

Is The Music Industry Killing Creativity?

By Vanessa Martinez

The American music industry, like all creative industries, is one that is constantly forced to straddle the fine line of creativity and business. While a business expertise is paramount in the successful management of music related business transactions, the actual product of music has, throughout history, never been a clearly defined product. Recorded music is not computers, fast food, or automobiles, mass-produced and distributed in one set manner that is generally accepted across the world. Music is a unique product that is created differently from country to country, state to state, and individual to individual. On the other side, music is consumed and enjoyed differently by every single individual inhabitant of our planet. This fact is what makes music such an integral part of the human identity.

Today, music is more popular, accessible, and influential than ever. This growth in the importance and demand of music has not only increased the social reach and influence of many of today's greatest performers and writers, but has also drastically increased the commercial value of music. Much like a musical California Gold Rush, this increase in monetary value has, in turn, attracted large quantities of people to the industry looking to capitalize on the billions of consumer dollars funneling its way through the music industry, which has directly pushed the music industry into today's currently volatile state. Although it is easy to point to piracy as

the source of the industry's problems, peer-to-peer networks like Napster and The Pirate Bay are not solely responsible.

The commercialization of music, from the early 1900's until today, has slowly pushed music into a place that the art form should have never been allowed go. This commercialization has molded one of humanity's most free and pure forms of creativity into a product that is mass-produced and distributed to millions, no different than a Big Mac or a Vente Starbucks coffee. This change is not the fault of the writers and artists themselves, but rather, of the "professionals" that control the business operations of the music industry. These individuals, mainly record label executives, have never understood or care to advance the creative energy and passion that is put into the creation of music. These figures have established and perpetuated the notion that creativity and business cannot be joined together in order to produce and distribute the best artistic product possible. As more money poured in from record sales, record labels began to retain more creative rights and control in an effort to maximize profits, which has ultimately led to today's commercial music products being constructed with only a fraction of the creative energy and ability of its historical predecessors.

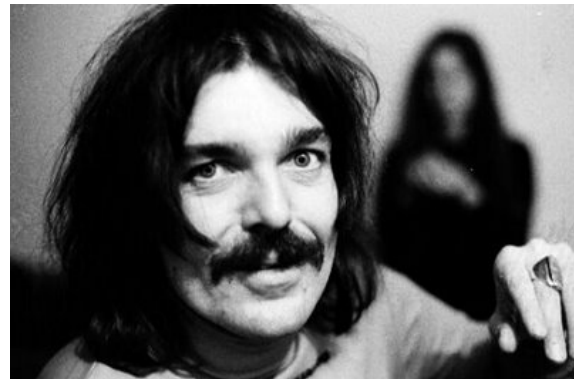
The music industry pressures and practices of today and the past handful of decades have singlehandedly killed creativity in music. As a result of these business practices, many of the greatest creative minds of the past 50 years have been stifled and silenced creatively, subsequently robbing loyal and passionate music consumers of the opportunity to experience some of humanity's greatest pieces of creative output, all in the name of money and mass appeal. This trend has affected

blues singers, experimental musicians, and rappers alike. For decades, industry pressures have stifled the creative output of Diamond certified groups and Grammy Award winners, attempting to consistently replicate such outstanding success, ultimately resulting in creative and commercial failure time and time again.

Today, as the once abundant stream of record sale revenue rapidly declines and artists and labels alike fight to cling on to the remaining fraction of music revenue currently available, the music industry must rethink their profit oriented goals of the past and return to the root of what makes music so special and appealing, it's creativity. By analyzing the careers, recordings, and record label disputes of 5 artists spanning multiple genres and 6 decades, we can begin to shed light on this trend that the music industry so desperately needs to rectify.

Captain Beefheart

Captain Beefheart is arguably one of the most creative recording artists of all time. Over a career as an artist that spanned two decades, Captain Beefheart recorded twelve studio albums along with his Magic

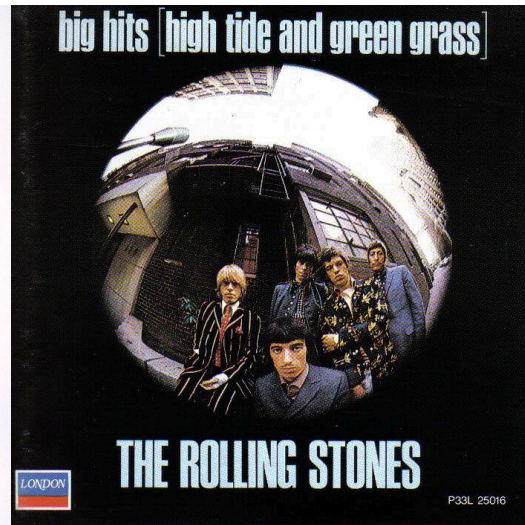


Band and was faced with industry pressures every step of the way. The very first deal Captain Beefheart signed was with A&M records in 1966. At the time, British blues acts like The Rolling Stones and The Animals had begun to achieve vast popularity in the United States, leading record labels to seek out American artists

that fit the mold of the emerging British blues sound. A&M Records viewed Captain Beefheart as such, signing the artist and his band to a deal for two singles, “Diddy Wah Diddy” and “Moonchild.” Upon fulfilling the deal and presenting further demos as a proposition for the band’s first full-length album, the label rejected the proposition, stating that the demos were too unconventional and negative. A&M’s co-founder Jerry Moss further stated that the content was too risqué for his daughter’s ears and subsequently dropped Beefheart & his Magic Band from A&M while still under contract.¹



Captain Beefheart – *Safe As Milk*



The Rolling Stones – *High Tide And Green Grass*

**Captain Beefheart's numerous record labels blatantly attempted to mold Beefheart and his Magic Band into an American version of extremely successful British blues bands like The Rolling Stones.*

¹ From Swanson, Dave, “45 Years Ago: Captain Beefheart Releases *Trout Mask Replica*”

Bob Krasnow, a music industry entrepreneur was, at that time, working for Karma Sutra records and signed Beefheart & his Magic Band under their subsidiary label, Buddah. Despite the fact that Beefheart & his Magic Band had been able to secure a second record deal with a different label, the label's intentions were not to support Beefheart as an original artist with unique creative ideas and contributions, but to mold him into the next emerging white blues star. At this time, the British invasion had already become a significant factor in the American music industry, with the sound, look, and idea of white blues musicians now fully established as the industry standard. The success of British blues bands had influenced two consecutive record labels to attempt to mold Captain Beefheart's creative output in an attempt to fit this sound, with Captain Beefheart refusing to comply.²

When looking at the career of Captain Beefheart, he and his Magic Band had a very negative history with record labels. Virtually every album was released under a different label, demonstrating an unfortunate trend for the artist, based solely off his unique musical style and controlling industry pressures. With this negative history in mind, fellow experimental musician Frank Zappa looked to change this pattern by signing Beefheart upon the establishment of his label, Straight Records, in 1969. This deal was unique for Beefheart, as Zappa, who worked as the album's producer, gave the artist complete



² From Bangs, Lester, "Captain Beefheart's Far Cry"

creative control for the first time in his career.³ This album, *Trout Mask Replica*, became one of the most influential albums of all time.⁴ The album has been heralded for decades due to its creative contributions to music, most notably being named the #58 album of all time by Rolling Stones Magazine.⁵ At the time of the composition of the album, contractual uncertainties with previous record labels resulted in Beefheart's previous recordings being tied up in old record deals. Fully taking advantage of his newly granted creative control, Beefheart took this opportunity to compose and rehearse all brand new material for *Trout Mask Replica*. The end result was 28 original and extremely difficult compositions. These compositions, inspired by blues, free jazz and avant-garde western art music, resulted in an album that has a legacy like no other Beefheart record and like few other albums in the history of recorded music. When analyzing *Trout Mask Replica* alongside the rest of Beefheart's creative body of work, it becomes very evident that such outstanding creative output was a direct result of Beefheart's creative power at Straight Records, speaking volumes to the potential that such an ability has in the hands of a creative genius like Captain Beefheart.

Trout Mask Replica was and remains Beefheart's masterpiece, truly demonstrating the potential creative power of Captain Beefheart, when ultimately removed of creative pressures and limitations at the hands of record labels. Captain Beefheart's second album under Frank Zappa's Straight Records, *Lick My Decals Off, Baby*, further speaks to the power that Beefheart's creative control had on his

³ From Loder, Kurt, "Captain Beefheart: The Man Who Reconstructed Rock & Roll"

⁴ From Swanson, Dave, "45 Years Ago: Captain Beefheart Releases *Trout Mask Replica*"

⁵ From Rolling Stone Magazine, *The 500 Greatest Albums of All Time*

musical output, as Beefheart continued to push the bar creatively, with the album widely considered around the same caliber as *Trout Mask Replica*. In his 1970 Rolling Stone review of the album, critic Ed Ward said of the album, “From a formal standpoint, musically and rhythmically it is all wrong, but once you've heard it, you cannot deny its logic.”⁶

Upon leaving Straight Records, Captain Beefheart was never able to recapture the same creative authority or artistic output again in his career. The latter portion of Beefheart’s career spoke to the intense pressures imposed upon him by the commercial music industry. Growing ever frustrated by the lack of commercial success of his material, paired with constant record label pressures to create commercially acceptable music, Beefheart spent the rest of his musical career attempting to fit in with commercial music industry standards.⁷ The result was a collection of 7 albums that pale in comparison to his early work. Writer Lester Bangs describes later albums, such as 1974’s *Unconditionally Guaranteed* and *Bluejeans & Moonbeams*, on Mercury Records, as “baldface attempts at sellout.”⁸ This latter period of Beefheart’s career ultimately ended in retirement in the early 1980’s, as Captain Beefheart gave up recording to focus his creative exploits into painting, perhaps due to the greater creative freedom that the art form presented. Captain Beefheart passed away in 2010 at the age of 69, after having virtually disappeared altogether for many years, even from friends and collaborators.

⁶ From Ward, Ed, “Lick My Decals Off, Baby – Album Review”

⁷ From Bangs, Lester, “Captain Beefheart’s Far Cry”

⁸ From Bangs, Lester, “Captain Beefheart’s Far Cry”

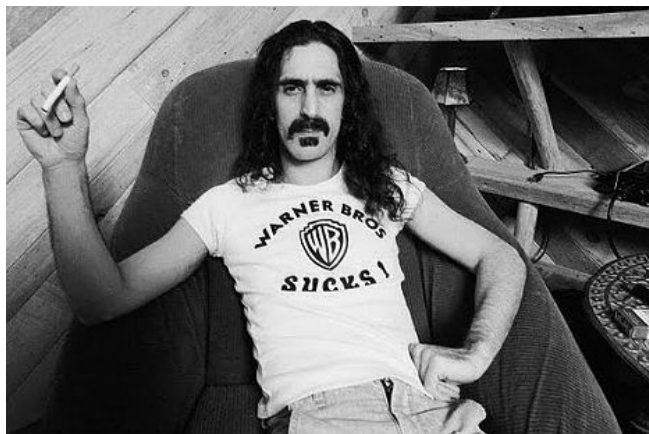
The career of Captain Beefheart speaks to the power that music industry pressures can have on an artist. For nearly 20 years, Captain Beefheart navigated himself through a career filled with creative compromise, record label demands, termination of recording contracts, and failed attempts at giving in to such pressures and demands. Although Captain Beefheart's influence and creativity is still felt today, more than 30 years after the release of his last album, thanks to a passionate cult fan base, the fact remains that the artist was only able to live up to his creative potential on only 2 of his 12 albums. The commercial music industry effectively barred Captain Beefheart from truly revealing his creative potential to fans, ultimately leaving the artist no choice but to retreat into retirement.

Frank Zappa

"I prove to you that I am bad enough to get into hell, because I have been through it! I have seen it! It has happened to me!

Remember: I was signed for

Warner Brothers for eight fucking years!!" – Frank Zappa⁹



⁹ From Zappa, Frank, *Titties & Beer*

Frank Zappa was a musician, composer, producer, film director, and entrepreneur who was extremely active in the music industry from 1955 up until his death in 1993. Zappa composed some of the most interesting and influential music the industry has ever seen, drawing from his early influences of 20th century western art music and early R&B. Frank Zappa's body of work represents true creativity and innovation in music, as he continuously pushed the boundaries of musical expression, lyrical content, and performance styles. Throughout his career, Zappa was very vocal about many social issues including creativity in the industry, the most famous of which being when he testified before the United States Senate in defense of freedom of speech. For all of his advancements in creativity and musicality over his career, Frank Zappa was famously met with much controversy and backlash from many of the figures involved in his career, especially his record labels. At every step of his career, Frank Zappa was forced to battle attempts by his labels to limit his creative expression and force him into the artistic box so representative of the commercial music industry. In a true testament to his artistic and personal strength, Zappa never backed down, unlike his creative peer Captain Beefheart, and engaged in numerous lawsuits against his labels, ultimately earning the right to control his own masters, starting his own record labels, and developing a musical estate that is extremely valuable to this day.

Perhaps the worst and one of the most well known of Zappa's disputes with record labels was his highly publicized dispute with Warner Bros. Records in the 1970's over the release of his album *Läther*. Zappa initially landed with Warner

Bros. in the mid-1970's after settling a legal dispute with his previous record label, MGM Records, over the issue of copyright ownership.¹⁰ Despite leaving previous legal issues behind at the beginning of his deal with Warner Bros., Frank Zappa was quickly entrenched in further legal battles with his new record label.

Upon signing with Warner Bros., Frank Zappa planned to quickly fulfill the requirements of his deal with the creative project *Läther*. Not long into the contract with Warner Bros., Zappa famously went to executives with completed copies of the 4 separate albums that made up *Läther*, technically fulfilling the requirement of his contract in one fair swoop.¹¹ According to author and lawyer Donald Passman, this incident was legally within the rights of Zappa and has since prompted record labels to mandate both minimum and maximum release periods for all of their artists, a consideration previously neglected at the time.¹²

Despite the fact that this move by Frank Zappa was technically within his contractual rights, Warner Bros. refused to release the quadruple-album as Frank Zappa had creatively intended. After attempts by Zappa to press the album for release were blocked by Warner Bros., claiming copyright ownership, Zappa famously broadcasted the entire quadruple-album on Los Angeles based radio station KROQ, encouraging listeners to record their own bootleg copies.¹³ A transcript from the 1977 broadcast spoke to Zappa's growing artistic frustration and willingness to stand up for his belief in what is right, even at the expense of his own personal revenue.

¹⁰ From Rolling Stone, "Frank Zappa Biography"

¹¹ From Passman, Donald, All You Need To Know About The Music Business

¹² From Passman, Donald, All You Need To Know About The Music Business

¹³ From nndb.com, "Frank Zappa"

“And the way it stands now, my future as a recording artist is dangling in mid-air pending court procedures, which in California for civil cases can take anywhere from three to five years just to get a day in court and have your case heard. Since I don't think that anybody wants to wait three to five years to hear my wonderful music, I have taken it upon myself to come down here and advise anybody interested in the stuff that I do to get a cassette machine, and tape this album. You can have it for free, just take it right off the radio. You know--don't buy it, tape it!”¹⁴

Eventually, the lawsuit concluded in 1982 with the awarding of intellectual property rights of the recordings in question to Zappa. The pending lawsuit, however, did not stop Warner Bros. from releasing all 4 pieces that made up the album *Läther* in their preferred method of individual, spaced-out records. The release of these albums was further marred by controversy, as Zappa went on the record numerous times in the late 1970's bringing to light all of the individual issues surrounding the album. Stories of dropped recordings, changing of album and song titles, and allegations of unpaid earnings surrounded the release of each component of *Läther*, which were released over 1978 and 1979. Due to the extreme circumstances surrounding the controversial quadruple-album, it was never released as originally intended until 1996, 3 years after the death of Zappa. Nevertheless, the dispute between the multimillion-dollar company Warner Bros. and the headstrong Zappa became a music industry legal dispute that made

¹⁴ From Frank Zappa KROQ Interview – December 1977

headlines and is still being talked and written about today by music writers. This extremely public nature of the issue was initially perpetuated by Zappa's attitude when discussing the issue at the height of its volatility.

"[The lawsuit entails] A nice person, who is me, versus a bunch of assholes, which include all the people involved in the suit. Very simply, I lived up to the terms of my contract with Warner Bros. I delivered four albums to them. My contract says that when I give them the albums, they give me the money. They didn't give me the money."¹⁵

The various disputes over Zappa's *Läther* are very strong examples of record companies overstepping their creative boundaries for the sake of monetary gain. There was nothing artistically wrong with Zappa's presentation of the quadruple-album *Läther*, except for the fact that it would not have made as much money for the label like 4 separate releases would. In this instance, Warner Bros. exerted their power as a company to dramatically stifle Frank Zappa's creative vision, resulting in an ugly and drawn out battle between creativity and business, an action which ultimately hurts Frank Zappa's loyal cult fan base by denying them the true creative output of an idolized and revered figure.

After his dispute with Warner Bros., Frank Zappa eventually managed to secure the rights to his masters made under Warner and other previous record labels. By finally gaining creative and business control of his music, Frank Zappa

¹⁵ From Frank Zappa Interview with OUI Magazine, April 1979

was able to release numerous innovative and influential albums, up until his death in 1993. Today, the Frank Zappa catalogue and estate remain very lucrative pieces of intellectual property, only rightfully secured after a significant investment in legal action against record labels. This particular case has a positive ending for music fans and music industry as a whole, as we now still have access to the profound creative work of Frank Zappa over 2 decades after his death. Had Frank Zappa and his family not fought for the right to own and retain their rightful creative property, many of such recordings would have been exploited, tampered with, and lost in history as initially creatively intended.

Kool Keith

Keith Thornton, better known as Kool Keith, is one of the most creative and innovative figures in the history of hip hop music. Since his

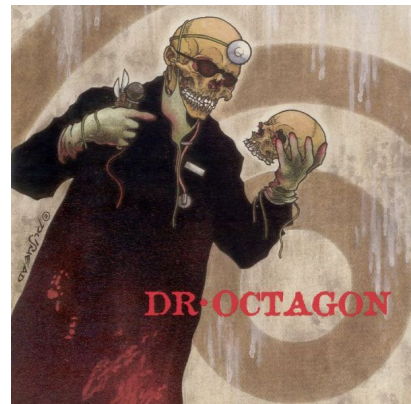


debut in the late 1980's, as a member of the group Ultramagnetic MC's, Kool Keith has pushed the boundaries of rap, with the release of over 20 albums and the use of over 50 various stage names and pseudonyms. While Kool Keith's contributions to hip hop are vast and have spanned almost 30 years, it is 1996's *Dr. Octagonecologist* that represents his creative prowess and potential that has since been marred and stifled by major record labels and the music industry as a whole.

Although originally released in 1996, *Dr. Octagonecologist* remains an innovative hip hop album to this day. This fact is further demonstrated by the legacy

that the album holds today. The album has been named the #12 best rap album of 1980-1998 by Ego Trip Magazine¹⁶ and earned a place in Robert Dimery's 1001 Albums You Must Hear Before You Die¹⁷, amongst other accolades by music industry publications. Performing under the alias Dr. Octagon, Kool Keith tells a story from track 1 to 20 of a time traveling, alien gynecologist from Jupiter.¹⁸ The album explores a unique style of experimental hip hop, developed by Kool Keith, that hasn't come close to being touched by any other rapper since. Back in 1997, Rolling Stone reviewer Chairman Mao described this style as one within "an area where hip-hop meets hallucinatory sci-fi and porn."¹⁹

This innovative and revolutionary album was only made possible due to the creative freedom that Kool Keith possessed during the album's creation. The album was the independent creative brainchild of Kool Keith, along with collaborations with legendary producer Dan "The Automator" Nakamura and turntable pioneer DJ Qbert. Between 1995 and 1996, Kool Keith and his collaborators produced *Dr. Octagonecologist* independently, only shopping it to record labels after the album's creation. After an initial limited release on independent label Bulk Recordings in 1996, the album received much critical acclaim and was eventually picked up and re-released by major label DreamWorks



¹⁶ From Ego Trip Magazine, "Hip Hop's 25 Greatest Albums By Year: 1980-98"

¹⁷ From Dimery, Robert, 1001 Albums You Must Hear Before You Die

¹⁸ From Thornton, Keith, *Dr. Octagonecologist*

¹⁹ From 'Chairman Mao', "Dr. Octagonecologist: Dr. Octagon: Review"

Recordings in 1997.²⁰ While this major record deal for Kool Keith initially proved successful, drastically increasing the consumer reach of the album, the move by DreamWorks speaks to the unfair way that record labels approach the signing of new artists and musical products. DreamWorks simply jumped on a new release that it had nothing to do with creatively, only to exploit it later. The eventual success of *Dr. Octagonecologist* and subsequent record deal with DreamWorks launched a tumultuous solo career for Kool Keith that has seen its fair share of unfavorable recording contracts, legal battles, and stifled creativity that persists today. Because of his unique style and creative desire to push boundaries, Kool Keith is yet another creative casualty of the commercial music industry.

The surprise success of *Dr. Octagonecologist* ultimately led to attempts by numerous major labels to mold Kool Keith's alternative style and masterful lyricism into a form that is more suitable for the commercial hip hop industry. The creative control that many of Kool Keith's previous record labels imposed did not sit well with the artist, leading to many failed record deals, legal disputes, and a plethora of independently released recordings regarding the subject of the music industry. The issue of record company mismanagement and creative interference has become one of Kool Keith's most prominent creative topics, allowing fans to get a unique perspective on this aspect of the music industry. By analyzing the content of these recordings, like 2000's independently released "Test Press," we can get a true sense of many of Kool Keith's individual issues with his record labels from his perspective as an artist.

²⁰ From 'Chairman Mao', "Dr. Octagonecologist: Dr. Octagon: Review"

Excerpt from “Test Press” (2000)

*“So Ruffhouse politically had to freeze my album
Regular Colombia don’t know what the hell is goin’
on
With a sheisty distribution switch behind my back
I worked on my album February last year
13 months passed by, all I heard was a bunch of lies”²¹*

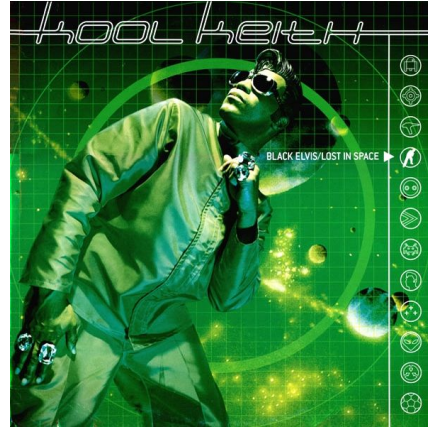


In the song, Kool Keith discusses a period in 1999 that saw the release of arguably his two most important albums since his solo debut as Dr. Octagon, *First Come, First Served*, under the alias Dr. Doom through independent label Funky Ass Records and *Black Elvis / Lost in Space*, as Kool Keith through major labels Ruffhouse and Colombia records. Kool Keith’s original plan was to release both albums on the same day, which would have added appeal to both albums, especially amongst faithful Kool Keith fans appreciating the creativity of this move. Stylistically, both albums are very different, with *First Come, First Served* depicting the character of an eccentric and profane serial killer²² and *Black Elvis / Lost In Space* dealing with space travel and other futuristic themes, in a surprisingly profanity free delivery.²³ This drastic stylistic difference would have further added

²¹ From Thornton, Keith, *Test Press*
²² From Thornton, Keith, *First Come, First Served*
²³ From Thornton, Keith, *Black Elvis / Lost In Space*

to the allure of this unique release schedule, allowing fans simultaneous access to two opposite creative styles of Kool Keith.

Ultimately, however, Ruffhouse Records neglected to recognize the commercial value for the *Black Elvis / Lost In Space* album and took



every opportunity to undermine Kool Keith, starting with a 4-month delay in releasing the album. The record label also took steps to limit Kool Keith's creative control as the album's sole producer by attempting to implement more industry standard production styles.²⁴ Kool Keith further discusses this struggle on "Test Press."

Excerpt from "Test Press" (2000)

"Dubbin' my cassette for the industry, it got silly

Opinions from people who don't know jack about music

In the industry, know what?

Had to do the album practically over"

Upon the release of *Black Elvis / Lost in Space*, Ruffhouse Records had given up on the project, switching the album's distributor from major label Sony Music Distribution to the independent and much smaller Relativity Entertainment Distribution. Ruffhouse Records also decreased its promotional investment in the

²⁴ From Thornton, Keith, *Test Press*

album to next to nothing, leading Kool Keith to publically publish the email addresses of multiple Ruffhouse Records executives and encouraging fans to write requesting more promotion for the album.²⁵ As a result of this dispute, *Black Elvis / Lost In Space* drastically underperformed commercially, coincidentally during what turned out to be the music industry's strongest sales year ever.²⁶ Today, the album, arguably one of Kool Keith's best albums, is virtually unavailable to consumers. The album is not available on iTunes or Spotify, rendering this great album virtually gone from hip hop history. Fortunately for consumers, Kool Keith is an artist with a strong enough voice and will to detail these normally behind the scenes music industry disputes in songs like "Test Press."

The issues surrounding Kool Keith's 1999 releases have proven to not be the only problems between him and his record labels. Beginning in 2002, Kool Keith attempted to revisit his Dr. Octagon character and ultimately signed with the small Los Angeles based independent label CMH Records to help facilitate the release of what became known as *The Return of Dr. Octagon*. At the time of this deal, Kool Keith stated in an interview with Rolling Stone, "I chose to go with somebody that will take this as a creative project, not a marketing project."²⁷

Unfortunately for Kool Keith, his initial perception of CMH Records was incorrect, as the label immediately began to demand creative control, leading Kool Keith to battle the label legally in order to halt the distribution of the album. In an attempt to quietly fulfill the requirements of his record deal, Kool Keith provided the

²⁵ From HipHopIsntDead, "Kool Keith – Black Elvis / Lost In Space"

²⁶ From RIAA.com, "Scope of the Problem"

²⁷ From Moayeri, Lilly, "Kool Keith Revives Dr. Octagon"

label with old, unused vocals that CMH Records subsequently distributed to OCD International, a virtually unknown record label in Barcelona. Citing their contractual right to independently remix any material created by Kool Keith, CMH Records and OCD International released *The Return of Dr. Octagon* in 2006 unbeknownst to Kool Keith himself.²⁸ The final product is a sorry excuse for an actual Kool Keith release, featuring unpolished scratch vocals and production that had nothing to do with Kool Keith at all, an artist who normally prefers to produce all of his tracks himself.

The issues surrounding *The Return of Dr. Octagon* eventually became a story about a tiny record label exploiting the prolific name of an artist to achieve success, all while delivering to consumers a product that does not fully represent the normal creative output of an artist like Kool Keith. Because of Kool Keith's progressive and outspoken nature as a person and artist, he is one of the best examples of unethical label tactics and stifled creativity that we have from the modern music industry. Although Kool Keith is still one of the most influential and innovative figures in hip hop, the fact remains that his output to consumers and imprint on music history could have been much greater. Today, Kool Keith is a shell of his former self creatively, with over 20 years of music industry wear and tear obviously affecting his morale and artist identity. His 2012 song "Goodbye Rap" is a testament to this, as Kool Keith seemingly retires from the music industry, citing issues such as the merging of hip hop and pop by record companies, the chronic sampling of "old man records," and the industry promoting false images of what a rapper should look

²⁸ From Downs, David, "Kool Keith CD Scam Exposed"

like.²⁹ The industry has sadly killed a large chunk of the creative genius of Kool Keith, which has ultimately hurt the artist, the fans, and the labels alike, leaving both cultural contributions and money on the table.

Outkast

For roughly 20 years, Outkast has been one of the most successful and respected names in commercial hip hop. Comprised of



rappers Big Boi and Andre 3000, Outkast's 7 albums have gone on to sell over 20 million copies in the United States, establishing the group as one of the only hip hop acts to successfully merge creativity, artistry, and musicality within the commercial hip hop industry. After their first three albums all hovered between 1 and 2 million total U.S. sales, their 2000 album *Stankonia*, led by crossover hits "Ms. Jackson" and "So Fresh, So Clean," more than doubled their previous sales averages with over 4 million sales in the U.S. alone.³⁰

Following the success of *Stanktonia*, Outkast's label, Arista Records, operating under Sony Music, attempted to push Outkast into that same style and sound on their next album.³¹ Rather than release what their label wanted, Outkast decided to take an entirely different approach. In 2003, they released *Speakerboxxx / The Love Below*, which not only was presented as one solo album each by both

²⁹ From Thornton, Keith, *Goodbye Rap*

³⁰ From Hunting, Benjamin, "Outkast's Stankonia - 10 Years Later"

³¹ From LaBarrie Ariana, "Outkast's Speakerboxxx / The Love Below Turns 10"

members of Outkast, but also featured the complete abandonment of rapping by Andre 3000 (long considered Outkast's biggest talent and main source of commercial appeal), instead opting to sing for the majority of his half of the double album. Because *Speakerboxxx / The Love Below* became an album that Arista Records was not pleased to release, the label did not promote it or ship it to the level that a major album of its kind should have. Ultimately, the album wildly outperformed its expectations, selling all 500,000 copies that were shipped out for the first week, winning the 2004 Grammy for Album of the Year (the only hip hop album to ever win the honor), and eventually selling over 10 million copies.³² Despite the album's success, however, it is extremely disheartening to view Arista's initial lack of promotion and support of the album, based solely off of fears that it would not meet the expectations of consumers.

Although *Speakerboxxx / The Love Below* was ultimately a successful album, it became apparent that Outkast was creatively and artistically outpacing the desires of Arista Records. After one more album together, the soundtrack for the 2006 Outkast movie *Idlewild*, the group announced a hiatus in 2007, undoubtedly influenced by the differing artistic expectations of Outkast and its record label. Andre 3000 moved on to pursue acting and fashion design, while Big Boi signed a deal as a solo artist with Def Jam.

The creative genius of Outkast was stifled again, and in a big way, with the release of Big Boi's 2010 solo debut *Sir Lucious Left Foot: The Son of Chico Dusty*. Leading up to the album's release, interest for the album was generated when it was

³² From LaBarrie Ariana, "Outkast's *Speakerboxxx / The Love Below* Turns 10"

revealed that Outkast would record together again, as 3 of Big Boi's solo tracks were to feature Andre 3000. Jive Records, which owned the recording rights for Outkast as a duo at the time, immediately fought Andre 3000's presence on the album, ultimately leading to all of Andre's verses being pulled from the final album, significantly disappointing fans.³³ Despite receiving significant critical acclaim for *Sir Lucious Left Foot*, Big Boi's solo debut received very little commercial success, selling 62,000 copies in its first week and less than 300,000 copies to date,³⁴ a total that would have undoubtedly been higher had the songs featuring Andre 3000 actually been released on the album.

When analyzing the catalogue of Outkast over the past 20 years, it is clear that record label involvement played a significant role in the abrupt hiatus of the group. Since Outkast developed into one of the most commercially successful hip hop acts of the 2000's, Arista Records and Jive Records have had their hands on the artistic output of the group. Arista Records improperly released one of the most important hip hop albums of all time because it wasn't commercial enough for them, with Jive eventually blocking future Outkast recordings, simply because they weren't being made on the record label's terms. Thanks to these acts by the record labels, both Big Boi and Andre 3000 have been pushed away from their exploits as a group and into other solo ventures devoid of such outside control. By overly controlling the work of Outkast, the business side of music industry has blocked fans from receiving the best possible creative output from the legendary duo, potentially for the rest of time. Even if the duo eventually reunites to record a new project, the

³³ From Michaels, Sean, "Outkast's Record Label Blocks Big Boi & Andre 3000 Collaboration"

³⁴ From Wikipedia.org, "Sir Lucious Left Foot: The Son of Chico Dusty"

creative output will not be as strong as it would have been if the group had not been significantly stifled creatively at the peak of their artistry and success.

Lupe Fiasco

"I am a hostage. I gave them what they wanted. If I didn't, at the end of the day the album wasn't coming out." – Lupe Fiasco



The story of rapper Lupe Fiasco's disagreements with his label, Atlantic Records, is another well-documented case of creative control in the urban music industry. At the time of his debut, in 2006, Chicago born Lupe Fiasco was considered a 'breath of fresh air' in the hip-hop genre for his socially and politically conscious lyrics that ultimately led him to sign a deal with Atlantic Records. He followed up his universally acclaimed debut album *Food & Liquor* with a gold certified sophomore effort *The Cool*, featuring the top-ten single "Superstar."³⁵ Despite his success, however, Atlantic Records delayed his third album, *Lasers*, for two and a half years because they feared it lacked the commercial singles that they had envisioned for the project. In late 2010, Lupe Fiasco addressed the issues he faced surrounding the composition of *Lasers* in a keynote speech at the Second Regional Academic and Cultural Collaborative in Dayton, Ohio:

³⁵ From Canton, Rafael, "The Artist vs. The Record Label"

“The record company [Atlantic Records] sent me a song and said ‘Lupe, you need a number one smash [single]. And this is a number one smash.’ They sent me a track and a hook. And then they sent me seven of those. On the last one, I was like ‘I’m done fighting. I’ll just Martin Luther King this one. Just go ahead and I’ll turn the other cheek.’”³⁶

Lupe Fiasco goes on to claim that this exchange continued to occur, even resulting in Atlantic Records changing a hook sixty times to try to eventually create a “smash” record that could dominate the Billboard Music charts.

It is no secret that a decline in record sales has affected the way that record companies have made decisions over the last two decades. This has prompted music



executives in various departments to take an active role in the creative process of album production. Fiasco asserted in an interview with the Chicago Sun-Times that he was explicitly told, “don’t rap too deep on this record,” confirming that the major record label had interfered with his ability to write freely and express himself as an individual through music. “That was a specific order from the top. ‘You’re rapping too fast or too slow, or it’s too complex.’”³⁷

Lupe Fiasco consistently resisted many attempts from Atlantic Records to adopt a more mainstream style as a rapper. Still, his artistic career was negatively

³⁶ From “The Urban Daily,” *Lupe Fiasco Exposes Label Practices*

³⁷ From Jaco, Wasalu (Lupe Fiasco), 2010 interview with the Chicago Sun-Times

impacted as a result of failing to comply with Atlantic's demands. In 2009, he refused to sign a 360 contract with the label so that they could gain rights to revenue in his other business endeavors, including tours and his endorsement deals with Reebok and Hewlett-Packard. Because he wouldn't reach an agreement to this type of deal, Fiasco alleges that Atlantic Records didn't bother to promote his single:

"I was told because you didn't sign this 360 deal, we may or may not push your record. When [my 2011 single] 'Beaming' came out and you never heard it on the radio, it's because they never took it to the radio in the first place. The reason that there is a video for 'Beaming' is because I shot it, with my own money. The only reason that it's on MTV is because I have friends at MTV that said 'Lupe we're going to play your video...'"³⁸

Luckily, Lupe Fiasco has been a successful artist over the past 8 years and maintains a strong and loyal fan base. His followers started a petition and planned to protest outside of the Atlantic Records headquarters while there was still a hold on the release of *Lasers*. The company quickly gave in and announced an official release date of March 8th, 2011.³⁹

For many artists like Lupe Fiasco, having a deal with a major company involves great struggles that will ultimately end in creative compromise. Unfortunately, numerous musicians have been caught in the midst of transitional periods within the recording industry that affect business decisions. The ambitions

³⁸ From Blanco, Alvin, "Lupe Fiasco Explains 'Lasers' Delay, Blames Atlantic Records"

³⁹ From Canton, Rafael, "The Artist vs. The Record Label"

of some music executives and companies do not necessarily foster a creative environment, but rather, an opportunity for artists to sacrifice quality music conception in exchange for a small earning of the overall profits made yearly in the business of entertainment. The story of Lupe Fiasco's album *Lasers* shows that today, more so than ever, record label executives are demanding creative control from their artists. Lupe Fiasco's statements on the dispute are proof that today's music industry does not care about maintaining the artistic beauty of the product they sell, instead submitting to the overwhelming desire to top the Billboard charts and rake in millions of dollars, at the expense of the creative will and ability of profound lyricists like Lupe Fiasco.

As with all business entities, the major, multi-million dollar companies that make up the music industry can be analyzed both internally and externally. Today's troubled music industry is characterized by the overwhelming trend of analyzing their affairs with an exclusively external eye. All too frequently, the problems currently facing the music industry are blamed on piracy and other uncontrollable external factors. For the past decade, the industry has exhausted countless hours and resources to fight these external issues to no avail, while continuing to engage in harmful internal practices day in and day out.

The careers of Captain Beefheart, Frank Zappa, Kool Keith, Outkast, and Lupe Fiasco speak to the negative and harmful internal practices that have remained essential components of the DNA of major record labels for over 6 decades.

Although only a small collection of the countless examples of creative exploitation and manipulation within the music industry, these powerful stories speak to how firmly these acts are engrained within the majors.

From as early as the 1960's, major labels have been documented as operating solely according to profit maximization and the bottom line. As record labels followed and chased trends, much like during the early career of Captain Beefheart, and forced creative artists into one presumed formula for commercial success, the perceived goal was to perform these actions in the name of the consumer. These decisions, however, have ultimately proven to be completely counterproductive, as the almighty music consumer has been neglected and hurt at every turn for over 60 years. Time and time again, cherished artists are pushed further and further from their true fan bases, with the creative genius they possess limited, fought, and in extreme cases, pushed to the brink of extinction. Simply imagining the possible further artistic contributions of artists like Frank Zappa and Kool Keith if not for these long-standing realities is extremely disheartening.

It is no wonder, then, that at the turn of the millennium, consumers leapt at the opportunity to hit the commercial music industry where it really hurts. The music industry had become so complacent; so entrenched in decades old habits that it is still struggling to adapt today. The digitalization of music and the subsequent rise of peer-to-peer file sharing finally gave music consumers a voice and allowed them to take retribution for decades of disrespect and mistreatment of both the fans themselves and the artists that they idolize. Given such a negative and controversial history, it is no wonder that fans were finally tired of having new release after new

release of generic, unoriginal material masquerading as quality creative content shoved in their faces.

The lives, careers, and creative output of Captain Beefheart, Frank Zappa, Kool Keith, Andre 3000, Big Boi, and Lupe Fiasco speak to the overwhelming benefit that music can have on society. Unfortunately, each artist represents the battle between creative integrity and profit margin. As the music industry looks toward the future, we as figures within the music industry must learn from industry mistakes that are now littered throughout the songs, radio interviews, and magazine write-ups of the past 60 years.

Creativity, originality, and the advancement of culture and society have, over the years, been killed within commercial music. Now, for the first time in many decades, all parties involved within the music industry value chain have the power to combat these issues and finally revive creative progress. Herein lies the answer to renewing the music industry's powerful form of the late 1990's. A rebirth in the creativity of music and re-acceptance by the major labels is our path back to a successfully functioning music industry in the United States and around the world.

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