

Thinking About Musicians as Workers.

Notes on 123 years of the British Musicians' Union

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INTRODUCTION

This article emerges from a four year research project on the history of the British Musicians' Union (MU – www.muhistory.com) and falls in to four parts. The first section briefly details the history of the MU, while the second outlines the research project. The third section describes the model used throughout the work – that of musicians as workers, while the final section looks at some of the key issues which arise during the Union's history. A concluding section attempts to bring things together.

A BRIEF HISTORY OF THE MUSICIANS' UNION

The Musicians' Union (MU) was formed in Manchester as the Amalgamated Musicians' Union (AMU) in 1893 by Joseph B. Williams, who was to lead it for its first 31 years. It was initially strong in the North and Midlands of England, especially among theatre musicians. One area of relative weakness was London where a rival organisation for musicians, the London Orchestral Association (LOA), was also formed in 1893. The divide between the AMU and the LOA was not just geographical, it was also professional and ideological. The AMU tended to represent the lower end of the music profession – such as those, like Williams, working in the theatres and music halls, often in the provinces, while the LOA represented the elites working in orchestras and generally based in London. This division between elite and other musi-

cians was characterised by Cyril Ehrlich (1985), as a divide between “gentlemen” (LOA) and “players” (AMU).

However, it is important to note that the AMU was always determined to try and represent the interests of all musicians regardless of genre, location, status and places of employment. Thus while there were tensions between the LOA and AMU from the start – with the LOA accusing the AMU of being a type “organised tyranny which is the curse of modern trade unionism in this country” (LOA 1894) – there were also continual attempts to get all musicians in one organisation. These came to fruition in 1921 when the LOA, now known as the National Orchestral Union of Professional Musicians (NOUPM), merged with the AMU to form the MU.

Space prevents a more detailed account of the Union’s history. Today (2016) it has around 30,500 members – a level which is about the same as it was in 1968. Importantly, unlike many UK trade unions, it has neither merged with other Unions nor has its membership level been overly affected by the swathe of (anti) Trade Union legislation under the Thatcher and Major governments which saw overall Trade Union membership decline from a peak of 13.2 million (in 1979) to 6.4 million in 2011 (DBIS 2011). The MU remains a small, independent, craft-based Union and simply surviving as such might be one of its greatest achievements. Thus far its history has escaped sustained academic analysis. However, it has been representing musicians for over 120 years and been at the heart of all the major agreements which affected musical employment since that time. It was considering such facts that led to the research project on which this article is based and to which it now turns.

A RESEARCH PROJECT AND ITS SOURCES

The Musicians’ Union: A Social History project was funded by the UK’s Arts and Humanities Research Council (AHRC) and Economic and Social Research Council (ESRC) for four years from April 2012 until 31 March 2016. The staff for the project were the researcher, John Williamson¹ and myself. The main aim of our work was to use the Union as a prism via which

1 It should be noted that the project was a joint work and this paper draws on work undertaken by John. I would like to thank him for his dedication and insight throughout the project, while acknowledging that any errors here are entirely my own.

to look at the working lives of musicians and the industries they work in over a 120 year period.

Methodologically the project was able to draw on a range of sources, but came to focus on a range of archives. The first of these was the Union's own archive which is housed in the University of Stirling.² This contains papers from both local branches and union central offices, going back even prior to the Union's formation in 1893. It includes things such as minutes of national executive meetings, minutes of biennial conferences, the union's journal for members and its *Bulletins to Branches* activists' newsletter. Its contents allowed us to piece the story of the Union's history at a UK level together.

However, while the MU Archive is invaluable, it is also limited. One issue is that the majority of its material in some way represents the views and perspectives of the Union and its members. We considered it important to also look at the views of those who have dealt with the Union over the years, especially major employers. Two important, publicly available archives helped here. The first was that of the BBC which is possibly the largest employer of musicians in human history (MacDonald 2010: 4). Since its formation in the early 1920s, it has been dependent on musicians for the provision of a range of services. Its written archive centre³ contains fascinating information about its negotiations with the Union on such matters. Meanwhile the UK's orchestras banded together in the 1940s to form the Orchestral Employers Association (now the Association of British Orchestras) and their archive at the University of York⁴ also contains various records of its dealings with the Union, including some local disputes.

The project also benefitted from informal access to the private archives of Phonographic Performance Limited (PPL), the organisation which collects royalties due to those who perform on commercial recordings. In the UK anyone using recorded music in public – such as in broadcasting, pubs, clubs and shops – has to have a PPL licence in order to conduct their business legally and the organisation has had a complex relationship with the Union which will be returned to below. In addition, the Theatre Managers' Association (TMA, now Theatres UK) and Society of London Theatre

2 <http://libguides.stir.ac.uk/content.php?pid=337208&sid=2791968> (accessed online 23 Feb 2017)

3 www.bbc.co.uk/informationandarchives/access_archives/bbc_written_archives_centre (accessed online 23 Feb 2017)

4 https://atom.york.ac.uk/index.php/records-of-orchestral-employers-association;Isad?sf_culture=en (accessed online 23 Feb 2017)

(SOLT) allowed us access to their informal archives. These organisations cover most of the theatres in the UK and some of their dealings with the Union are collated in an ad hoc range of minute books stored in a dusty basement of their shared offices in London’s Soho. Thus the project drew on a range of both official and unofficial archives.

The next major part of our sources was a series of around thirty interviews with key personnel. This included three of the four living former and current General Secretaries, a range of former and current employees, activists, musicians, DJs, journalists and employers. This material allowed us to obtain a more rounded view of the Union than those contained within the disparate archives.

We also built on existing literature, most of which is contained within accounts of the music profession and/or music industries. The majority of this literature deals with the Union in passing, but there are two previous accounts of the MU. One was written by a former general secretary, ES Teale, covering the early years of the AMU (Teale 1929) and the other was commissioned by the union itself to cover its first 100 years (Jempson 1993). Both offered important detail, but not academic detachment. Focussed academic attention on the MU had hitherto been limited to a couple of articles, which look at particular eras (David-Gillou, 2009) or aspects of the Union’s work (Cloonan and Brennan 2013) and others which merely mention it in passing. This literature paled in comparison to that which has been done on the American Federation of Musicians (AFM, e.g. Anderson, 2004, Gorman 1983, Seltzer 1989, Roberts 2014). The MU has been neglected or completely overlooked in most of the substantial accounts of the music industries (see Negus, 1992; Longhurst, 1995; Burnett, 1996; Shuker, 2007; Wikstrom, 2009; Jones 2012) and we aimed to show the implications of this omission.

Having noted the origins of the Union and the sources for the project, the article now turns to our conception of the Union’s members.

MUSICIANS AS WORKERS – SOME ISSUES

The prism through which the research was conducted was that of considering musicians as workers. One aspect of this involved trying to answer the simple question “What is a musician?”. This was something with which the Union itself has had to grapple in order to determine who was eligible for membership – and whom they should therefore seek to recruit. The Union’s rulebook has generally used the line that membership is open to “anyone

following the profession of music” (Musicians’ Union 2012: 237) though what this means is open to various interpretations.

Such considerations led us to thinking about what sort of workers musicians are. This entailed reflecting on all the places that one might find a musician working – such as social events, theatres, ballrooms, studios, teaching situations, park bandstands, pubs, clubs, etc etc. It was then necessary to consider the conditions under which these workers are employed. In the UK the vast majority will be freelancers who sub-contract out their services. Very few musicians have full time jobs with one employer. All this has important repercussions for their organisation as workers. In many ways the MU can be seen as less a traditional trade union and more like a collection of small, one person, businesses. To assist in further thinking through the implications of musicians’ employment patterns, we developed a typology of musicians as worker and divided musicians as employees into permanent, seasonal and casual.⁵

Permanently employed musicians have predominantly been in the state subsidised orchestras. For the Union, these were the easiest musicians to organise and it often enjoyed a de facto ‘closed shop’⁶ in many orchestras before the 1990 Employment Act effectively outlawed the practice. While orchestral musicians currently make up only around 10% of the Union’s membership, they remain a key section within it, representing one of the few areas where the Union still directly negotiates with employers on behalf of its members.

Those Union members not in permanent employment with one employer can be divided into two groups – seasonal and casual workers – who account for the vast majority of MU members. For example, a 2012 report commissioned by the MU showed that “only 10% of musicians are full-time, salaried employees. Half of musicians have no regular employment whatsoever. The vast majority of musicians (94%) work freelance for all or part of their income” (DHA Communications 2012: 14).

Seasonally-employed musicians consist of those who are guaranteed a certain amount of work with employers such as orchestras, theatres, restaurants, record companies or broadcasters. This may provide the basis of a full-time income, but is often supplemented by other work, sometimes as a performer but often in teaching or non-musical vocations. Initially, this category

5 This is developed more fully in Williamson/ Cloonan (2016).

6 A ‘closed shop’ workplace is one where union membership is a prerequisite for employment.

of worker would have comprised mainly theatre and cinema musicians, but the growth of popular music and its attendant recording industry created a new type of contracted worker from the 1920s on. Such musicians might be contracted to record companies and concert promoters, frequently at the same time. Some might generate substantial income through record sales and touring. However, the often-complex contractual arrangements involved in their employment mean that neither security of employment nor fair remuneration is guaranteed.

The final group of musical employees are those who work casually via a series of one-off, short-term engagements with a myriad of employers. Examples of this include orchestral musicians who are not permanent members of orchestras but who deputise or get other occasional roles; touring musicians paid by numerous different promoters, session musicians receiving recording fees for numerous sessions and those doing one-off gigs.

In summary musicians in the UK work, and have worked, on a largely freelance or self-employed basis for a variety of employers whose composition is constantly changing. What is important here is not that our demarcations are water-tight, but the implications that musicians' employment patterns have for those trying to organise them as workers. In many ways the MU is an unusual union in that it represents a set of freelance workers⁷ and only negotiates directly with employers of a small percentage of its membership. The bulk of its membership probably join the Union because of the services it offers – especially instrument and public liability insurance, as well as various forms of legal and other advice. Overall, thinking about musicians as workers necessitates thinking about the conditions under which they work and what follows is an examination of some key issues around musical employment which the Union and its members have faced over the course of its history – technology, the music industries, competition and equalities.

7 Journalists and actors unions are amongst those with similar membership profiles in terms of employment patterns.

SOME RECURRING ISSUES

Technology

When asked what he thought the main issue over the course of the MU's was its current General Secretary John Smith said, "the continual battle with technology" (Smith 2014, emphasis his). As technology constantly transforms musical practice it can expand musical possibilities, but also de-skill musicians and lead to their replacement. This is obviously something of great concern to the Union as workers being displaced by technology expect their union to act and throughout the MU's history it has sought to help its members cope with the latest technological development threatening their working conditions and/or employment. Importantly the Union's reputation for opposing various technological developments has been one of the few areas of its work to attract academic attention, with its actions eliciting some criticism within key texts. For example, Simon Frith has claimed that "the MU has always been out of touch with the particular needs of rock musicians" (1978: 162). John Street also highlighted the Union's stance on technology, arguing that as "every innovation appears to threaten jobs, the MU has resisted each one in turn, first opposing multi-track recording, then mellotrons and finally synthesisers and drum machines. While inspired by a desire to protect members, the MU's policy appears as merely reactionary to those musicians who want to use the new technology" (1986: 147).

However, our research revealed a more nuanced picture in which rather than simply opposing the latest technological development the Union has generally sought to control it, aiming to alleviate any displacement and ensure that its members get as many benefits as possible from it. Importantly technology caused some psychological trauma in the Union very early on in its existence, from which it evidently took some time to recover. Just after the MU formed via the 1921 merger, it faced an unprecedented technological challenge in the form of the 'talkies' – films with sound. The *Jazz Singer*, the first 'talkie', was released in 1927 in the USA and in 1928 in the UK. Thereafter the effect of the 'talkies' on musical employment was both immediate and devastating. Prior to this, so-called silent film was usually anything but silent, and was generally accompanied by music, often via large cinema orchestras which included some of the finest musicians of the day. The 'talkies' made such musicians redundant almost over night and nearly strangled

the newly merged union at birth. The MU's membership fell from over 20,000 in 1928 to 6740 in 1936 and it came close to extinction.⁸

Various publications in the Union's archive show that initially it thought that it could beat this new technology, that it was a fad and that audiences would soon demand orchestras back. However, this proved to be a forlorn hope and the Union learnt some bitter lessons about the power of new technology. Simple opposition had proved to be ineffective and henceforth as subsequent technological developments such as radio, recording and television were introduced, rather than trying to turn back the tide, the Union sought to broker deals which created as many opportunities as possible for suitable remunerated work. Such moves can be illustrated by examining the Union's interactions with employers across the music industries, especially within recording, broadcasting and live music.

The music industries and the Union

The story of the Union's various interactions with the recording, broadcasting and live music sectors is complex because of their intertwined nature. These industries work via a series of interactions and contractual arrangements between interested parties with songwriters, performers, musicians record labels, broadcasters, concert promoters and music publishers being the main protagonists. Importantly the Musicians' Union is the only organisation which has been a party to and/or an influence on all of the agreements that underpin these relationships. The Union's work here has spanned the intersecting areas of live music, recording and broadcasting, with its mechanism of influence and control often being in agreement with Phonographic Performance Ltd (PPL) – to which I now turn.

A ruling in the Cawardine legal case in 1933 established a copyright in recorded performances after a Bristol cafe was sued for playing records without the consent of the record companies which had issued the recordings. PPL was formed by those record companies in 1934 to issue licences and collect fees for such public performances of records on behalf of its members – the major record companies, which then comprised of just Decca and EMI. Soon after its formation PPL members decided that they needed to make some form of payment to the musicians who played on the records which were being used in public.

8 These figures come from various sources within the MU archive and can also be found at www.muhistory.com.

While featured performers (i.e. those named as the artists on the record) were to be paid according to their recording contracts, the means of remunerating non-featured artists, such as the session players who played on the records but who were not named as artists, still had to be determined. Following talks with the performers' unions, in 1934 PPL agreed to pay these artists 20% of the company's net income. This was an ex-gratia payment which was initially paid directly to the musicians, although how this worked in practice is now difficult to assess. In 1946 a more extensive and formal agreement was made between the MU and PPL. This was implemented in 1947, with PPL agreeing to pay 20% of its net income to featured performers via their record company contracts and a further 12.5% to the non-featured performers, which was paid directly to the MU.

Three things are noteworthy here. First, although the vast majority of performers on records would probably have been by MU members, not all of them were. Secondly, the amount paid to the Union remained ex-gratia. Thirdly, the rapid growth of both the recording and broadcasting industries from the 1950s onwards meant that the value of these payments grew exponentially. The first payment to the Union in 1951 (covering nearly four years) was around £60,000. By 1989, the annual payment was just short of £2.5 million – a roughly tenfold increase, even allowing for inflation.⁹

The 1930s and 1940s were pivotal decades for the Union as its negotiations with PPL and the nascent BBC (which formed in 1922 as a private company and became a public body in 1927) established agreements that shaped both employment conditions and the rates of pay within both the recording and broadcasting sectors. While the Union's emphasis was always on live music as the key arena for working musicians, ironically it was precisely because of this that it has also had a sizeable impact on both the recording and broadcasting industries – via its attempts to lessen their impact on live music.

Importantly the 1946 agreement with PPL impacted on live performance itself as, at the Union's behest, it included restrictions on the public use of records within dance halls, in theatres and similar venues where using records was substituting for the use of live musicians and this hitting employment. The Cawardine ruling meant that using records within any venue or over the airwaves would only be legal if the user had a PPL licence. Pressure from the MU ensured that PPL would only grant such licences provided that

9 From: www.bankofengland.co.uk/education/Pages/resources/inflationtools/calculator/index1.aspx (accessed online 23 Feb 2017).

the use of records was not ‘in complete or partial substitution for musicians employed’ or ‘where musicians could, having regard to the size and nature of the theatre, music hall, dance hall or other place of entertainment, be employed (Musicians’ Union 1947: 23). Thus large venues were not allowed to play records unless they also provided employment opportunities for musicians. Failure to do so would violate their licence.

However, this measure to protect employment proved impossible for the Union and PPL to police. Moreover, those doing the policing – the MU and PPL – had different objectives. The MU would rather not have records used at all, whereas PPL wanted to issue licences for playing records, as this made them money (Stoddart 2015). As time progressed, and entertainment such as record hops and discos became increasingly popular with both audiences and venue operators, the limiting conditions which PPL inserted into its licences could not prevent the widespread use of recorded music in public places. The system really began to break down in the late 1950s when some promoters began to pay resident bands not to play in order to allow the venues to stage events using records (Frith et al 2013). However, the battle continued, mainly via local branches writing to the Union to complain that certain venues were breaching their PPL licence conditions and replacing musicians with records. The Union might then complain to PPL, who would in turn contact the venue. This laborious process carried on until the late 1980s when the system was finally abolished as a result of a Monopolies and Mergers Commission (MMC) report into PPL’s practices (Monopolies and Mergers Commission 1988).¹⁰ This report on Collective Licensing found the practice to be a restraint of trade which should end. Henceforth while PPL could still charge for licences, it could no longer impose insert conditions within them which required that venues employ musicians as a condition of being granted a licence.

Meanwhile the story of how the Union used the money it received from the PPL for the public use of recordings requires some explanation. To recap, the MU received these funds from PPL for the public use of records as it was held to be acting on behalf of the non-featured artists who played on the records and who were due performing royalties. In 1951, the Union received the first of the funds and had to determine what to do with them. Its Executive soon decided that rather than distributing these monies to the musicians who played on the records, it would retain the funds and use them

10 The report was initially into collective licensing more broadly, but rules that only PPL came within its remit.

“for the benefit of all musicians” (Martin 1996: 16). Rather than making direct payments to those who had played on the records, the money was to be used to provide employment opportunities for a wider range of musicians.

Two issues prevented the Union from immediately making use of these monies. The first was that it had to agree to a number of PPL-imposed conditions on their use. For example, it was stipulated that only 5% could be used for general administrative costs and that monies could not be used for “the purposes of furthering any trade dispute or for any purpose, which may be contrary to or adversely affect the interests of PPL or its member companies” (Musicians’ Union 1947: 23). The context here was that this was negotiated during a period when the American Federation of Musicians (AFM) had prevented its members from recording twice, in the strikes of 1942-1944 and again in 1948, seriously hitting record company profits. It is unclear whether a similar strike in the UK was ever a real possibility, but this clause at least allowed the record companies to know if such a move was made that their money would not be funding it. The second factor limiting the use of the funds was the *ex gratia* nature of the payments which led to uncertainty about their tax status and thus to some caution in how they were spent.

The funds began to be used in the late 1950s to pay for activities such as a series of May Day Dances around the country and paying affiliation fees to the National Council of Labour Colleges. In 1959 the Executive Committee decided that ‘a large proportion of the Phonographic Funds should be utilised in the direct promotion of employment for members’ (EC Report 1959: 16). Henceforth the promotion of live music – which was ironically still viewed by the Union as being under threat from the very same recording industry that the donating PPL represented – became central to the Union’s activities. The first expenditure here went in a series of grants and loans to organisations including the Royal Philharmonic Orchestra, The Scottish Opera Society and the Bournemouth Military Band. The money also supported the production of numerous car stickers and badges for the Union’s “Keep Music Live” campaign.

In 1964 the Union advertised for an official to run the campaign. They appointed Brian Blain, who held the post until the 1990s. In 1966, he described the Union’s aim as being “to improve the quantity and quality of situations where the work of musicians may be heard” (Blain 1966: 11). He later reflected that his role became akin to that of running ‘a very, very mini Arts Council, recycling money to musical activity of all kinds’ (Blain 2012). Thus the money was used to subsidise a range of live music events, based on applications from members. The Union also used the money to give substan-

tial amounts in both grants and loans to the London Symphony Orchestras, the Royal Philharmonic Orchestra and Ronnie Scott's jazz club, all of which, at various points, were under threat of closure. The source for all this activity was the PPL funds, i.e. money originating from an organisation made up of employers of musicians – the major record companies. Relations between the Union and PPL remain close.

The agreement with PPL also underpinned the Union's relations with the broadcasters, especially the BBC which remains the UK's most important broadcaster. The MU was very quick to establish good working relations with the BBC, which by the 1930s was the biggest single employer of musicians in the UK and became the biggest employer of musicians in history (MacDonald 2010: 4). The BBC formed in the early 1920s and in 1930 formed the UK's first full time salaried orchestra, the BBC Symphony Orchestra. It subsequently established a number of other orchestras and the development of its music policy saw a presumption in favour of the broadcasting of live – rather than recorded – music on the BBC that was to last well into the 1970s.

In addition to this presumption, the use of recorded music was heavily restricted on the airwaves – again at the Union's behest. PPL negotiated a number of what were known as needletime agreements, with firstly the BBC and later, commercial broadcasters.¹¹ These agreements amounted to conditions which were inserted into PPL licences and limited the amount of airtime which could be filled with recorded music owned by PPL members. Prior to the establishment of PPL in 1934 the BBC had a number of informal agreements with individual record companies covering the conditions under which records could be played on its radio stations. In 1935 this formalised into an agreement with PPL and thereafter a series of needletime agreements followed, each detailing how much recorded music the BBC could use.

Initially the restrictions suited all parties as the record companies believed that playing records on the radio would hit sales and the BBC accepted arguments from the MU that it had an obligation to the musical profession to ensure musical employment and that playing records would diminish the use of live musicians on the radio. The Corporation was thus ready to acquiesce to MU demands to limit the use of recordings. The needletime agreements were renewed periodically and the overall story is complex.¹² However, it is clear that the subsequent huge growth of both the recording

11 Britain's first official commercial radio stations began broadcasting in 1973.

12 For a fuller explanation see Cloonan 2016.

industry and radio, meant the system became increasingly anachronistic. The first major challenge was the appearance, from 1964 on, of so-called pirate radio stations which broadcast from ships moored outside British territorial waters and tended to ignore needletime regulations. They were effectively made illegal in 1967, the same year that the BBC started its own dedicated pop station, Radio 1. However, that station was hampered by lack of needletime and soon criticised for not being able to play the 'non-stop pop' which the pirates had provided.

By the late 1960s the system was clearly troubling both those in the radio industry and some listeners who had become used to 'non-stop pop' on the pirates. While the start of Radio 1 in 1967 saw a small increase of the amount of needletime which the BBC was allowed, some elements in the MU clearly opposed any use of recorded music on the airwaves. Thus in 1970 one of the candidates in the Union's General Secretary election, Harry Francis, told *Melody Maker* (1970: 22) that he was "opposed to all needletime."

Importantly, while the MU was not a party to the needletime agreements it held great sway over those responsible for it – PPL and the BBC. PPL was worried that the MU had the power to stop its members from recording and that if it instituted an AFM-style strike then this would hit the profits of PPL's record company members. The MU took the view that music on the radio was always meant to be live music and that it, as a public sector organisation, it was the BBC's job to provide employment for musicians. The amount of musicians the BBC employed meant that it was always vulnerable to – and keen to avoid – MU strike action. Effectively, PPL went in to negotiations with the BBC on needletime towing the MU line, while the BBC came to believe that pressing too hard to extend its needletime provision would antagonise the MU which (i) had lots of members in BBC orchestras and (ii) could also threaten to disrupt the work of the record companies which owned the PPL (Walford 1971).

Thus both the contracting parties went into negotiations with each other fearing the actions of a third party – the MU. This situation was effectively preserved until the 1988 Monopolies and Mergers Commission's Collective Licensing report and its implementation the following year. The report saw needletime as a restraint of trade and recommended its abolition. This ultimately led to the end of a key part of the Union's ability to increase work opportunities for live musicians.

Competition

The ways in which the Union spent the PPL funds can be seen as the Union attempting to control competition between live and recorded music. Indeed, concerns about competition have always been at the forefront of the Union's mind. Here the focus was often on police and military bands, which from the beginning of the AMU were seen not only as providing competition for civilian musicians, but also getting state subsidies to do so. However, perhaps the Union's major concern with competition over the years has concerned foreign musicians – or 'aliens' – entering the UK to work.

From its formation the union sought to limit the amount of foreign musicians working in the UK on the grounds that they would do work which could equally be done by native musicians. Such campaigns included a period between 1935 and 1955 when, under pressure from the MU, the Ministry of Labour agreed that it would not issue work permits to alien musicians without Union approval – which was routinely refused.¹³ This was underpinned by an attitude which was described to us as being: “What do we want Louis Armstrong for? We've got Kenny Baker” (MU official cited by Blain 2012). So for many years the MU took the stance that anything a foreign musician could do a British one could do, with the implication that there was rarely any need to import musicians, even for tours. When the so-called ban on foreign musicians working in the UK ended in 1956, it was replaced by various reciprocal agreements under which musicians could tour, if home musicians went to other way for roughly the same amount of hours. This system lasted well into the 1980s.

While such competition was a longstanding issue, matters had come to a head in the 1930s because of rising unemployment and particular concerns that US jazz musicians were coming to the UK and so denying work to domestic musicians. In addition, in the USA the AFM was then effectively blocking UK musicians from touring by threatening to strike if such tours were permitted. MU arguments that all this was unfair attracted some political sympathy and in 1935 the Ministry introduced the new system. The net effect was to keep US jazz musicians out of the UK at exactly the time when jazz was at its zenith. Moreover while the MU was overwhelmingly white, most of the musicians “banned” from the UK were black.

Many critics of the Union's policy here have spoken of the racial overtones of the ban which – for various reasons – disproportionately affected

13 For a detailed account see Cloonan/ Brennan 2013.

Afro-American jazz musicians. For example, McKay (2005: 122) argues that it “did sterling work over two decades in keeping professional British jazz and dance music white.” Paul Oliver (1990: 13) adds that the ban was “as inflexibly applied as it was stupidly imposed.” Cloonan and Brennan (2103) have provided the most detailed account of the story thus far and problematized simplistic notions of a ban, while Williamson and Cloonan (2016) provide further evidence. Overall it seems reasonable to suggest that the word ban is a misnomer and that the restrictions can only be understood in the context of the AFM’s refusal to let UK musicians tour the US, the ‘talkies’ crisis which had decimated employment, difficult economic times and the fact that such a stance was not unusual in the British trade union movement (Winder 2005).

Equalities

Historically the Union has had a somewhat mixed record on equalities issues. The first major thing to note here is the almost total absence of women in the Union’s history until the 1970s and previous feminist accounts of the UK’s music industries have largely ignored the Union. Furthermore, a report in 2015 noted continuing gender (and other) inequalities in the UK’s music profession (Scharff 2015). The Union had its first female member of its Executive, Kay Holmes, between 1948 and 1951 and its second, Barbara While, in 1990. While there were notable women activists arising from 1960s feminism – to which the Union responded by holding various events – the vast majority of its officials have been men. The first female chair of the Executive, Kathy Dyson, was elected in 2013. Currently around 23% of its membership are women and there is an equalities official.

When questioned about the male dominance of the Union, interviewees noted that in many ways historically it was simply reflective of the music profession. One recalled male orchestral musicians in the 1950s objecting to having more women musicians simply on the grounds that they represented more competition for scarce jobs (Tschaikov 2014). There were also references to a hard drinking culture within the Union not necessarily being one which encouraged women to become involved (*ibid*). However, it is clear that some progress has been made, albeit from a fairly low base.

While issues of disability and LGBT+ have also moved up the Union’s agenda in recent years, historically the other major equalities issue within the Union has been that of race. Here it can claim to have been reasonably progressive, if sometimes schizophrenic. Thus while it has been accused of

racism in its stance against alien musicians – and it is not hard to find xenophobic statements from Union officials in the 1930s and 40s – its stand has generally been more progressive. The Union was one of the first to take a stand for racial equality and in 1947 its conference passed a resolution that “it should be the policy of the Union to oppose any attempt at discrimination amongst Union members on the grounds of race, creed, colour or sex” (Musicians’ Union Archive¹⁴: 2/1/7). It was also one of the first Unions to implement a ban on its members playing in apartheid South Africa, something it began with a resolution at its 1957 conference, some two years before what became the UK’s Anti-Apartheid Movement was born. This stance was made somewhat more concrete in 1958 when it introduced a ban on its members playing in the Scala Ballroom in Wolverhampton, a venue which despite employing black musicians operated a “colour bar” on entry. The Union won a legal case establishing its right to implement a ban. The Union later famously fined the members of Queen for breaking the boycott and playing Sun City in 1984. This overall it has sought to fight any disadvantage that working musicians might face because of the colour of their skin.

CONCLUSIONS

This article has sought to show that a greater understanding of the working lives of British musicians over the past 120 years can be gained by understanding more about the workings of the Musicians’ Union – an organisation which has sought to improve the the conditions of a particular set of workers under particular conditions. One of the many fascinating things about the union’s history is how it can be approached in so many ways. The focus of our project was on musicians as workers, but as workers within the particular working conditions of the music industries. Here I have highlighted some of the issues that have dominated the Union’s history. Examining the detailed negotiations between the Union, PPL, the orchestras, record companies and the broadcasters which are documented within the various archives helps to provide a unique understanding of both the employment conditions of musicians and the place of the musician within the broader employment market.

14 <http://libguides.stir.ac.uk/content.php?pid=337208&sid=2791968> (accessed online 23 Feb 2017)

This article focussed on the arrangements with the PPL because they illuminate many of our themes. It is important to note that when the PPL formed in 1934 the MU was at perhaps its weakest point. Here the potential input of significant funds must have, at the very least, been an important morale boost to the Union and a bonus for the small number of members who had actually played on gramophone records. In addition, the MU also received a timely boost from the formation and growth of the BBC which went on to be a significant employer which the Union continually lobbied to provide more employment. Our findings suggest that it was the deals which the MU was able to cut with the PPL and the BBC in the 1930s and 1940s which helped to set the tone of industrial relations within the music industries for half a century.

When Williams formed the AMU in 1893, he said that musicians' main enemies were "amateurs, unscrupulous employers and ourselves" (Teale 1929: 8). Those battles go on and in understanding them we can understand much about the lived experience of musicians and the industries they work in. Musicians are workers and viewing them as such can provide new insights.

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