

# The False Freedom of Rock Stardom

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Matt Stahl. *Unfree Masters: Recording Artists and the Politics of Work*. Duke University Press, 2012. 296 pp.

Academic and policy studies of creative labour have tended to suggest that creative work is unique and desirable because it is more autonomous than regular employment, meaning that it is more self-directed, expressive, and self-actualizing, and also more authentically separable from employers' prerogatives. Critics of the more celebratory rhetoric about creative labour will agree that these are good qualities for work to have. They will point out, however, that actual creative labour is rather less autonomous than it should be, and remark that it is the very autonomous and self-directed character of creative labour that allows it to prefigure the precarious conditions that an increasing number of regular workers face in light of a shortage of secure jobs and the withdrawal of institutional supports.

In *Unfree Masters*, Matt Stahl acknowledges that there may be something worth emulating in the creative worker's commitment to autonomous production. However, he argues that our understanding of this commitment has been limited by the tendency to frame it in terms of the possible forms of relation—from perfect compatibility to fundamental contradiction—between art and capital. The relation that Stahl highlights instead is between democracy and employment. He conceives democracy as an imperfectly realized movement to minimize subjugation or subordination, and understands employment as a form of productive relation that asks us to see ourselves as rational individuals who freely offer our obedience in exchange for a wage. If we accept how these terms are defined, we accept too that there is a significant tension between them. It is this tension that Stahl's work makes a crucial nexus of concern.

By shifting the terms of the creative labour debate in this way—from the art-capital relation to the democracy-employment relation—Stahl is able to use a study of recording artists in the service of what is really a critique of liberalism as the political-philosophical adjunct to capitalism. Sheryl Crow, for example, would seem to be doing quite well for herself both creatively and financially, and yet her working relationship with the record company that employs her is, like so many contracts for more regular workers, premised on several highly political and contestable

assumptions. Primary among these are the assumption that one cannot be exploited by a contract into which one freely chooses to enter and from which one appears to benefit, and the related claim that any right is alienable if both parties agree that it should be. Stahl argues persuasively that the recording industry has a direct interest in ensuring that employees possess no inalienable rights, instead only alienable ones that can be bargained away during any negotiation. He shows as well that the state has helped the industry to secure this interest when control over artists has been threatened. The liberal ideal of freedom of contract, which suggests that all productive relations are best determined by consenting individuals not subject to any oversight or regulation, involves only a false freedom. This false freedom at once mystifies the erosion of real choice for working people, and disguises the fact that we are “free” from something necessary and desirable in being “bereft” of “substantive claims on the means of making a living” (11). Put simply, the freedom *to* self-actualize through our employment has been bought at the expense of freedom *from* socially sanctioned institutional supports and stable entitlements (99).

Stahl grounds these arguments in his analyses of *American Idol*, the rockumentary film, and a series of legislative battles over the terms of record industry contracts and copyrights. He thereby addresses both the popular narratives that present a career in music as a non-alienated voyage of self-discovery, and the actual forms of contractual obligation that make these popular narratives at once so blinkered and so necessary. Popular narratives present the work of the aspiring recording artist as individual, expressive, self-actualizing, fun, “rewarding, enriching, autonomous, proprietary” (25), and it is true that some measure of authentic autonomy is granted to recording artists due to the general acceptance of the idea that artistic types must be let loose to generate material. Yet it is equally true that recording artists are quite lacking in any substantive freedom when it comes to their ability to negotiate the contracts that they have no real choice but to sign. Stahl’s two-part study thus presents recording artists as at once autonomous and controlled, at once employers themselves and contracted labourers who exist within a media ecology stratified by class relations.

On *American Idol*, an individual’s claim to authenticity has nothing to with the irreducibility of her work to capital. Instead, in *Idol* narratives the attempt to make it within the mainstream music industry and learn to conform to its tastes and tendencies is the main goal of those who audition. Here, authenticity is about being able to sing and perform well, being “real” for audiences in a way that signals honesty and integrity, being attached to a life narrative that makes a music career the fulfilment of an inner self, and being gracious in submitting to reforming criticism generously offered by those in positions of authority. Success for contestants stems from character and merit, as a system that is tough but fair rewards honest hard work. *American Idol* thus portrays an ideal, liberal, meritocratic regime. Anyone can audition. Everyone

gets an equal shot at the chance to rise to the top, and has “equal access to the essential resource: the rhetoric of coherent, authentic, individual selfhood” (59). Impartial but expert advisors, who work in tandem with a popular electorate, do not so much decide who wins as reward the inherent talents that emerge as the season progresses. Those who deign to reach above their station—those without talent who are somehow blind to its absence—become the subjects of “instructive tableaux” of laughing admonishment and punishment (54).

For Stahl, *American Idol* is thus an instance of the way images of the rock star, and more broadly images of the artist or creative person at work, are serving to help acclimate people to today’s kind of employment. Rewards are justly bestowed upon the glorious few. It isn’t institutional support that will usher one into a prosperous future, but a benevolent system that sees talent and helps to develop it. One must compete as an individual for remunerative work. The show is instructive on these terms not just for young people but for the growing number of adults trapped in adolescence by a lack of secure work. Our attainment of legal adulthood, in the form of a willingness to entertain the idea of committing to a marriage, a family, a mortgage, is increasingly deferred these days, due to our unprecedented vulnerability in the labour market, and an accompanying popular romance with the “low drag” entrepreneur flitting from thing to thing. *American Idol* is so popular because so many people understand the story it tells. “You’re going to have to keep competing to stay on top,” Paula Abdul advises (63).

For those with more refined tastes, there is Ondi Timoner’s 2004 rockumentary *Dig!*, which presents the divergent trajectories of the Dandy Warhols and the Brian Jonestown Massacre (BJM). Stahl notes that the film’s form and content are unified. Its American *vérité* style reflects the ethos of anti-authoritarian individualism attached to rock star figures, and the film’s box office success suggests how self-expression and playful self-actualization have become a kind of common sense rather than a choice. These anti-authoritarian values were first substantially democratized in the US via a postwar expansion of income, educational opportunity, occupational choice and social mobility, and were reinforced by the contemporaneous critique of mass society, the “lonely crowd,” and “organization man.” Conformity and banality became common laments. Highbrow disaffection became popular culture. The split between the artist and the bourgeois became what Thomas Frank has called a “cultural civil war” (71).

*Dig!* wants the war to be over. It watches the Dandy Warhols begin to embrace the limelight, while the BJM, fronted by a disintegrating Anton Newcombe, stagnates in its own integrity. Like the Dandys’ career, Timoner’s filmmaking technique progresses with the years of shooting footage. She reports on a DVD commentary that over

the course of the film her style became “more steady, less enthusiastic, less zooming” (79), perhaps reflecting her acceptance of her own directorial authority and career development. It is telling then that whereas the BJM remain for her a “Super 8 band,” the Dandys are more 16mm (79). This distinction is significant to the film’s message, because while *Dig!* spends most of its time with Newcombe—his drug abuse and psychological struggles make for interesting storytelling—for Stahl it is really about the Dandys’ and Timoner’s own achievement of a balance between integrity and success. The Dandys represent reasonable, productive drug use, marriage and home ownership. Their commitment to autonomy is similarly moderate. Newcombe is, instead, all excess. His commitment to autonomy is zealous and pathological. His drug use prohibits effective creativity. As Timoner remembers nostalgically, the Dandys are “warm breakfast in the morning but ecstasy at night” (86). Newcombe is just heroin all the time. In pitting the bands against one another in this way *Dig!*, like *American Idol*, recommends a particular orientation toward creative work. In this case, one is instructed that anti-authoritarian authenticity is available to an entrepreneurial subjectivity, and that business-friendly nonconformist consumer subjectivity harmonizes “self-directed” personal development and the “needs of capital” (82). The film is thus more symptom than diagnosis of a situation in which a moderately resistant claim to authenticity can “slot happily into institutions like Capitol Records, Vodafone, the Sundance grand jury prize” (84), and any more ardent commitment to autonomous artistry is simply insane.

Moving from popular narratives to legislative battles, the second part of Stahl’s study begins with the successful 1987 effort by the Recording Industry Association of America (RIAA) to amend a hundred year old California labour law stipulating that employment contracts cannot last beyond seven years. The amendment was to exclude or “carve out” recording artists from the law and make their contracts potentially interminable. The recording industry argued the amendment was crucial to the industry’s survival, and bemoaned the increasing power of superstar artists who could threaten to leave after benefiting from seven years of the company’s investment of financing and expertise. Stahl suggests that the subtext of the industry’s efforts was the promise of profits to be made from consolidation. Companies wanted to be vendible, and that required that they be able to boast valuable catalogues and stables of promising and established talent enjoined to produce for a long time to come.

The state for its part willingly intervened to limit labour mobility and, as a result, one set of employees no longer had the once inalienable right granted by the state of California to re-negotiate their contracts every seven years. This right instead became a piece of alienable property that could be bargained away if the both of the parties wished. An unwelcome precedent was set. In 2001-2, the recording artists and their allies tried and failed to have the RIAA’s amendment repealed. The artists claimed

they were now subject to civil slavery and indenture, a status especially clear in the fact that their contracts could be sold to new owners (or “assigned,” in the euphemistic legal lingo). Only delivery of a set number of albums would fulfil a contract, and damages provisions required artists to pay substantial fees to get out of contracts even after seven years.

Those in favour of upholding the amendment argued again that industry sustainability required it, and presented the companies as investors of capital in risky enterprises that they helped to develop into sure things. A new emphasis also emerged, though, on the freedom of contract. Here Stahl picks up from Carole Pateman’s work the term “contractarianism,” which he uses as a synonym of sorts for classic liberalism. Contractarianism holds that the state should not threaten the right of individuals to enter into whatever kind of contract they like, and that employment is simply another routine contract in which even relations of servitude are not a problem because they represent the “the voluntary consent of both parties” (159). The recording industry argued that record companies contract with artists to exchange industry expertise for artists’ creativity. They stressed the “voluntary contractual exchange of properties between civil equals” (178). Stahl’s critique is that “freedom of contract is neither identical with, nor the extent of, substantive liberty,” and that “consent does not necessarily represent or produce a free relation” (171). In fact, in a society divided by class, contract freedom is the inverse of substantive freedom. The contract, which asks people to act as though they can alienate their labour from themselves and offer it up for sale, is a mode of domination and an expression of an unequal relation. That the person who enters into it benefits in some way, and in the case of rock stars quite substantially, does not diminish the fact that the contract is premised upon a limited conception of freedom. Hence for Stahl the California law limiting contracts should be extended where possible rather than withdrawn, not because it is a self-evident panacea—after all, isn’t seven years a rather arbitrary span of time?—but because it is a step closer than its alternative to substantive freedom and democracy.

Stahl’s final case is the recording artists’ battle to resist the 1999 change to copyright law that would have allowed for the treatment of sound recordings as work for hire, which would have meant that the copyrights were naturally owned by the employer. That the artists this time succeeded in arguing against this change reflects their power over the more vulnerable musicians they hire as employees. Sheryl Crow, one of the main figures resisting the amendment in formal hearing, argued that she is the author of her sound recordings because she is possessed of the “creative vision” that drives a recording session. “I am the author and creator of my work” (203), she stated unequivocally. But given the fact that the people she hires—musicians, producers, engineers, et cetera—would likely also imagine that creative vision is a feature of their work, what really mattered to the success of her argument is the fact that she is the

hiring party, the employer who contracts the other labour. In Stahl's interpretation, it is thus the unequal employment relation that is "determinant of authorship," rather than the level of creativity that anyone brings to the table.

What Stahl's fascinating study shows then, in sum, is that the creative labour of recording artists is like regular work in being conditioned by the inequality of the employment relation and by the spurious freedom of contract. His book's interest is in the way capitalism is itself a structuring form of unequal relation between employer and employee, one which substantively separates people from the means of subsistence and requires that they work for it and rely on others to provide them with access to it. Employment and contract cannot, in Stahl's analysis, be harmonized with democratization, because democratization means the reduction of subordination, and requires at the barest minimum that it be possible for one to reject commands with which one does not want to comply. To Stahl's political-economic perspective, cultural workers' special autonomy vis-à-vis capital is not the key matter. Their autonomy is rather epiphenomenal. What is essential is that employers still seek to enhance control and to dispossess and alienate workers, no matter how creative. Indeed they will even use the ostensible autonomy of creative work as a lever with which to orchestrate the creative worker's effective subordination.

All that is left to say about Stahl's articulate treatise is that the art-capital relation is perhaps more homologous to the democracy-employment relation than he allows, especially if one conceives employment, as he does, as the form of relation that liberal capitalism demands. For many of its theorists and practitioners, the aesthetic still represents what democracy represents in *Unfree Masters*: the attempt, anyway, at an anti-instrumental, non-vendible, illiquid refusal of the terms of capital-employment.