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# THE/AN ETHNOMUSICOLOGIST AND THE RECORD BUSINESS<sup>1</sup>

by *Hugo Zemp*

\$30,000 to license one minute of Rajasthani music for an American insurance company's television commercial. Sampling by two French musicians of a Solomon Islands lullaby, which, mixed with pop rhythms and computerized chords, results in an international success with millions of dollars in profit through CD sales and income from television commercials in France and the U.S.A. (and perhaps other countries). Note by note borrowing of another Solomon Islands lullaby (these lullabies seem to be a hit!) by a well-known French composer, jazz musician and interpreter of classical and contemporary music who declared the composition as his own. \$8,000 (only!) proposed by a Rumanian pop musician living in Germany, for sampling an Albanian song . . .

More and more, ethnomusicological research and commercial exploitation are getting intertwined. While most ethnomusicologists probably make field recordings, deposit them in archives, participate in radio programs, and sometimes release parts of them on commercial labels, few have publicly discussed the legal and ethical implications. As Anthony Seeger, one of the few who has published his concerns in one of our professional journals, said “. . . no major figure in the field of ethnomusicology ever defined the object of our study in terms of rights and obligations, conflict, or adjudication. The issues simply were not raised by our ‘ancestors’ and have rarely been part of our theoretical reflections since” (Seeger 1992:346).

My purpose here is not to contribute theoretical reflections, but rather to tell the story of eight cases in which I have become involved, either as fieldworker or as editor of a record series. But what for some readers might appear to be too personally rhetorical might encourage others to reconsider their own experiences and clarify their roles and objectives in dealing with the international music business. At least that is what I meant with the title of this paper: the indefinite article stands for the personal reflexive account of an ethnomusicologist, while the definite singular suggests that the legal and ethical issues discussed here concern the ethnomusicologist in general, thus implicating the whole scientific community.

The eight cases discussed in this paper are grouped according to types of relationships: A) (financial) relationships with performers from three continents whose music I recorded in the field and later released; B) relationships with colleagues in connection with a contract which I revised as editor of a record series; and C) relationships with users of published field recordings in the popular music industry and for television commercials.

## (FINANCIAL) RELATIONS WITH PERFORMERS

### *Côte d'Ivoire*

The first recordings I made during my Ph.D. research in the Côte d'Ivoire (as the Ivory Coast is now officially called even in English) were published in the *UNESCO-Collection An Anthology of African Music* [1, 2]<sup>2</sup> To finance these

first fieldwork periods (between 1961 and 1967) as a student without any institutional affiliation, I worked during holidays. On one occasion, I received an air ticket to Abidjan from my professor at the university; in return, I had to collect artifacts for the newly opened Museum of African and Oceanic Art in Paris. During another fieldwork period, I received money from the International Institute for Comparative Music Studies and Documentation in Berlin with the understanding that I would make a record for the UNESCO Collection for free. It was eventually published in the collection *Musical Atlas* [3]. The income from these and other records of African music [4, 5, 6] which I published partially recovered the cost of a Nagra III tape recorder with microphone, still cameras (Leica for color, Rolleiflex for black and white), and the development and printing of photographs. Needless to say, this equipment was worn out after four fieldwork periods totalling two years in the rain forest of West Africa and another year in the South Pacific, and has since become obsolete.

### *Solomon Islands*

The situation changed when I became employed, in October 1967, by the French National Center for Scientific Research (CNRS). I received a salary, fieldwork expenses were paid (though much less than what I hear American colleagues are paid), some sound recording equipment and tapes for fieldwork were provided (but still no cameras or film, no development costs or prints).

A few days after arriving on the island of Malaita (August 1969), where the anthropologist Daniel de Coppet expected me and had prepared for my stay, there was a meeting with traditional 'Are'are leaders (*aaraha*) to discuss my research project. The leaders explained that the musicians of panpipe ensembles were remunerated with shell money when they performed at a feast. The amounts, converted to Australian dollars, were so high that the resources I had for one year of fieldwork would have run out within a few weeks. In fact, when an 'Are'are musician receives shell money for a performance, he cannot freely dispose of this money; when he organizes a funeral feast in honor of his father, for example, he must re-distribute part of what he received. As an ethnomusicologist from abroad, I could not enter into this ceremonial cycle of money exchange.

We decided that I would pay each musician the amount that the government of the British Solomon Islands Protectorate paid for labor, for example, for building a road or a school. In 1969 it was \$1 a day. This amount was meant as monetary compensation for the time that the musicians did not work in their gardens or on coconut plantations; the *aaraha* insisted that I could never buy (*hori*) their music. The 'Are'are offered (*wate*) me their music; what I was going to give in exchange (*wate oorihai*)? I answered that through my work, their traditional music would be preserved for future generations (I knew from Daniel de Coppet that half of the 'Are'are population belonged to a fundamental Protestant Church where the performing of traditional music was forbidden and that most young people preferred pan-Pacific pop). Perhaps if records were pressed and their music transmitted on the national radio, young people would better recognize the value of their heritage, I said. If any profit were to be made from producing records, the money should come back to the musicians. The 'Are'are leaders accepted my proposal, with

the restriction that the money — including the daily fees and future royalties from published records — should not be given individually to each musician, but to the 'Are'are council of chiefs, who were responsible for custom and development, since the music belonged to the 'Are'are people as a whole.<sup>3</sup>

After one year's fieldwork in the Solomons — six months among the 'Are'are and six months making short surveys among other peoples of the archipelago — I published three LPs with music from the 'Are'are people [7, 8, 9]; one LP with Fataleka and Baegu music from northern Malaita [10]; one LP of Guadalcanal music [11] (a second one on Guadalcanal and Savo music was published after my second field trip [12]); and two LPs on Polynesian songs from Ontong Java [13, 14]. I personally sent all of the royalties back to the people through different intermediaries (the Solomon Islands Museum Association, the Cultural Headquarters, custom chiefs, local schools), partially in cash, partially in the form of battery-operated record players with radios.<sup>4</sup>

Thus I thought that I had fulfilled my obligations. When I arrived for my second fieldwork period on the West Coast of Malaita where I intended to speak with the Paramount Chief of 'Are'are, Ariki Nono'ohimae Eerehau,<sup>5</sup> I heard that he had traveled in the opposite direction to go to the capital. I thought that I could continue nevertheless by boat to the East coast, where I had been invited by 'Irisipau<sup>6</sup> to live in his village. On this second field trip, I had a great deal of equipment, including a 16 mm professional movie camera; a generator to recharge batteries; boxes of 16 mm film; two stereo Stellavox tape recordings (one I had bought myself in case the one from the CNRS malfunctioned) with two pairs of microphones; plus several cassette recorders. When hardly all the equipment had been carried from the coast up the hill, a letter was brought to me from the Paramount Chief saying that I had to leave 'Are'are country because I had made profit with their music. Needless to say I was stunned by this piece of news. Having heard about the letter, my personal friend Namohani'ai<sup>7</sup> came to see me from a five hours' walk. He told me not to worry, that the minister David Kausimae<sup>8</sup> was coming on a tour around the island on a ship, together with the Paramount Chief, and that we would have a meeting to discuss everything. In the meantime, they told me not to unpack my equipment until everything was settled. I was allowed only to play panpipe with my friends. That is what I did, although my mind was not on performing panpipe music happily. At moments of discouragement like this, black thoughts come to the fieldworker ("Why the hell did I come here instead of comfortably staying at home?").

Two weeks later the meeting took place, and I learned that the problem came from a young 'Are'are pan-Pacific pop musician who apparently had been cheated by a record company. One voice was enough to put my work into question. Fortunately, I had all the papers from the record company Vogue with me showing the modest royalties which were smaller than what I had sent back. Thus the issue was settled. For the future, the two 'Are'are leaders asked me to "help collecting money" (*hai'pooni*) for the newly created Custom school in which children were learning to write and read in their language first (mission and government schools taught exclusively in English). Daniel de Coppet had made a primer in 'Are'are language. I agreed to help the school. Furthermore, they told me that their cooperative society, 'Are'are

Maasina, which had a small shop in the capital, Honiara, wanted to sell the records to city dwellers and tourists. But the cooperative society had no money to buy the records wholesale from the record company. We agreed that I would purchase one hundred records and that they would give me back the wholesale price when they had sold them, making profit from retail sales. One year later, the cooperative went bankrupt, and Daniel de Coppet (who shared with me the expenses) and I never saw the return payment.

Two years later I was invited by UNESCO to teach (with Barbara Smith and Adrienne Kaeppler) recording and documenting music at a two-week workshop in Honiara. I wanted to stay longer in the Solomons and continue fieldwork, but the Malaita Council refused my application for a research permit without any explanation. This was the second time that permission to work was refused in the Solomons. David Kausimae, at that time a member of parliament and minister, invited me to come to his village where a general meeting of all 'Are'are leaders (*aaraha*) took place. I showed a Super 8 copy of a preliminary cut of the film that I had begun to shoot during the previous fieldwork period and spoke about my plans to continue the film inventory of all 'Are'are musical types. The 'Are'are council decided to support my work and wrote a letter to the central government which finally gave me the permit. The council also decided to restore a big canoe (against payment, of course) so that I could film the canoe songs that had not been performed for several years. This recognition of my work by the 'Are'are leaders helped me to get over previous denials, but I understood also that each time, new research projects would be examined and financial accounts would be asked for any commercial profits.

The payment for the latest 'Are'are records published in 1994 and 1995 was FF 15,000 (\$3,000) for the double CD [15] and FF 10,000 (\$2,000) for the single CD [16]. This time I decided to send only half of it back to the 'Are'are people, according to the stipulations of typical contracts with Le Chant du Monde, since I had had great expenses replacing ten-year-old tape and cassette recorders and buying a new computer (on which I am writing this article). After deducting income taxes, I sent back half of it (\$2,000). Since during the different fieldwork periods, (young) musicians complained to me that all money went to the 'Are'are leaders, I asked David Kausimae, the current Paramount Chief of 'Are'are, to distribute 50% of the money to the musicians and their heirs (since many had died) and 50% to the 'Are'are Council. He agreed and sent me a detailed list of the disbursements.

All three fieldwork periods took place before independence, and research permits were given me by the government of the British Solomon Islands Protectorate, the permit for 1976-77 after consultation with the Provincial (Malaita) Council and the Local ('Are'are) Council. Written permits to publish the sound recordings were also given, on my request, by the B.S.I.P. government.

### *Switzerland*

While in the Solomon Islands I paid the musicians small daily fees based on the local labor wage, it was out of the question to remunerate the Swiss yodellers from my small budget for fieldwork, especially taking into account the rate for converting the weak French Franc to the hard Swiss Franc! Besides

offering them some bottles of wine when I recorded in the inns (and many times the performers offered me drinks), I could not make any payment.

Since a new local museum concerned with Appenzell customs and artifacts had opened in Urnäsch, I proposed to the performers that the money from a future record would be fully returned to this museum. They all agreed, and we each signed the agreement on a piece of paper. When the record finally was issued [17], I also sent records back to all of the performers except those who were masked during the New Year festival and whom I could not identify.

In the case of the recordings made in the Muotatal, Central Switzerland, and in the absence of any such museum or other local cultural association, the signed agreement with the singers was that they would receive, proportional to their contribution in minutes, a share of the royalties. At the time of the first edition in 1979 [18], the fixed fee for a new disc by *Le Chant du Monde* was 4,500 francs, approximately \$900. In the contract, I waived any payment for myself, asking that the total should be distributed in the following way: 1) half of it to the singers (2200 French Francs = 840 Swiss Francs divided in shares of 20 Swiss Francs per minute of recording). That was not much for each singer, but they were happy to have something to drink on their next visit to the inn; 2) 25 discs at the export price to be sent to the performers and collaborators in Switzerland (FF 400 + postage); 3) 40 records at the artist price to myself for promoting the disc (FF 1105); 4) refund for photograph prints according to cost (FF 662). A second share for the performers became possible when the LP was reissued as a CD.

As I noted in a previous article (Zemp 1990), the performer whose picture is on the record cover had been mocked by his fellow villagers because I had recorded him, not in a recording studio as is the case for other published records of official folklore, but in his stable while he was milking, and because he had worn a patched-up working smock rather than a clean, Edelweiss-embroidered Sunday smock. Even though he received only 140 Swiss Francs from the first issue (corresponding to seven minutes of published singing), he defended himself against his critics saying that he received a lot of money from this record . . . Outwardly his riposte saved perhaps his pride, but in his heart he was deeply hurt and afterwards refused to collaborate in the films which I made. I went back to see him again and bring him a second share when the LP was reissued on CD. His face appeared in another film on Swiss music, but there too he did not perform. This is just to say that remunerating performers with profits from published records does not necessarily compensate for humiliations received otherwise which the ethnomusicologist cannot always foresee, but of whose possibility he should be aware.

To summarize: My financial involvement with performers in these three countries differed both concerning remuneration during fieldwork and royalties from published recordings. During my four research periods in the Côte d'Ivoire (between 1961 and 1967) as a student, I had no institutional help for travelling and other expenses (with the two exceptions mentioned). Thus I negotiated payment for the performers according to my modest means and invested royalties from discs in equipment and supplies for fieldwork.

In the Solomon Islands, during three fieldwork periods (between 1969 and 1977), I paid performers small amounts from the research money provided by my employer, the CNRS, and corresponding to local daily wages for labour. But I personally arranged that, in the event of commercial exploitation in the form of released discs, royalty payments would come back to the Solomon Islands.

After my experience in the Solomons I was careful to make written agreements with all the performers whom I recorded during the next research period. With the meager research money from France, it was impossible to meet expectations based on the high living standard in Switzerland. Although I did not even consider paying the yodellers during fieldwork (1979), I sent back all royalties according to our agreements: in one case to a local museum, in the other to each performer.

It is clear that my encounter with 'Are'are leaders and musicians in the Solomons raised my awareness regarding the rights and claims of performers and their communities. This led me also to introduce a clause in new contracts of the record series "Collection Musée de l'Homme", which stipulates the sharing of proceeds between researchers and performers.

#### THE RECORD SERIES "COLLECTION CNRS/MUSÉE DE L'HOMME"

In 1973, the record company Vogue, which had published the "Collection Musée de l'Homme" for sixteen years without any contribution from the museum save its name, decided to stop issuing our records. According to them, the records did not sell enough. At that time I was editorial assistant to Gilbert Rouget, who founded in 1946 the first record series of the Musée de l'Homme, and who was looking now for a new record company. Ocora agreed to take our series into its catalogue, and published in 1974-75 four records with the label Collection Musée de l'Homme, but the editor of Ocora was dismissed following a general restructuring of Radio France, and the new editor did not want to continue the collaboration with us.

After several unsuccessful attempts to contact different French record companies, Gilbert Rouget negotiated a co-production between Le Chant du Monde and the CNRS. The first record in the new collection was issued in 1977. In 1983, Gilbert Rouget asked me to succeed him as editor of the series. During several years the bills paid by the CNRS were higher than the income from sales. And when for the first time some money could have been returned to the CNRS, Le Chant du Monde went bankrupt (not because of our record series, I believe; the record business in general was in crisis!). After one year, we started again, but LP sales kept declining because of the arrival of compact discs. In 1988, a new general contract was signed between Le Chant du Monde, the CNRS, and, for the first time, the Musée de l'Homme (belonging to the National Museum of Natural History), who all now participated in co-production.

As editor, I worked out a new individual contract to be signed by the ethnomusicologist and Le Chant du Monde on behalf of all parties. It stipulated that the fee should be shared fifty/fifty between the ethnomusicologist and the musicians, or, if it were not possible to reach them, 50% should be sent back to a cultural or scientific organization in the country

where the recordings were made. At that time, flat fees from record companies publishing field recordings were approximately FF 5,000 = \$1,000 for a new disc (but Moses Asch of Folkways offered much less, from what I heard: \$200 a disc). Beyond this flat fee, no royalties were paid whatever the number of copies sold.

I negotiated with Le Chant du Monde an advance of 6,000 French Francs which was calculated on royalties of 6% of the wholesale price in France and 3% for exportation. This advance was amortized when approximately the first 1,500 copies were sold. I know from former sales figures that some records barely reached this number,<sup>9</sup> and that others would sell afterwards from a few dozen to a few hundred a year, generating royalties of between \$10 to \$100 a year. How to share that with the musicians living far away? Wire transfer costs would be higher than the amounts to be sent back. I thought that besides the musicians and the ethnomusicologists, a third partner could have a share when a record was sold well: Ph.D. students and post-doctorates. They are the future of our discipline, and I proposed that further royalties should go once a year to our non-profit association, the *Société Française d'Ethnomusicologie*, which would distribute this income to help these young, unemployed ethnomusicologists financially, so that they could do fieldwork. While individually the royalties for most records were small, together the yearly amount could really help the new generation of researchers.

When I presented the terms of this new contract to my colleagues, most of them accepted it (especially the younger ones), while two researchers accused me of demagogy. I had to put all my weight into it and threaten to resign as editor if the sharing clause was not accepted. I published in the SEM Newsletter (May 1989:6) a short note about this contract and the launching of our new CD series. Objections came also for practical reasons, since it is often difficult to send back a share to all performers (a disc might contain recordings from many different places to which the ethnomusicologist has not had the opportunity to return; performers may have died, etc.). Although some colleagues argued that I could not apply my experience from 'Are'are people to other circumstances, it seemed to me that it was the responsibility of each researcher to find a way to return part of the commercial profit to the performers or the community.<sup>10</sup>

Of course, copies of our publications should also be sent back to the performers and to cultural/scientific institutions in the country of origin. While in many regions of the Third World probably only few performers have CD players, cassette recorders are now widely known. Besides 30 copies of the CD which the ethnomusicologist receives and of which he can send a portion to libraries, radio stations and officials in the country where he made the recordings, I asked Le Chant du Monde to print seventy extra copies of the booklets, so that the ethnomusicologist could send them to the performers together with cassette copies he can make himself from the CD.<sup>11</sup>

In 1994 I heard that other record series in France (Ocora Radio France, UNESCO-Auvidis) paid a fixed fee of approximately FF 10,000 (\$2,000) for a disc, and I negotiated with Le Chant du Monde a new advance against royalties, corresponding approximately to the sale of three thousand copies. Half of this amount still has to be returned to the country of origin, the

other half for the ethnomusicologist approximately corresponds to reproduction fees (as charged by the photothèque of the Musée de l'Homme or any photo agency) for a color first page and a few black and white photographs. For this price, the researcher has not only to furnish the photographs, but also to select from his original recordings, write the booklet, etc. It seems to me that with this share, he is not exploiting the musicians he recorded in the field.

As far as I know, the contracts of the UNESCO-Auvidis series did not provide until recently any share for the musicians, but the flat fee has risen to \$2,500 of which \$500 is reserved for the performers. Still nothing for performers of field recordings published by Ocora Radio France; only 20% for a disc published in the UNESCO collection and only in the last year; a portion (what portion?) from the sales of a disc from Smithsonian/Folkways;<sup>12</sup> the sharing of 50% which I imposed eight years ago for our Collection CNRS/Musée de l'Homme is not too bad . . .

PUBLISHED FIELD RECORDINGS IN THE POPULAR MUSIC INDUSTRY AND TELEVISION COMMERCIALS

*A letter to the French composer and interpreter Michel Portal [translation is mine]*

21 January 1996

Dear Sir,

Listening to you a few days ago on the broadcast program "The Telephone Is Ringing" of France Inter, I remembered that I had wanted to write to you for several years concerning the borrowing of pieces of traditional music from the Third World by Western musicians. Our professional associations of ethnomusicologists are more and more concerned about these questions. The most scandalous example is without doubt the CD *Deep Forest* where a business of millions (\$) has been made exploiting creations of African and Melanesian musicians.

Of course, I do not confuse your work with these shameless samplers, however on your disc *Dejarme solo!* [23], track A1, you have borrowed a lullaby from the 'Are'are people, which you play very well by the way, and declared it as one of your compositions entitled "En el campo . . ." I recorded it in 1969 in the Solomon Islands and published it in 1973 on the record *Melanesian Music. 'Are'are* vol. 3, Collection Musée de l'Homme, Vogue LDM 30106.

At the time when your record was issued, a journalist specializing in traditional music made an inquiry to the SPEDIDAM [French society for copyrights] regarding the rights of musicians of oral tradition. The answer which I could have given him in advance was that traditional music is a matter of the public domain and, consequently, on the legal level, you had the right to use a tune without paying royalties to the true owners. But on the moral level?

Perhaps, over time, you have become more receptive to the claims and moral rights of musicians of oral tradition, and perhaps you think that it is now time to pay part of the royalties (proportional to the length of the piece in the record, of course) to the 'Are'are people; here you will find the address and bank account of their official representatives: (. . .)

I add, for your information, that the royalties of the record company Vogue for the publication of this record (recordings, photos, conception of the record, writing of the text) as well as for the two other LPs of 'Are'are music have been fully paid by me to the 'Are'are people, in particular to its representatives, the *aaraha* (council of custom chiefs).

If you decide to send to the 'Are'are part of the royalties resulting from "your composition", I am sure that the 'Are'are musicians will appreciate your gesture, especially if, in the event of your disc being reissued, you acknowledge the true creators. I am sure that they would listen to your interpretation with pleasure. The LP published by Vogue is out of print, but I offer you the CD *Solomon Islands: 'Are'are Intimate and Ritual Music* which includes new stereo recordings (permitting better appreciation of the two-part polyphony). You will find the same lullaby, track 11b, transcribed on page 63. Perhaps you will discover other pieces which you would like to include in your repertoire. In this case, and if you send the royalties to the 'Are'are and acknowledge their musical ownership on the jacket notes of your CD, I think that they will not be opposed to it. As for me, if you mention the exact reference of the original CD, recognizing thus the work of the researcher, I will not have any objection either. I hope to receive an answer from you, which saves me the publishing of this letter in a musical journal with wide circulation. With your permission, I will communicate your answer to ethical committees of our international professional associations (especially ICTM, International Council for Traditional Music, affiliated with UNESCO). Several studies concerning the rights of musicians of oral tradition are being made and will perhaps lead to an international initiative to modify copyrights. In closing, I otherwise appreciate your compositions, your improvisations and your interpretations.

Eight months later I still had not received any written answer, though I know from a mutual acquaintance that Michel Portal did receive the letter and that he said that he was irrefragable . . .

*Sampling "with the support of UNESCO" (The Deep Forest affair)*

I was first contacted by phone by Mrs. Noriko Aikawa, Chief of Intangible Cultural Heritage Section of UNESCO (in charge of UNESCO Collection), who informed me that young Belgian musicians were going to compose music for a CD in honor of an international Day of the Earth, using samples from African music published on UNESCO records. According to her, Simha Arom had already agreed, saying that these musicians at least were asking permission while others would just pirate recordings. Among the UNESCO records with African music which I had published, only the one on Baule vocal music from Côte d'Ivoire had been reissued on CD. Mrs. Aikawa had a demonstration tape of the planned CD and made me listen to it on the telephone. I couldn't recognize any tune on the phone, just the standardized rhythms typical of dance music made by computers and synthesizers. She

said that UNESCO were willing to grant permission to use extracts of several seconds on condition that the collectors of the music agreed and that the musicians, places of recording, collectors and the UNESCO CD series were clearly credited. This would allow the UNESCO Collection as well as the African music concerned to be better known. I answered that I was against this kind of exploitation and that UNESCO should promote its own records of traditional music, which preserve the cultural heritage of the different peoples, rather than these commercial productions, which we call in France 'World Music' and which are mostly mixed in the big studios of European capitals to fit the taste of an international public.

Some time later, the African musician and composer Francis Bebey, whom I had met only once many years ago, called me on the telephone. He said that these young musicians were interesting creators and asked me why I refused. I told him that I was not requesting any royalties, since I was not the author of the music, but that the Baule people from Côte d'Ivoire should be asked and paid. As I had changed the geographical orientation of my research, I had not been back to Africa since 1967 and would not know whom to contact among the Baule people. Francis Bebey answered that he understood my point of view, but that he was embarrassed since he had encouraged these young musicians. Since Bebey, a well known African composer and musician (who wrote also a book on traditional African music), gave his personal support to the matter, I reconsidered my point of view, and out of respect to him, I said O.K. on the telephone to him. After all, I thought, it was for a justifiable aim: preserving and protecting tropical rain forests in the world.

Several weeks later, the director of the record company Le Chant du Monde, co-publisher with the Centre National de la Recherche Scientifique and with the Muséum National d'Histoire Naturelle of the record series "Collection CNRS/Musée de l'Homme" of which I am the editor, called me saying that the *Deep Forest* CD [24] had used samples from the record *Chad, Music from Tibesti* [19] without permission. We agreed that he should try to negotiate with the record company instead of going to court and spending money on lawyers. He made an agreement with Celine Music, the *Deep Forest* record company, and a first payment of royalties (FF 40,000 = \$8,000) was sent to Le Chant du Monde. 25% of it went to the ethnomusicologist who recorded the Tibesti record (Monique Brandily), and she told me that she sent all of it (FF 10,000 = \$2,000) back to her informants and musicians among the Teda people of Tibesti. The other 75% of the initial payment went to Le Chant du Monde. Since that initial payment, Celine Music has made other royalty payments to Le Chant du Monde, half of them (\$7,000) went to our professional association *Société Française d'Ethnomusicologie* to help young ethnomusicologists without institutional affiliation to do fieldwork. This agreement was made with small amounts from licensing rights in mind, usually \$200 to \$250 for an excerpt which is republished on another company's compilation or on a CD-ROM.<sup>13</sup> Since in the case of *Deep Forest*, the income was much larger, Monique Brandily and I will negotiate with the *Société Française d'Ethnomusicologie* so that part of it can be returned to the Teda people.

A journalist reviewing records of traditional music for the weekly cultural TV magazine *Télérama* sent me the manuscript of an article in which he violently denounced *Deep Forest*. With its record review policy more and more slanted toward commercial productions of World Music, the magazine has never printed his article. This journalist<sup>14</sup> has since been dismissed by the journal, and his column on Traditions has been discontinued and replaced by a column entitled *Musiques du Monde* (World Music) essentially reviewing CDs of ethno pop.

At my request, Le Chant du Monde gave me a copy of the *Deep Forest* CD, but I was so disgusted by this affair that I had no desire to listen to it. So I put it unopened on my CD shelf and unwrapped it only when I received a letter from Sherylle Mills, author of an article in this issue of the *Yearbook*, asking me about my involvement with this record, and when I received another letter from Australia by a student wanting to write a thesis about ethical problems.

As I opened the package, I read indeed: “. . . Deep Forest has received the support of UNESCO and of two musicologists, Hugo Zempe [sic] and Shima [sic] Aron [sic], who collected the original documents.” To my surprise, I didn’t recognize any of my original Baule recordings from West Africa, but did recognize a sample of a lullaby from the Solomon Islands, published on the UNESCO record *Fataleka and Baegu Music* [10], and re-entitled “Sweet Lullaby.”

French Cultural Public Broadcasting’s *France Culture* sent a press release to music journalists, informing them about a forthcoming program with the French group Deep Forest on the treatment of sound (I thought it was a Belgian group, but have learned since that the record was mixed in a Belgian studio). I quote and translate here from that release:

Michel Sanchez and Eric Mouquet have combined their tastes and their talents to create Deep Forest: a music house, an enterprise of collecting, harmonization and diffusion for all sounds of the world (Africa, India, Transylvania . . .) The song “Sweet Lullaby,” from their first album, has reached the Top 50 and the CD has become a gold record [disque d’or, 100,000 copies sold]. Since then, the two fellows have combed shelves of ethnic music looking for sounds to sample (to reuse with the technique of digital sampling). “Bohême,” their latest album, has just been released, and they are turning toward film music, of Hollywood!

In France, thanks to the tune and the voice from the Solomon Islands sampled in “Sweet Lullaby” (indeed sweet profits), the CD climbed to the Top 50 and sold 100,000 copies; (sweet) incomes also came from selling this song to a French TV commercial for Ushuaia shampoos. But what are 100,000 copies sold in France compared to the sale in the United States! “*Deep Forest* has been enormously successful. It remained on Billboard magazine’s top album chart for 25 weeks, sold over two million copies by May 1995, and received a Grammy nomination. Profitable royalties have accrued as Porsche, Sony TV, Coca-Cola and other major companies have incorporated music from *Deep Forest* into advertising campaigns” (Mills 1996:59).

This extraordinary piece of news gave me the final impetus to request meetings with the musician Francis Bebey and with Noriko Aikawa from

UNESCO, to find out exactly what their involvement with this affair was.

Francis Bebey told me his version of the story. His embassy (Cameroon) informed him that a record producer had asked for his telephone number. This record producer, Guilan Joncheray, invited him to the office of Celine Music and made him listen to the not-yet-published disc, asking his advice, since Bebey was known to be interested in traditional African music. Bebey thought that this mixing of traditional music with modern electronics could inspire young African musicians to go back to their roots. He had been working with the UNESCO record series for many years and knew my African records . . . when the producer informed him that “there was a big problem with Hugo Zemp. How can we resolve this situation?”<sup>15</sup> Bebey agreed to call me on the telephone (see *supra*). Bebey wrote the following day, 15 May 1992, a letter to the producer of Celine Music [I quote and translate an excerpt]:

Mr. Zemp, after making sure that I really believed in the value of using his recordings in the context of a modern musical creation as yours, was remarkably courteous and understanding. At the end of our telephone conversation, he consented to let you use forty seconds of music taken from his disc. As I did not insist on obtaining from him a written answer, I will send him a copy of this letter which I consider, as far as I am concerned, to be permission given by Mr. Zemp himself.

I hope that this allows you to finish your project for The Day of the Earth successfully. Yours . . .

This letter (of which he forgot to send me a copy) shows that Bebey was clearly misled. He thought that this disc for The Day of the Earth would have a small printing-run of a few hundred or a few thousand copies, as UNESCO records have. After that, the producer asked Bebey to perform as a musician at a promotional event where the disc *Deep Forest* was presented along with a film about preserving tropical rain forests (I never heard about this event, and was of course not invited to it). Bebey performed on stage with his group of three musicians and received their normal fee for the concert. This was, as he informed me, the only payment he received. I asked him if he now thinks that this disc ultimately inspired young African musicians to go back to their roots. He answered “Of course not,” saying he understood too late that this was a commercial enterprise entirely made for the taste of the Western public.

In her office at the Cultural Division of UNESCO, Noriko Aikawa showed me, at the end of March 1996, copies of the correspondence concerning this affair. Among them was a fax which she sent on 11 May 1992 to the director of the record company Auvidis (who reissued the UNESCO Collection Musical Sources and apparently has the licensing rights), with copies sent to Deep Forest’s producer and their lawyer. In this fax she wrote that Simha Arom agreed and Hugo Zemp refused. On 18 May 1992, the lawyer for Celine Music asked Auvidis to confirm the authorization since Hugo Zemp had changed his mind after the intervention of Francis Bebey. On 19 May 1992, the direction of Auvidis wrote to Noriko Aikawa, asking that UNESCO confirm the authorization and invalidate the content of the first fax, and inquiring whether the authorization should be given free of charge or for what amount.

That is all I know. Noriko Aikawa said that she did not answer this letter, that she never confirmed any permission or had any other correspondence with Celine Music, and that the director of the record company Auvidis has firmly opposed the idea of granting permission and would not hear any more about this affair. Consequently, neither Auvidis nor UNESCO received any royalties. This is how matters stand at the moment, as I am finishing this article.

In the meantime, I sent the following letter to the two musicians, Michel Sanchez and Eric Mouquet [the English translation is mine]:

Paris, July 30, 1996

Sirs,

On your disc *Deep Forest* you used a sample from a recording which I made in the Solomon Islands and had published on the disc *Solomon Islands: Fataleka and Baegu Music of Malaita*, originally issued in the UNESCO Collection Musical Sources by Philips and re-issued by Auvidis-UNESCO (D 8027).

You usurped my name in declaring that your enterprise had my support; I never gave you my permission for this recording. Mrs. Aikawa from the Culture Division of UNESCO told me on the telephone that you wanted to make a disc with African music samples for a world day to protect tropical rain forests. It seems that you misled her on purpose. When you asked the African musician Francis Bebey to intervene with me, you also misled him with this so-called "Day of the Earth," making him believe it to be a non-commercial artistic matter. In any case, it was never a question of a recording from the Solomon Islands, and you know well that you have no signed agreement with me nor with UNESCO, as far as I know.

The piece which you entitled "Sweet Lullaby" which you improperly credited as your composition, stealing the tune which belongs to the Baegu people of Malaita, and stealing the voice of the singer, Afunakwa, has become an international success. According to an article written by an American lawyer working on copyrights, more than two million copies of your CD have been sold (as of May 1995), and commercials for Sony TV, Porsche, Coca-Cola and other major American companies undoubtedly earned substantial royalties. I do not know if you were selling "Sweet Lullaby" for these commercials or other pieces. In France, however, this lullaby has been used on a TV commercial for Ushuia shampoos.

You have been disrespectful first to the musical heritage of the Solomon Islands, using without permission a piece of music and concealing the source of your arrangement on the CD notes (you are mentioning only African sources), and second to the ethno-musicological discipline in usurping my name, making believe that I have given my support to your purely commercial enterprise. For myself, I do not ask any financial compensation, being neither the composer nor the performer of the lullaby. But as an ethnomusicologist, I have to defend the interest of the peoples of the

Solomon Islands who allowed me to record their musical inheritance with the aim of its preservation and study. You write on the CD notes that “The chants of Deep Forest . . . transmit a part of this important oral tradition gathering all peoples and joining all continents through the universal language of Music. Deep Forest respects this tradition which humanity should cherish as a treasure which marries world harmony, a harmony often compromised today.”

It is time to put your good words into action and pay back part of your profits to the real owners of this music, to a cultural/scientific association of the Solomon Islands that really cares for the preservation of artistic heritage. This part should be calculated proportional to the income of the piece which you entitled “Sweet Lullaby” from the sales of the CD as well as the rights for broadcasting and royalties from commercials.

As soon as I have your answer, I will communicate to you, with the agreement of cultural leaders of the Solomon Islands, the name of one or several associations to which you could pay back a part of your profits taken from “Sweet Lullaby.”

Waiting for your reply,

Copies to Mr. Federico Mayor, Director General of UNESCO; Mrs. Noriko Aikawa, Culture Division of UNESCO (in charge of UNESCO records); Prof. Dieter Christensen, New York, Secretary General of the International Council for Traditional Music (responsible for new releases of UNESCO CDs by Auvidis); Prof. Max Peter Baumann, Berlin, director of the International Institute for Traditional Music (the Institute which issued the original record); Celine Music, Sony Music France, Auvidis.

*License for an American TV commercial*

In January 1996 I received a telephone call at the Musée de l’Homme from the U.S.A., asking permission to buy for a TV commercial the rights for a one minute excerpt from a recording of Rajasthani music published in our record series [26]. I answered that our collection has scientific and cultural aims and that we do not sell rights for commercials. The gentleman on the phone, a lawyer negotiating on behalf of a “highly respected” insurance company, answered that he understood. Some time later, maybe two weeks, I received a fax from the same lawyer asking again for the rights and an express package containing a videocassette with the film (professionally done, showing a [white] man in the snow with the music of the *narh* flute from the Rajasthan desert in the background). He called me again on the phone, saying that I could see that they had respected the music. I answered again that we had not changed our policy concerning commercials. He said that he had contacted Geneviève Dournon, the collector of the recording, who was much in favor of making an agreement. In fact, back from a weekend, I found on my telephone answering machine a message from Geneviève who was leaving for a one month’s travel to Africa, so I could not contact her. The lawyer said that the company he represented was ready to give a sub-

stantial donation to the museum. I answered that the museum had not composed and performed the music, and that as an ethnomusicologist, I had to defend the rights of the people who created the music. But since I was curious to know what the substantial donation was, I asked him. \$15,000, he said. I answered that I had to discuss the matter with my colleagues, and that he could call me back the following day.

It happened that the members of our research group were present the same afternoon in the museum (but, of course, not the collector, who was in Africa). I enumerated what were in my opinion the arguments for and against. The pros: this was an opportunity to send back half of the money to Rajasthan, for a scientific/cultural institution or association, to contribute to their research and efforts to preserve their music (according to the agreements, half of the amount had to go to the record company). The cons: if we start to be implicated in the commercial exploitation of our work (there is already some commercial exploitation with the mere production of our records, but on a small financial scale), that will be known by ethnomusicologists, political leaders and musicians in India, and future field research will be compromised. All musicians will imagine that huge amounts of money can be made with any recording. After discussion, we all — including the former general editor and founder of the record collection who was at the museum this day — decided unanimously to reject the proposal of the American lawyer.

The following day I went to the museum with the firm intention to communicate on the telephone our negative decision, when I received a new fax with the proposition of \$30,000. The agreement had to be signed within 24 hours. I understood that this higher bid was because the commercial was finished and had to be sent immediately to American television stations. Are the ethics different for \$30,000 than for \$15,000? I called the director of our research group to discuss the matter, saying that, in this case, there were two good reasons to accept: 1) We could send half of it (50% of \$30,000) back to Rajasthan to a cultural/scientific institution (it was of course not reasonable to send this amount back to the one musician recorded). There was certainly a big need for equipment and cash. We phoned Folk Heritage of Rajasthan (formerly called Rupayan Sanstahn Institute) in Jodhpur, which had collaborated with Geneviève Dournon in making the field recordings, but the director, Komal Kothari, was absent for a month and could not be contacted. 2) We could use the other half to help finance the issue of our three CD set *Voices of the World*, which we were preparing. The foundations we had asked for grants to make these three records, to be able to sell them at the price of two CDs, had refused. I said that the share for this TV commercial could help us to make this publication.

What should be the share, if any, for the collector of the recording? In our first meeting, one of our colleagues said that if we were to get involved in this kind of business, then only under the condition that none of us touch a single cent. That was not the opinion of the ethnomusicologist who recorded the music. The original contract did not foresee the development of licensing rights, but stipulates that after the first payment, the collector renounces successive royalties on behalf of the *Société Française d'Ethnomusicologie* for helping young researchers in fieldwork. In this case, the director of our research group proposed to remunerate the collector with the same amount

as for a new CD, i.e., 10,000 francs (\$2,000), though for a new record, this amount would have to be shared, half for the collector, half for the musicians, (see *supra*). This arrangement was intended to recognize the work of the ethnomusicologist without whom there would be no income at all. I agreed under the condition that this \$2,000 would be taken from the share of the record company, and that the remaining 50% of the share would go back to Rajasthan.

The collector answered in a letter that 10,000 French francs for her corresponded to only 7% of the total amount, and that she did not agree. In a second meeting, the members of our research group confirmed our first decision (the collector was still absent). We informed her in a letter about the results of our meeting, and I added that I would write about these negotiations in an article about ethics to be published in the *Yearbook for Traditional Music*, so that ethnomusicologists in India who have a Liaison Officer to the ICTM will be informed that European ethnomusicologists are not making profit with the music they were allowed to record.

In a second letter, she wrote [I translate]: “In this affair which, after all, concerns \$30,000 of which you dispose at your convenience, could you admit that a colleague of 26 years, the author of the disc as well as of the recording, has been treated in such an off-hand manner by you when you are posing as a model of ethnomusicological deontology in a journal article or at international conferences?” Geneviève Dournon also asked that I consider mentioning in my article as exemplary her harmonious collaboration with artists of the Third World, noting first that she has since 1971 sent back to the former Rupayan Sanstahn Institute in Rajasthan, directed by Komal Kothari, copies of all her recordings and photographs with the authorization to use them; second that she committed herself since her first field trip to be the agent of the musicians, *unpaid, of course* [her emphasis], and that thanks to her efforts, the first festival of Rajasthani music had been organized, with great success and important outcomes for Rajasthani musicians who had been since on numerous tours around the world; and third, that the use of her recording will constitute an unexpected financial contribution of which the stewardship there (in Rajasthan) would be attributed to her and that everyone would find it normal that she will receive an equitable share.

During a lengthy meeting, she said that a fair share would have been in three parts: \$10,000 for the record company, \$10,000 for Rajasthan, and \$10,000 for her. That in any case, \$2,000 was not enough. Finally, she requested \$4,000 as her share from this TV commercial, and another \$4,000 from the Société Française d’Ethnomusicologie to go back to Rajasthan for fieldwork.<sup>16</sup> The director of *Le Chant du Monde* agreed to give up \$4,000 of the share of the record company, so that the 50% share for Rajasthan would go untouched. In the meantime, Geneviève Dournon informed Komal Kothari, director of the Folk Heritage of Rajasthan, of the good news, and I too wrote him an official letter, informing him that an account about this affair would be published in the *Yearbook for Traditional Music*, so that suspicions about personal enrichments both in France and in Rajasthan could be avoided as much as possible.

While this venture ends with a compromise, the question still remains: What is an equitable share for the ethnomusicologist? Some colleagues think

that if we accept selling recordings for commercials or for sampling (and it is not established at all that we should accept), then no profit at all should go into the pocket of the researcher. Others argue that without their hard fieldwork, the music would not have been recorded, and that it is devaluating the work of the ethnomusicologist if he/she had not share of profits from commercial exploitations of his/her recording.<sup>17</sup>

### *New samplings*

As the editor of a record series, I received over the last year several requests for sampling: of Berber music by Japanese rock musicians publishing on JVC records (which I refused in agreement with the ethnomusicologist, Miriam Olsen); of 'Are'are music by young German pop musicians (which I refused in agreement with myself); of an Albanese song [28] by a producer on behalf of a Romanian musician for a German rock group. The offer from this latter producer was FF 30,000 (\$6,000). I said that I had to discuss it with the collector of the recording and with colleagues at our next meeting, and since I did not answer quickly, the offer went up to \$8,000. (I swear that I did not make him wait on purpose, the delay was only because of scheduling difficulty! Although I am completely green when it comes to commerce, I understood now that to make an offer go higher, one has to make them sweat!).

A few days later another request arrived for a TV commercial on English wool, using a sample from the same Albanian record. The offer was £2,000 (\$3,000). Trying to get more was not successful; the producer answered that he would rather newly record the song with English performers, and then he would have no copyright payment at all to make, since the song was in the public domain! But the original recording was apparently worth \$3,000 to him, and more economical than transcribing the song, rehearsing it with a choral group in England, hiring a studio and a sound engineer, etc.

The same question arises: with more money, are the ethics different? Do we have the right to deprive Albanians of half of this money (the other half going to the record company *Le Chant du Monde*), while everybody knows of the huge difficulties in that country? But to whom to send the money? There is no way to contact from Paris the singers who Bernard Lortat-Jacob recorded in Albania with the collaboration of the Albanian ethnomusicologist Bernard Kruta,<sup>18</sup> now deceased. How to make sure that no former party apparatchik and/or new businessman will put all the money in his pocket? Bernard Lortat-Jacob proposed personally to carry the money (50% of the total amount of \$11,000, the other 50% going to the record company) to the performers in Albania. *Le Chant du Monde* agreed, on my request, to pay the air ticket from its share.

Another problem persists: if there were to be a contract with the Albanese performers stipulating incomes proportional to the recordings used, the group sampled by the rock musicians would receive \$4,000, while the other group sampled for the wool commercial would get only \$1,500. Those Albanese performers whose music was not sampled would receive nothing at all. Would this arrangement be fair? After all, if these two short excerpts have been chosen by the rock and film composers, it is because there is a disc to which all the groups contributed. With only two songs there would have been no

disc, and no sampling. Thus I proposed to make an equal payment to all performers on the disc.

Of course, carrying the funds back to Albania is troublesome: it takes much time; and it may provoke administrative complications, problems with taxes and Customs, misunderstanding, and jealousy. The most comfortable way would be to refuse all demands for licensing. No big money, no big troubles . . . But again, the question is: are we entitled to debar the performers or their representatives from financial gain, on ethical grounds (“our aim is not to enter into the business of pop music industry and publicity”)? These ethical grounds may be subject of lengthy discussions among Western ethnomusicologists making a good living as employees of a university, a museum or a research institution, but are these discussions relevant to people in Albania or in Rajasthan? If it is true that, according to Jean-Michel Beaudet, one of our research group in the Musée de l’Homme, none of us has ever been charged by the performers to be their music agent (but Geneviève Dournon asserts that she has been) . . . and to negotiate huge amounts of money on behalf of them, I could also add that none of us has been charged to deprive them and their community of money that eventually comes in thanks to our research.

#### CONCLUSION

Like it or not, both “the” ethnomusicologist in general and “an” ethnomusicologist in particular (the latter being part of the former) are more and more involved in the web of the world market. It will not help to seek refuge in the ivory tower of pure, disinterested knowledge (if that ever existed). Ethnomusicologists cannot complain if the music they study and love is nowadays more widely known and appreciated than fifty years ago. After all, most of them subscribe to the rules of the ICTM whose “object shall be to assist in the study, practice, documentation, preservation and dissemination of traditional music . . .,” and whose functions include, among others, “(d) the issue of records and films.” Records are invaluable means to fulfill this object, but records are products of the industry: they cost money to produce and distribute, they may also bring profit. In most cases, a small business, at least when compared with some exceptional fees from licensed and pirated exploitations in publicity and pop music industry. In any case, we will have to think about these commercial implications when we fulfill our professional functions in documenting and disseminating traditional music.

Should there be some guidelines elaborated by an ethics committee of an international professional association? The ICTM Copyright Committee sent to members of the society in 1989 a questionnaire about copyright rules and traditional notions of ownerships (Seeger 1992:346), the results of which are not published yet as far as I know. As I put the last corrections on this article, I received the January 1996 issue of the SEM Newsletter in which I read that the Ethics Committee prepared a negative resolution concerning formalized standards of behavior, putting forwards pro and con arguments, and asking the members to comment on the proposed resolution. Whatever the final resolution of SEM, the large international representation with numerous national committees should encourage ICTM to have its own position concerning the ethics and professional responsibilities of its members.

**Postscript 9 October, 1996:** One month ago, I phoned Celine Music, wondering why I had not received any answer. Celine Music would not comment, except that I should contact Sony Music. Sony Music Entertainment France, to whom I mailed a copy of the letter twice — on 31 July and, by registered mail, on 18 September — have not replied so far. Unesco neither. The director of the record company Auvidis had written on 8 August, 1996, that while Unesco had been in favor of granting a license, he had refused permission and payment and had not signed any agreement. He added that he was glad about his decision. Finally, I received a letter dated 1 October, 1996, from the two musicians, Michel Sanchez and Eric Mouquet, who maintained that my position was erroneous and what they had done had been appropriate.

## NOTES

1. This article, while written in reaction to some recent cases mentioned in the first paragraph, reflects my concerns for many years, in fact, since my first encounter in 1969 with the 'Are'are people of the Solomon Islands. Some issues have been sporadically discussed with colleagues and students in France, but the opinion expressed is mine (sometimes in heavy contradiction with ideas of some colleagues). I wish to thank Dieter Christensen for having encouraged the writing of this article, Steven Feld for proposing substantial improvements, and Travis Jackson for extensive copy editing of the draft written directly in English despite my very imperfect knowledge of this language.
2. Numbers between square brackets refer to the numbered recordings listed at the end of the article.
3. The 'Are'are language, however, has a concept of ownership (*tooareha*) applied to panpipe tunes, which is expressed by adding the composer's name to the title of his musical piece. But unlike the owner of a panpipe ensemble from whom musicians want to borrow his instruments for a feast, the composer does not have to be asked for permission to play it and does not receive any money when it is performed. There is no traditional copyright of songs and choreography as in the neighboring archipelago, Vanuatu.
4. Local leaders told me that people would like to have these records, but that the record players which I sent should also be useful as radio sets for listening to broadcast news, especially shipping news indicating time and places of the boats calling (important information for those transporting people and goods).
5. Since deceased. He was one of the leaders of the *Maasina Ruru* (also called Marching Rule), an anti-colonial movement that emerged after World War II on the island of Malaita. For his portrait and a letter which he addressed to the Government and the Legislative Council of the Solomon Islands, showing his political awareness, see Coppet and Zemp 1978:106-109.
6. His life story and other narrations (and my account about our relation) are published in Zemp 1995.
7. With a ceremonial speech, he had chosen me in 1969 as his friend (see Zemp 1995 which includes also his life story and other narrations).
8. An elected 'Are'are member of the parliament, he was at that time minister in the Central Government. During my first fieldwork period in 1969-70, he had hosted me in his village, Kiu.
9. Several LPs have not been reissued by the record company after the first printing, since they sold less than 50 copies a year. Storage and investment costs were higher than the income. In selecting titles to be reissued on CD, I had to take into account these economic conditions.
10. For example, in the case of the Teda people of Tibesti in Northern Chad [19] where it would have been an insult to remunerate the performers with money, Monique Brandily brought back gifts, invited musicians and collaborators to Paris, and paid for a hospitalization. In the case of the Afghanistan CD [20], reissued in 1990 shortly after the Soviet retreat, Pribislav Pitoëff sent the money to the French charitable association AFRANE for humanitarian help in Afghanistan, since it was impossible for him to reach the Pashai people directly.

11. All our booklets are bilingual, in French and English; two of them also have a translation into a third language, to make the text accessible in the country where the recordings were made (in German for the Swiss yodelling disc [18], in Spanish for the Bolivian disc [21]).
12. On the booklet of a recent CD [22] is written: "A portion of royalties from the sale of this recording benefits the performers and their culture, other indigenous people, and rainforest preservation." This seems to me to be saying too much or not enough: A portion may be 1% or 5% or 10%, etc., probably not 50%; otherwise it would have been specified that the share is half of the benefits. If the ethnomusicologist wants to publicize the share on the record booklet, why not announce the precise percentage?
13. For our three-CD anthology of vocal expression [25], which includes new recordings and already published ones, Le Chant du Monde proposed to other record companies \$200 for an excerpt.
14. Alain Swietlick. He is the journalist whom I mention in the letter to Michel Portal (see *supra*), and he also sent me the announcement of Radio France Culture which I translate *infra*.
15. Fax of Guilan Joncheray to Francis Bebey, 14 May 1992.
16. She argued rightfully that the two CDs which she published were the biggest sellers of our record collection, and that the royalties paid to the S.F.E. helped several young researchers without institutional affiliation to do field work. Since she had retired from the Museum, some money could help for once an older researcher to do field work. Indeed, the compilation *Musical Instruments of the World* [26] sold 16,000 copies, and the CD *Flutes of Rajasthan* [27] 6,000 copies, while sale figures of all other records generally range between 1,500 and 5,000 copies, some years after their issue.
17. The creative aspect of a sound recording, whatever the technical know-how, is certainly limited, and most sound engineers in a recording studio would not pretend to be authors (but samplers do!). Documentary films, as well as fiction films, are in most countries considered true creations of the filmmakers, and their authorship is recognized and valued with royalties. Nevertheless, the Audiovisual Center of the CNRS considers that a researcher who makes a film during his salaried professional research activities has to give up royalties as author in favour of his employer, the National Center for Scientific Research which belongs to the French Nation.
18. In exchange, he was invited for a six months' stay in our research group at the Musée de l'Homme, financed by the CNRS.

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