

Capitalist triumph, cultural humiliation: Peer production and implications for ethnomusicology

The title of this article comes from Fred Myers' summary of some of Steven Feld's work exploring the appropriation of mainly African music by European and American artists:

The history of what he calls "pygmy POP" (Feld 1996) he describes as a distinctive global microcosm of sonic property both as capitalist triumph and cultural humiliation (p. 56)

I explore that tension in this article focusing on the rise of the phenomenon of peer production. A number of expectations and norms surrounding music have developed amongst many people who have had convenient and relatively cheap Internet access in the last decade or so. These include an expectation that recorded music will be cheap, if not free; a familiarity with media creation and manipulation as regular activities; and widespread copying and sharing, often crossing into the illegal. Side effects from the rise of peer production and the 'producer' have contributed to these changes in norms and expectations. The influence of these norms has widened through the rapid spread of increasingly sophisticated mobile phones - smartphones. In this article, I argue that this has a number of implications for more peripheral musics of

peoples of the Global South in relation to control of access, diversity of approaches to ownership and authorship, and relationships to IP laws such as copyright. I explore how ethnomusicology, the discipline traditionally most concerned with such issues, might need to adapt. I do this by examining existing work around copyright, ownership and authorship, and then describe how developments of the last decade or so have shifted the ground on which some of the key tenets of arguments in this work lie. I conclude with some practical suggestions as to directions that might be productively pursued in the near future.

Music has a complex relationship with peer production and the notion of the producer. The production of popular music has long been highly social, involving a team of musicians, engineers, producers, managers, marketers and so on. Despite this, however, in Euro-American traditions at least the idea of artistic ownership in the sense of a single or small group of authors has remained dominant, extending from a cultural trajectory where the concept of a musical work is central (Goehr, 1992), (Taylor, 2007, p. 99). The notion, therefore, of a number of people contributing to a continually developing, widely collaboratively produced work is at odds with this older cultural and industrial tradition.

There are, of course, many approaches to creative processes and material expressions of music in other parts of the world. Strathern (2006), for example, discusses multiple authorship in Papua New Guinea, and Leach (2006) explains how creative processes and social relations can be regarded as being as important as the actual material expressions.

Aragon (2012) describes how many Indonesian artists and musicians do not see themselves as 'creators', but as followers of a tradition, and invoke God as the ultimate source of authorship. This is often incompatible with the implementation of copyright laws leading from a Euro-American legal approach that relies on principles of originality, tangibility, and public availability.

The situation might well be changing, however, and Apple would certainly have us think so in the early 2014 advertisement for the iPhone 5s. With the catchphrase "You're even more powerful than you think" the ad starts with a guitarist on a subway platform who has an iPhone connected to his instrument as a virtual effects pedal. Next we see an artist with an iPhone strapped to her right hand, tentatively pressing buttons on a synth app, before cutting to a double bass player - the only obviously professional musician so far - using a tuner app. Then a young drummer uses the phone as a recording device and he starts playing along with the bass, although not particularly in time. This then cuts to a singer singing the synth melody previously played, assisted by a pitch correction app. The groove then picks up; the guitarist joins in and we cut to someone using the phone to control the lights of a dance performance with our developing ensemble somehow providing the music being danced to. Then we see the ensemble as a garage band, led by the pitch corrected singer in full swing. The groove picks up and quickly transforms into a professional sounding garage band cover of Gigantic by the Pixies. This then carries on as background music while the ad demonstrates the

phone as gaming device, camera, translator, heart-rate monitor, model rocket launcher and mobile planetarium. At no stage is the device being used as a telephone or for passive music listening. The ad focuses on the idea of collaborative music making and values process over material expression. The hyperbolic suggestions of personal empowerment - from rank amateurs to professional band in minutes, all with a few apps and a bit of collaboration! - is, following Mosco, a myth of the digital sublime (Mosco, 2005). Some personal experiences with music production tools on phones reveal a more mundane and individual approach to sonic creativity and manipulation.

For some time, I had wanted to be able to do simple multitrack recording on a phone. Unable to find anything that did this as simply or effectively as I wanted and knew was possible I coded, tested and released an app titled Twotrack for the Android platform in July 2012. This allows overdubbing, 'bouncing' and repeating to build up multitrack recordings. The first review was one star and the comment, all in caps read "SUX. DON'T BUY" despite the fact that it was free. It worked for me though, and I persisted with updates and implementing suggestions of a slowly growing user base. I have subsequently developed other music production and assistance apps (<http://www.motekulo.net>) and after 18 months or so have had about 250,000 downloads. The analytics data available to developers reveals users in over 150 countries throughout the world, although the majority are in the US. Each day, about 500 people try these apps out, and about 25% keep using them. In addition, while

providing support and tracking down bugs, I get a minor insight into what people are doing. So far this seems to consist of practicing, jotting down ideas for song-writing, and singing and rapping over instrumental tracks.

A quick scan of figures to get a sense of the potential for growth is valuable. There are thousands of music production apps representing millions of downloads over the two main smartphone systems - Google's Android and Apple's iOS. The Android platform currently gets over one million new phone activations a day. In September 2013, Google announced they had monitored one billion activations of Android devices. In Africa, China, and India there are hundred of millions of mobile phones, with a growing proportion likely to be smartphones, as phone manufacturers such as ZTE develop lower cost devices aimed at such markets. In summary, a growing number people are using everyday devices to not only listen to music, but to record it, make it, manipulate it.

Bird (2011) reminds us, however, that despite the enthusiastic boosterism of the digerati surrounding the 'producer', most people are still primarily consuming music passively. Scholarship on peer production is largely from the Global North, urban, privileged, and focused on its music as somehow 'naturally' central. As a result, despite the considerable changes wrought by selective use of new technologies, from a more global perspective there is some re-balancing to be done. The authority and relevance of that central and powerful position could do with some interrogation, or at least some re-balancing from the periphery.

The side-effects for music of peer production

For people with affordable access to the Internet, including most of the scholars writing on the topic, accessing content on peer produced sites such as Wikipedia feels free; we only pay for bandwidth. At the same time, two other kinds of common digital activity fuel this feeling of freeness. The first is peer to peer file sharing, which allows free, albeit often illegal, access to digital material. The second is the provision of free services by private and public companies where, although we do not pay for their use, we are collectively providing large amounts of useful data for advertising (and, perhaps, surveillance). Add to this the growth of streaming services providing music for free or very low monthly subscriptions fees, and this tendency to free via very cheap is magnified; indeed it can be seen as a cultural norm where Internet access is relatively affordable. To keep this in perspective for the purposes of exploring details of the digital divide in this article, in Papua New Guinea, at the end of 2013, a broadband connection of 50GB per month that in Australia costs about USD\$30 per month, there cost about USD\$1000. The reality is that most people on the planet have no, or poor, expensive and patchy Internet access. Given wages are much lower in PNG, and that most people in fact do not have waged employment at all, one might surmise that such norms are very different. What seems to be the case, however, is that other forms of digital sharing - more physical ones involving media such as SD cards or face to face networks via bluetooth - contribute to drive norms in a similar direction.

This is something broader about the nature of digitisation. We are at the end of the era of an economic mentality driven by those with origins, experience and financial stakes in older industrial models who still apply rivalrous concepts and associated values to non-rivalrous media. Year after year, music industry bodies lobby for policing, law changes, and education around ethics, but to little effect. These cries for help from an industry whose main source of income has been decimated are complicated by competitive forces within the world of commerce. The sheer size, growth and power of corporations for whom peer-produced content provides them with an essentially free resource through which to sell advertising provides formidable competition to those trying to hold on to traditional notions linked to selling a physical, rivalrous product. Although the music industry has always liked to couch its concerns in terms of the ethics and moral responsibilities of consumers, their real opponents are business competitors adopting music for different economic purposes. For example, if we imagine for a moment that Google's management really does take copyright infringement on Youtube as seriously as their rhetoric would imply, the fact that so much copyrighted material is still available, and that they so regularly remove non-infringing material in error demonstrates not so much an inability, but more a reticence to police this as well as they could. Google could solve the problem by re-allocating resources, but that would threaten the very business model on which they rely.

The difficulties this has presented for those in the music industries focused on income from recordings is now well documented (Alderman, 2002; Kusek et al., 2005; Knopper, 2009; Young and Collins, 2010) and the transition to newer, economically sustainable business models is taking a long time. The uncertainty and shift in capital is indicated by the growing presence of startups; perhaps nowhere more ably illustrated than by the companies presenting at the *SFmusictech* conference each year in San Francisco (<http://www.sfmusictech.com>). Startups are, by their nature, experimental projects exploring new business models with very high failure rates. They rely on venture capitalists gambling on the next 'big thing'. In thinking about peer production, Ritzer and Jurgenson (2010) ask whether a new form of capitalism is emerging from such practices. Rather than a transformation of capitalism, however, the revenue has simply shifted to hardware, bandwidth, and advertising, as has the power. Those without a share in that are understandably threatened. The changes are increasingly global, tectonic even, driven as they are by shifts in power underwritten by the logic of neoliberal capitalism.

Although it is not necessarily a side-effect of peer production, a final trend that is of considerable importance when teamed with those discussed so far is the extent of piracy in the sharing of music. From Africa (Ouma, 2004), China (Liu, 2009), India (Beaster-Jones, 2014), South America (Stobart, 2010), the situation is so common and covers such a large population that one might consider it a global norm. The law

has perhaps never been so out of step with social practice as it currently is with recorded music.

Another side-effect from peer production is an ever increasing public familiarity with tools that manipulate media, and indeed, an expectation that media is there to be manipulated. This is intensified by a broader trend since the mid-1980s towards greater access to tools of music production, or what has sometimes been called the 'democratisation' of music technology. Again, the extent to which people actually do this is easily over-emphasised, but there is a developing trend pointed to by the Apple iPhone ad described earlier with possibilities afforded by smartphones.

As phones become more able as computing devices (the Android system actually runs on top of the open source operating system Linux) their capabilities in terms of media recording and manipulation improve. Apple is obviously counting on this to help sell their latest phone in 2014. It is the spread of phones amongst the population that makes this so potent, however. While, prior to smartphones, the tools of music production were largely limited to those with access to computers, many millions more seem likely to gain access in the next few years. This will entail an expansion of work focused on the rapid uptake of mobile phones globally from ethnomusicology (Gopinath and Stanyek, 2014) building on work in media studies (Goggin, 2012), and anthropology (Vaarzon-Morel, 2014; Telban and Vvrov, 2014).

In summary, we have a tendency for music to be cheaper, even free; there is greater public expectation and ability to create and manipulate media; the normalisation of copying and distributing freely, and the prominence of voices of the urban, wealthy, digerati of the West. Add to this the global spread of such ideas and technologies via mobile phone use and plans by the most powerful global knowledge and advertising corporations like Google and Facebook to rapidly expand Internet access, and it seems likely this will have some far-reaching effects on the musics of the less powerful, the more marginal; those who Seeger describes as being left out in the latest property grab centred on oral traditions and indigenous knowledge (Seeger, 2006).

Implications for ethnomusicology

The scholarly discipline that has the longest history of exploring music outside the West is ethnomusicology. Scholars in the discipline have aired concerns for some time that relate directly to these trends. I will use two of them: law and ethics; and the politics and power of representation to frame the following discussion.

Ethnomusicology and the recorded music industries have had intertwined histories (Cottrell, 2010). Indeed, Cottrell has gone so far as to consider ethnomusicology as a kind of music industry, with its own capital, territorialisation and approach to markets (ibid, p. 20-22). The most important differences, however are the scales of economy involved and a more central concern for ethics and protection of the rights of local

musicians ethnomusicologists work with and represent through publications and recordings (ibid).

In this section I will explore ethnomusicological discussions on law and ethics associated with recordings and ideas of authorship, towards comparing concerns raised, warnings given and suggestions offered with some of the early consequences, and likely results of the trends posited so far. I do this not to criticise what were forward thinking, even iconoclastic calls to action. I do so to see how we may build on these ideas in moving through a period of rapid change for which many ethnomusicologists (myself included) are under-prepared.

From the 1990s, many ethnomusicologists were concerned with how non-Western musics were being appropriated by Western musicians, how laws of supposed protection were implicated, and how recording technology and commercial music industrial structures contributed to these situations. World music and pop are genres that have been the most active sites for the misuse, appropriation and exploitation of non-Western musics. Taylor (1997, p. 41, 126), for example, points out how Peter Gabriel is able to draw on the work of others, while being in a position to fiercely defend any misuse of his own work through copyright. Meintjes (1990) and Feld (1988), highlight arrogant claims to ownership for copyright exposing neo-colonial attitudes in Paul Simon's work with South African musicians in the album *Graceland*. Zemp (1996) and Feld (1996) map and critique how an ethnomusicological field recording of a Solomon Islands lullaby moves via a UNESCO recording to a Deep Forest

hit song to be used in ads for multinational corporations. This track has generated significant income for the French duo, but nothing for the original singer and her community. More recently, Fitzgerald et al. (2013) describe how the film *Sanctum* uses unattributed music from someone, somewhere in 'Papua', how attempts to trace its authorship have been met with resistance by the film's makers, and how this exposes shortcomings in Australian copyright law.

In exploring approaches to dealing with such concerns, Seeger (1992) explores vital issues for ethnomusicology in relation to music law. He highlights problems in reconciling Western legal definitions of authorship in situations where different processes and understandings of musical provenance are in place. If, for example, a song has been authored by a species of honey bee, and is owned by a community, how can copyright be applied effectively (ibid, p. 53)? He discusses the complex perspectives from which he has had to navigate issues of music law as ethnomusicologist, musician, co-producer, and record company director amongst others. The significance of earning potential, access to lawyers and relationships to financial stakes is also discussed as fundamental to the operation of copyright. He ends with this important observation:

Our discipline will be poorer for neglecting the rights and obligations associated with music, and we will have less and less to contribute to a dialogue about contemporary music, which is

increasingly shaped by the very processes we appear to be ignoring. (p. 358)

This is sage advice for the present, no matter how different the situation might be in terms of the effectiveness and relevance of copyright. In a landmark study that covers a wide geographic and legislative span Mills (1996) reinforces the cross-cultural incompatibilities of copyright across national and international legislation. Issues of tangibility and originality are explored and in conclusion, she suggests:

Once the momentum toward reforming intellectual property law gains speed, it is essential to create laws which assure that the originating community retains control over their music and enjoys the same protection as their Western counterparts. (p. 82)

Seeger (1996) continued his line of argument around the same time, with some practical suggestions, (p99). In a similar vein to Mills, he suggested "...that ethnomusicologists can consider to ensure that the music of the peoples we work with is accorded similar treatment to that of commercial artists" (p. 88). Understandably for the 1990s, The Internet was not yet on the radar in these articles, but the effects of its use would ultimately undercut and transform key tenets behind these suggestions.

The basic assumptions on which Mills and Seeger call for assisting musicians to access similar rights as their Western commercial counterparts were shaken in the 2000s. The tendency to free, and the gutting of income from recorded music accorded only really the most powerful Western musicians with the protection and recorded income they enjoyed in earlier decades. The lowering of financial stakes had a disempowering effect, and in environments where rampant sharing is normal practice, and where few people other than advertisers seem to be making much money, who does one sue? And, perhaps as importantly, why and for how much?

In critiques of world music appropriations and practices discussed earlier, the wrongdoers and potential defendants are identifiable, their actions clearly questionable, and the stakes relatively high. What might one do when the defendants are many, distributed, difficult to identify; their actions regarded by much of society as normal, and the financial stakes low? While there will still be clear ethical and moral positions to be argued here, practical solutions become much harder to implement. I now turn to discussion of further challenges to ethnomusicology based on trends in more directly peer production related phenomena.

The politics and power of representation

Imagine two poles of representation of music; for illustration say indigenous music from some tropical, politically marginal location (like Papua New Guinea, where a good deal of my own work has been carried

out, for example). At one pole, we might have a series of scholarly articles, documented field recordings in university and national archives, considered commercial collaborations with funds going back to the musicians and community of origin over a long term. Here a great deal of the power of representation lies with the ethnomusicologists. Consideration is made for restricting access to private musics allowing for diverse understandings of ownership, power and responsibility. The institutions in which they are held are generally public, or at least not-for-profit.

At the other end of the spectrum might be a collection of social media and blog posts with comments from a variety of sources (community members from where the music originates perhaps), poorly documented recordings under various pseudonyms on a variety of video and other social media sites; with perhaps remixes and re-distributed versions, circulating primarily on the Internet, but also via SD cards and other media involving more direct personal connections and networks. Here we have a more distributed, less hierarchical distribution of power in terms of representation. This second scenario demonstrates some selective and productive local use of new technologies and the possibilities they offer. The existence of such parallel texts and recordings, however, will actually intensify the importance of the fundamental work of ethnomusicology, although transferred to a new kind of performative agency that once was largely the domain of the researcher.

While Seeger has expressed concern about how copyright laws threaten to lock up a great deal of material in professional sound archives, we should be equally concerned by the amount of information held by companies such as Google, Facebook and owners of other sites relying on peer production for their content from which to generate revenue. Here we have public and possibly private musics, held privately by profit seeking companies. It is inevitable that such companies will exert their influence, power and control to prioritise and increase income over any sort of sense of duty for public archiving. Indeed, as I write, Google has threatened to remove video content from independent music labels unless they sign up for a new streaming service [1].

As digital ethnography continues its rise as a valid research methodology, we will increasingly need to consider copying and archiving relevant material privately held for public viewing by such companies. This might well entail breaking the law as it stands under increasingly restrictive terms of Euro-American influenced copyright laws. In my own research environment in an Australian university where research activity is gate-kept by 'ethics' processes arguably more concerned with institutional legal protection than ethics in a more moral sense, this will be a dilemma.

As the more sophisticated capabilities of smartphones continue to find their way into the fields we research in, then it is highly likely this will be an important site for increased musical activity, and thus research. If the uptake of Facebook in the area I am most familiar with, the Central

Province of Papua New Guinea, is any measure to go by, then any increased access to the Internet will see more and more locally produced media uploaded to the standard, current default sites such as Youtube. That is already happening, in fact, despite the expensive, patchy, slowness of current connections.

Some of this material will be ethnomusicologically valuable, and some will be linked to the sorts of cultural activism described by Ginsburg in the collection on global indigenous media (Ginsburg, 2008, p. 302). Having that locked up by Google and others will be convenient in the short term. In the longer term (and right now if you are an independent record label owner or artist) that convenience will be replaced with control, as our well meaning attempts to publicly store and share media give way to the need and underlying drive to generate profits.

Conclusion

One of the leading scholars focusing on music technology, Jonathan Sterne, has drafted a manifesto for music technologists, and has gathered considerable support from an international group of academics, musicians, engineers and others. In a document reinforcing concerns about the over-emphasis of a white, male, urban, Western, able-bodied focus with much music technology, and recognition of perspectives and power at play, a number of guides and questions are presented:

We call for greater awareness of the cultural forces already in new music technologies, and the courage to challenge or change them when the collective good demands it.

Ask of any music technology: For whom will this make things better? How? Is it open or closed to creativity and innovation it has not yet anticipated?

Ask of any policy: Whose rights and opportunities are being promoted? Whose are being eroded? What idea of culture does it presume?

Ask of any practice: Who is invited to join in? Who is left out? Where will it find support?

Ask of any organization: How does it help people come together? Does it exploit them in doing so?

(<http://www.musictechifesto.org/>)

Bringing this to bear on problems linked to the tendency towards free access and normalised piracy will entail solutions involving digital networking, access control, and information and music not being held exclusively by third party companies prioritising profit over public benefit. Following lines of thought from the pioneering collection connecting media, ownership, copyright and open source software is valuable here (Ghosh 2006).

Open source software developers have long faced similar issues to those just pointed out with archiving, from location of source code, to controlling access, to tracking metadata and changes. In both open and closed source software development, version control systems are used to track changes in a project from inception to release, followed by the cycle of debugging, development and updating. One of the more recent and more commonly used systems - *Git* - provides the kind of peer storage potential that mitigates against a single central source of data. If one 'clones' a repository from a server (as is the procedure to start contributing) then the resulting local repository contains a full copy of the history of changes and contributions, allowing further 'branching' and development which can then (if accepted) be merged elsewhere - a central repository, for example. If someone withdraws access from that central server, then there are copies elsewhere from which people may continue working. Some kind of musical/media based implementation of this might well be worth exploring for ethnomusicological archives in the near future. Such a system is able to be controlled by its owners, and can track all stages of a work thus perhaps giving an easily searchable historical body to the kind of collaborative unfinished developing work that could be the nature of peer produced musical futures.

In relation to tools of production, openness, and accessibility will be of high priority. Two main criteria will need to be addressed. Firstly, they should allow for the diversity of expression and not simply be limited to the needs of dominant Western popular music structures and practices.

Ethnomusicological experience and input into the design of future, mobile, highly distributed music production applications and devices will be of great importance here. Secondly, open source programs, open formats, even open hardware devices should be prioritised over proprietary, closed approaches. This will offer more equal access and provide scope for sustainability well into the future.

Finally, we will need to play a role in mapping ways through tensions between the spread of Euro-American copyright models and legislation against the widespread practice of copying and networked distribution. As Aragon (2012) implores:

...it is critical to listen carefully to local creative producers and knowledge communities to prevent over-reaching legal models from adversely compromising the vibrant cultural expressions and practices that any new laws purport to protect. (p. 415)

It will be important to give voice to the ways people we work with understand, own, share and value music and not assume that this must accord with Euro-American approaches to copyright. Only by doing this, might we have a chance of fending off the kind of cultural humiliation that threatens to spin off from the triumph of capitalism [2] in relation to recorded music.

Endnotes

[1] See http://www.bbc.com/news/technology-_27891883.

[2] Again, co-opting an expression used by Myers (2006, p. 56).

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