editions of CDs result in the

making of adequate extra payments to musicians and proper recognition of their contribution.

To conclude: Despite the formal coming to an end of the apartheid era in South Africa and the colonial era in other parts of the world, musicians, scholars and students of the world's traditional and popular musics face complex ethical issues in the late 1990s, arising from the development of new recording technologies, the new multi-national-controlled world economy and the commercial exploitation of the current interest in 'world music'. We need to recognise that ownership of a sophisticated technology does not carry with it the musical right of taking without asking, nor is mere social idealism or the desire to conserve and preserve a sufficient ethical apparatus to take into the field when recording overseas, local or migrant musicians. In multi-cultural Africa, as in Australia, America, Europe and beyond, complex issues of the ownership, authenticity and integrity of the original music arise out of contemporary recording and marketing strategies – and these are issues which are not adequately addressed by existing copyright laws.

An awareness of the ethics of ownership of music and musical inspiration needs to become a burning issue in the education of students of the traditional and popular musics of the world and the practice of ethnomusicology. Today's students and scholars must set off into the field, either in their own country's migrant community or abroad, with clear ethical objectives as regards the paying of adequate compensation to the musicians, ensuring the appropriate use of the music collected, and the securing of an authority to negotiate on behalf of the community in which the music has been collected. Students and scholars in the field of ethnomusicology need to be trained to meet the business community head on, constructing barriers to prevent the exploitation of the music-cultures which they study. At the same time, recognising the reality of musical syncretism, they may benefit creatively from the rich musical traditions of indigenous communities throughout the globe.

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