

# Setting Someone Else's Words to Music

By Gerald Warfield and Larry Christiansen

Fred the composer is commissioned to write a song. The singer who commissions the piece offers only a nominal sum, but Fred accepts because she is a friend. He decides to use a poem by a writer who lives in Santa Barbara.

At the first performance the piece is well received. Thus encouraged, Fred sends copies to other singers some of whom also schedule the work for performance. He also sends copies to a few music publishers one of whom becomes interested and asks him whether he has permission to use the text. This is not a good time for Fred to discover that every one of his prior actions (other than accepting the commission) was illegal.

Probably Fred already knew he should have gotten permission. Perhaps he intended to if the piece were ever published, or if it ever started generating income. However, his prior "bad acts" now place both him and his potential publisher in a weak position to negotiate any agreement with the copyright holder. In the worst-case scenario important performances or recordings could be lost, and in the end, the entire piece could become unusable because of copyright infringement.

As most people know, a poem is protected by copyright whether it is published or not (the same as with music), and it is only the owner of that copyright who can give permission to reproduce it, display it, or prepare derivative works based upon it. A musical setting—since we are talking here about the poem—falls into the category of "derivative works." When is it necessary to obtain permission to use someone else's words? And if it is necessary, how do you go about doing it?

Copyright protection, under the 1978 Copyright Act, is for the life of the author ("author" means writer, composer, painter, etc.) plus 50 years. However, this has recently been extended to the life of the author plus 70 years. Thus if the writer is alive or not dead for 70 years, then somebody, somewhere owns the copyright to his or her works.

We do not need permission for text that is in "public domain," i.e., if the duration of copyright has expired or if the words were written before copyright law existed. Hence, we do not need permission to set the words of Walt Whitman (he died in 1892) or to set passages from the King James Version of the Bible. But a word of caution here: If a public domain text has been published with editorial additions or changes, those additions or changes are probably covered by copyright. This requires finding out what the copyrighted additions or changes are, and then either not using them or getting permission to use them. Similarly, a

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#### Bartók's Last Year

The following is excerpted from a recent interview between WKCR-FM radio in New York and Jack Beeson about his experiences with Bartók during 1944-1945, the last year of Bartók's life.

WKCR: So how long did you know Bartók? You knew him in his last couple of years?

JB: One. His last year.

WKCR: I understand from a number of things I've read that Bartók used to refuse to teach composition to people, and yet you were a composition pupil of his. How did that work out?

JB: Well, "pupil's" not quite the right word for it – I'll come around to that in a minute – but it was a rather special occasion. Shall I tell you how it came about?

WKCR: Yes, please.

JB: In the spring of 1944, that's along time ago, I was 23 about to become 24, and I had just finished my undergraduate and graduate work at the Eastman School of Music and had decided to come to New

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# Call for Scores and Proposals

#### **Region IV**

University of Miami Dennis Kam, *host* November 10-13, 1999

DEADLINE May 14, 1999 (postmark)

Composers are invited to submit works for the following instrumentation: wind ensemble, orchestra, chorus, chamber ensemble, electronic ensemble (mixed acoustic/electronic), string quartet and solo orchestral instruments with or without piano. Please indicate in your cover letter whether you will be able to provide performers for your works. Works may be of any duration, but in order to program as many composers as possible, preference will be given to works of shorter length. Composers of works selected must attend the conference and must be or become members in good standing of SCI by the conference. Please send SASE for the return of scores and tapes. Send materials to: Dennis Kam University of Miami, School of Music, Coral Gables, FL 33124; tel: (305) 284-6252; e-mail: kam233@aol.com.

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# Region VII Conference —Review

The University of Hawai'i at Manoa Donald Reid Womack, *host* March 10-13, 1999

The 1999 Region VII conference was held at the University of Hawai'i at Manoa, hosted by Donald Womack. Six concerts performing the works of 45 composers, 2 paper sessions, and a panel discussion made up the various activities during the four-day conference. The conference featured Kawana'ao, the contemporary music ensemble of the University of Hawai'i, Robert Wehrman, director, and the Arizona State University New Music Ensemble, Glenn Hackbarth, director (with Chris Scinto, conductor). Also featured were pianists Lawrence Axelrod and Toni-marie Montgomery, saxophonist Todd Yukumoto, shakuhachi player Takeo Kudo performing with the University of Hawai'i Symphony Orchestra, Henry Miyamura, conductor, and the University of Hawai'i Symphonic Wind Ensemble with Grant Okamura and Thomas Bingham, conductors. This successful conference was in tribute to Marian Kerr (1907-97), a musician and teacher who contributed significantly to Hawai'i and the world of new music.

The featured composers were: Renee ARAKAKI, Charles ARGERSINGER, Peter ASKIM, Lawrence AXELROD, George BELDEN, Marshall BIALOSKY, James CHAUDOIR, Larry CHRISTIANSEN, Dinos CONSTAN-TINIDES, James CROWLEY, Paul DICKINSON, Amy DUNKER, Arne EIGENFELDT, David GOMPPER, Glenn HACKBARTH, Leslie HOGAN, Linda HOLLAND, Kent HOLLIDAY, Ching-chu HU, Aaron JOHNSON, Dennis KAM, Daniel KESSNER, Takeo KUDO, Mikel KUEHN, Frank LaROCCA, HyeKyung LEE, Anthony LIS, Michael Ray McFERRON Neil McKAY, Janis MERCER, James MOBBERLEY, Jody ROCKMAKER, Paul RUDY, Alan SCHMITZ, Christopher SCINTO, John van der SLICE, Jennifer STASACK, Duane L. TATRO, Karen THOMAS, Allen TRUBITT, Robert WEHRMAN, John WHITE, William WIELAND, Ronald WOMACK, and Byron YASUI.

#### Keynote speech delivered to the Student Conference at the University of Texas, Austin

David Gompper

I have always found it difficult to describe my music, or even the way I think about music-as if words could indicate intention or character. And so I search for metaphors, and hear often, sometimes too often the composer as an "architect in sound" or "engineer in sound." I like the word architect, for we work like architects, responsible for our composition often from its inception to the final performance. A favorite metaphor for Joan Tower is 'choreogrpher in sound.' But my favorite, along with Shulamit Ran, is "sculptor of sound." The suggestion is that we can hold, in our hands, a sonic idea: mold and shape it in time, not starting from A and leading to Z but moving back and forth, circular, returning, remolding and reforming until the end result is achieved. Such an object exists like a three-dimensional mass—shapeless from which is carved a clear, almost crystalline piece.

At the University of Iowa I teach a graduate level 20th century analysis course every other semester, and when I come to introduce "set-theory" to the majority of performers and conductors, I inevitably describe tri-chords/tetrachords as non-ordered collections that can be held in the hand, as if suspended in space, and that can be thrown on the canvas or used as motivic DNA for further growth and development.

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#### Conferences: 1999-2000

#### **National Conference**

April 22-25, 1999 New York City

#### Region I

November 12-14, 1999
Bowdoin College
Scott Brickman, Elliot Schwartz, *hosts* 

#### Region IV

November 10-14, 1999 University of Miami Dennis Kam, *host* 

#### Region V

October 1-3, 1999 Grinnell College Jonathan Chenette, *host* 

#### "Setting Words" - cont. from pg. 1

translation of a text in public domain is very likely protected by copyright.

When words we wish to set to music are protected, how do we get permission to use them? We will first consider words copyrighted by the writer (this occurs automatically) but not published by a book or magazine publisher. We will then consider the situation where the copyright owner is a publisher.

When the poem or text is not published, permission must be sought directly from the writer or the writer's heirs. Normally, the request is for the "non-exclusive" right to set the words to music. This means the same right can be granted to other composers. Although it is possible to seek the "exclusive right," writers may consider that too restrictive and set a high fee or turn down the request altogether. The next concern is whether the permission allows us to select which passages to set and whether words and passages can be repeated. This right is sometimes important depending on the compositional process. We may also want the permission to give the right to make derivaive works. For example, if we are granted the right to set the words as a song for soprano and piano, derivative works could include versions for voices other than soprano and accompaniments other than piano

Often the above items constitute the entirety of a permission request, but such a permission is inadequate unless the composer never intends to perform the piece, publish it or record it. At the very least, permission should be requested to seek and obtain performances and to make limited copies for promotional purposes.

If the piece is a commission, the terms of the commission should be spelled out and the division of payments with the copyright holder of the text specified (clearly the copyright holder has a claim on any commission received by the composer.) If the piece is to be entered into a competition, that too should be mentioned since division of the revenues—if a prize is won—should be agreed upon in advance.

The composer probably wants the permissions granted to be in effect for as long as the text is covered by copyright and for the

agreement to be binding on anyone who might later obtain the copyright through inheritance, gift, contract, or assignment of any kind. If that is the case, then extension of the permissions granted to the entire term of copyright should not be assumed but spelled out in the permission request.

It will be likely that the writer will want the composer to acknowledge on all copies of the composition that the writer has given the composer permission to use the words. The composer can promise to acknowledge the writer on program notes to the extent that this is within his or her control.

If the piece is later published or recorded the copyright holder of the text will expect to hear from the publisher or recording company in advance concerning the appropriate permissions and royalty rates. This process is automatic and sometimes only tangentially involves the composer.

If the grant of permission looks forward to the possibility of competitions, performances, publication, recording, and other uses which may earn money, the composer and writer will want to state in the grant of permission that they agree to share equally (or in some other proportion) all royalties and other payments received from competitions, performances, publications, recordings and other uses of the composition. Note that this does not mean that the composer has to divide every payment he or she receives since in some cases the writer's share will have already been deducted. For example, if the composition is registered with one of the performing rights organizations such as ASCAP and BMI, the composer and writer must stipulate up front how they want the payments divided between them. This is true when both the composer and the writer are members of the same performing rights organization, and when the composer is a member of one and the writer is a member of the other. If either the composer or writer is a member of ASCAP but the other is not a member of either ASCAP or BMI, ASCAP will still pay both. However, if one is a member of BMI but the other is not a member of either ASCAP or BMI, then BMI will only pay the member. In this case the composer has to pay the writer performance royalties out of his or her own payments.

It is important, particularly in the case of an unpublished poem, that the composer ask

the writer to warrant that the words are his or her sole and original work, and that he or she has full authority to grant the permission requested, and that the words the composer is to set to music do not infringe upon any copyright or other right whatsoever.

And finally, the composer and writer want to sign and date their agreement.

We can summarize the above as follows. The grant of permission should include:

- 1. the non-exclusive right to set the words to music,
- 2. the right to select which passages to set (if necessary) and to repeat words and passages (if necessary)
- 3. the right to make derivative works,
- 4. the right to make and distribute copies of the composition (probably limited to "promotional purposes")
- 5. the right to enter the composition in competitions (if applicable)
- 6. the right to seek performances of the composition
- 7. the duration of the permission (usually for the length of copyright protection on the text)
- the duty to acknowledge the writer on all copies of the score and on the program notes when this is within the control of the composer
- 9. the agreement to share payments received from various uses of the composition
- 10. the writer's warranty that the words are his or her sole and original work and that they do not infringe on anyone's copyright or other rights, and
- 11. the date and signatures of the composer and the writer (or copyright holder).

The assumption above is that the permission is for composers who are not self-publishers. If you are a self-publisher then other items should be stipulated, like permission to publish and royalty rates.

When the poem or text is published by a book or periodical publisher and the publisher owns the copyright then we seek permission to set the words from the "copyright and permissions division" of the publishing house. If the request includes permission to use only selected passages and/or to repeat words and passages then the publisher may consult the writer before granting permis-

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# **Competitions, Grants and Calls**

The following listings are condensed and may not have complete information. You are encouraged to contact the sponsoring organizations directly for submission guidelines, particularly if anonymous submission is required.

#### International Competition of Composition "2 Agosto" Deadline: May 10 Age Limit: 40

The "Comune di Bologna", in collaboration with the Fondazione Arturo Toscanini, announce the 5th International Competition of Composition "2 Agosto." Musicians who are not older than 40 on May 20 are invited to submit scores which have yet to be performed for electric guitar and orchestra which last no more than 10 minutes. The selected scores will be performed in concert in Piazza Maggiore in Bologna on Aug. 2. Because the works will be played outdoors, scores unsuitable to be played in the open air will not be considered. The maximum orchestration is as follows: 3322 4331, timp, perc(2), str. One flute may double on piccolo and one oboe on English horn. One trombone part must be for bass trombone. Electric bass (fretted or fretless is also acceptable. The electric guitar is intended as an amplified guitar, with metal strings, to be exclusively executed with a picking technique. Prizes: 1) 10,000,000 lire; 2) 5,000,000 lire; and 3) 3,000,000 lire. The scores must be submitted anonymously and must not contain any identification. Submit three copies of the score, along with the composer's data, by registered mail. Scores will not be returned. Submit materials and inquiries to: Secretary's Office of the International Competition of Composition "2 Agosto," c/o Teatro Testoni, Via Matteotti 16, 40129 Bologna, Italy, tel. 39/51/371348.

# Young Composers' Competition Deadline: May 15 (postmark) Age limit: 30

Austin Peay State University announces the Young Composers' Competition for 1999. Student composers who have not reached their 30th birthday by May 15, who are citizens or permanent residents of the US, and who are enrolled in accredited public, private, or parochial secondary schools, in accredited college or conservatories of music,

or engaged in the private study of music with recognized and established teachers are eligible. Submitted works should be for the following instruments and voices in any combination: fl, cl, hn, tpt, perc, pf, mezzosoprano, tenor, or baritone. The duration of the works should be between 4 and 15 minutes. Submissions are anonymous. Prizes: 1) \$600, plus performance; 2) \$300; and 3) \$100. For further information, contact: Dr. Jeffrey Wood, Young Composers Competition for 1998, Department of Music, Austin Peay State University, Clarksville, TN 37044; e-mail: woodj@apsu01.apsu.edu.

#### Saarlouis Second International Organ Composition Contest Deadline: May 15.

The Crispinus and Crispinianus Catholic Church of Saarlouis-Lisdorf and the City of Saarlouis, Saarland, Germany announce their Second International Organ Composition Contest for a work from 8-10 minutes in length for the organ in the cathedral in Saarlouis and a solo instrument. Grand Prize: 5000 DM (approx. \$3000), recording by Saarlaendischen Rundfunk, and a premiere performance at the Saarlouis Organ Festival, Oct. 16-24. Second and third prizes of 2500 DM and 1000 DM may be awarded. For application form, rules and description of the Organ (specify if you would like the brochure in English), contact: Kulturamt Saarlouis, Stichwort "Saarlouiser Orgeltage," Postfach 2260 D-66722 Saarlouis Germany.

#### The Indianapolis Symphony Orchestra Marilyn K. Glick Young Composers Showcase Deadline: May 30 (postmark)

The Indianapolis Symphony Orchestra Marilyn K. Glick Young Composers Showcase seeks orchestral works by composers age 25 or under. Instrumentation may not exceed the following: 3333, 4331, timp, perc(3), piano/cel, hp, strings. Maximum duration: 6 minutes. Prize: performance by the Indianapolis Symphony Orchestra on the 1999-2000 Classical Series, travel & accommodations to attend rehearsals & performances, a copy of a restricted-use archival tape of the performances, parts prepared by the Orchestra. Submit brief biography or

resume with score. For further information, contact: Linda Noble, Indianapolis Symphony Orchestra 45 Monument Circle, Indianapolis, IN 46204, e-mail: lnoble@indyorch.org, web site:www.in.net/iso/.

#### Holtkamp-Ago Award In Organ Composition 1999-2000 Deadline: May 31 (postmark)

The American Guild of Organists, The Holtkamp Organ Company, and Hinshaw Music, Inc. announce the ninth biennial competition for the Holtkamp-AGO Award in Organ Composition 1999-2000. The competition is open to citizens of the US, Canada, and Mexico. Composers are invited to submit one work for soprano and organ, no longer than 12 minutes, using as text the "Song of Ruth" (Ruth 1:16-17, NRSV or KJV). The work must not have been previously published. Prize: \$2000, publication by Hinshaw Music, Inc., and a performance at the biennial National Convention of the American Guild of Organists to be held in Seattle, July 2-6, 2000. If, in the opinion of the judges, no submitted composition meet the standards of musical excellence, no award will be made. Submit the work, tape, and entry form. For entry form and complete instructions, contact: 1999-2000 Holtkamp-AGO Competition, American Guild of Organists, 475 Riverside Dr., Suite 1260, New York, NY 10115, tel. (212) 870-2310, fax (212) 870-2163, email ino@agohq.org.

#### North/South Consonance Deadline: June 1 (postmark) Fee: \$25

All composers are invited to submit works for 1-15 performers for consideration for performance and recording by North/South Consonance. Preference will be given to compositions that have not been professionally performed in New York. Send score, cassette (if available), brief biographical sketch, address and phone, ASCAP or BMI affiliation, fee payable to North/South Consonance, Inc., and SASE to: North/South Consonance, Inc., P.O. Box 698 Cathedral Station, New York, NY 10025-0698, web http://www.nsmusic.com.

# The British & International Bass Forum 1999 Composition Contest Deadline: June 1 Fee: \$25

The British and International Bass Forum, founded in 1994, is holding a composition competition. Composers of any age or nationality may submit unpublished works 6-12 minutes long in two categories: 1) solo double bass; 2) four double basses. Prizes: GBP 200, GBP 100 (in each category), performances, possible publication. Send three copies of the score (or two scores and one set of parts) identified with a pseudonym, recording if available, and a sealed envelope containing the composer's name, address, telephone, and the title. Score and parts will not be returned. Contact: BIBF (Composition), Studio Ten, The Maltings, Farnham, Surrey GU9 7QR, UK, tel/fax: 01252 319610, e-mail: bibf@classical-artists.com, web http://www.classical-artists.com/bibf.

#### Rodrigo Riera Third International Guitar Composition Competition Deadline: June 30 (receipt) Fee: \$25

The Mavesa Cultural Project, the Latin American Music Center at Indiana University, The Caracas Hilton and the National Council of Culture of Venezuela announce the guidelines for the Third International Guitar Composition Competition RODRIGO RIERA 1999. The Competition will accept works written for: a) Solo guitar b) Guitar and orchestra c) Guitar and ensemble. Works should be 15-20 minutes in duration. The score must be prepared according to the following: a) Notation and calligraphy must match accepted professional standards and must include all necessary instructions for performance. Works with deficient calligraphy will be eliminated. The score can be copied with computer software or by hand with equivalent quality. b) Metronome and/or chronometer indications are required. The duration of the work must be specified on the front page. Fingerings are optional, but recommended. c) It is recommended that a live recording or a MIDI sampled model be included. Each composition must be identified with a pseudonym and an envelope identified with the same pseudonym should be attached to the score. In it the composer must include a sheet with

his or her name, personal address including fax and e-mail data if available, a publicity photo, a biographical note, and copy of a document proving the participants' identity (such as a passport or drivers license). Three copies of the competing works must be submitted along with a registration fee which must be paid with a check or money order drawn from a United States bank. The check should be made to Latin American Music Center/Mavesa. All works will be donated to the MAVESA Library at the Universidad Simon Bolivar in Caracas and to the Latin American Music Center at Indiana University. The jury will award one indivisible prize of US \$10,000. The winning composition will be programmed as a required work in the next Alirio Diaz International Guitar Performance Competition of 2000. Send material to Latin American Music Center, ATT: Rodrigo Riera Competition, Indiana University School of Music, Bloomington, IN 47405, tel: (812) 855 2991, email: lamc@indiana.edu, http:// www.music.indiana.edu/som/lamc.

#### The Sonic Circuits VI Electronic Music Festival Deadline: July 1 (postmark)

The Sonic Circuits VI Electronic Music Festival announces a call for works or acts which involve electronic technology. Selected pieces will circulate with a caravan of curated works presented in various locations around the world. Submit a work for audio or video tape; a work for visual or live component, or a work for ISDN hook-up, the Internet, or sound-sculpture installation less than 15 minutes long. Contact: Philip Blackburn, ACF-SC, 332 Minnesota Street, E-145, St. Paul, MN 55101-1300, tel: (800) 263-2259, fax: (612) 291-7978, e-mail: pblackburn@composersforum.org, web: http://www.composersforum.org.

#### Musica Nova Sofia 2000 Deadline: July. 31

ISCM Bulgarian Section welcomes proposals for performances of new works for up to 12 players and electronic music. Composers may submit up to two works. Submissions should include the score(s), recordings (if available), program notes, indication of duration, a short c.v., and address. Submit materials to: Organizing Committee of Musica Nova, Sofia 2000, Evlogi Georgiev 149, Bulv., 1504 Sofia,

Bulgaria, tel. 359 2 442 780, fax 359 2 432 675, e-mail: mproducers2 @bnr.acad.bg or ludens@mail.bol.bg.

# CALL FOR WORKS WITHOUT DEADLINES

#### Y2K Ensemble

The Y2K Ensemble, based at University of Texas at Austin, is looking for new works for their upcoming CD. The ensemble includes two gtrs (electric and acoustic), vc, and db. Electroacoustic and other media are welcomed. This ensemble is extremely versatile, open-minded, and aggressively seeking concert performances inside and outside the university system. Contact: Bryan Clark, 202 west 31st, Austin, TX 78705, tel. (512) 476-3566, e-mail bryclar@mail.utexas.edu, web http://www/mp3.com/bryanclark.

#### New Music For 5-String Banjo

Dan Mazer is a professional musician interested in expanding the repertoire for 5-string banjo. If you have composed works that include the 5-string banjo, or are contemplating doing so in the future, please contact: Dan Mazer, 1651 Grove Street, San Diego, CA 92102, tel./fax: (6 19) 702-6041, e-mail banjerdan@mazart.com.

#### NYU New Music And Dance Ensemble

NYU New Music and Dance Ensemble announces a call for electronic scores which allow for improvisation and choreography. Musicians are electric and acoustic (nonspecific instruments preferred). Scores will be selected for performances during the NYUNMDE New York season or the summer festivals in Pisa, Italy 1999 and 2000. Contact: Prof. Esther Lamneck, New York University, Sch. ED/Dept Mus.& Perf. Arts, 35 West 4th St., New York, NY 10012, tel: (212) 998-5441, fax (212) 995-4043 e-mail: Esther.Lamneck@nyu.edu, web: http://pages.nyu.edu/~el2.

#### **New Music Ensemble**

A new music ensemble seeks scores for any combination of the following: tenor, fl, cl, vn, va, vc. Send scores, recordings (if available), and a self-addressed stamped envelope to: Cathy Comrie, 5544 N. Glenwood Ave. #1E, Chicago, IL 60640, e-mail: cshankma@shrike.depaul.edu.

# **Members' Activities**

Mark Francis' Found Objects for guitar was part of the NACUSA Mid-South Chapter recital at Louisiana State University in Baton Rouge in July. His Insula for guitar was performed as part of the SCI Region IV meeting at Valdosta State University. He also has received an ASCAP Standard Award, his 4th.

Re: Sound is a collaboration between composers Daniel Goode and choreographer Jody Oberfelder that will present dancers and musicians as one performance entity, interweaving bodies and sound into one medium. Goode's ensemble of ten musicians, Gamelan Son of Lion, play traditional Indonesian mallet instruments and non traditional gongs while six dancers loop, plunge, and spring into dynamic interplay with the musicians. The work premiered Feb. 25 at Joyce SoHo (NYC).

Martin Halpern's String Quartet was performed by the Meridian Quartet in a concert at Gracde Church, Brooklyn Heights, on January 31, 1999. His Four Songs of Separation were performed by soprano Lynn Norris, flutist Claudia Tseng and cellist Janet Holmes at LeFrak Concert Hall, Queens College, on November 5, 1998. In addition, tenor Rufus Hallmark performed Two Tenor Arias from Mr. Halpern's opera The Satin Cloak at four concerts given in Queens Public Libraries in 1998. All these concerts were under the auspices of the Long Island Composers Alliance.

Stuart Hinds' Chant, for solo contrabass, was performed by Sandor Ostland on a concert given by the Houston Composers Alliance in the Museum of Fine Arts in Houston, Texas on November 24. Hinds' tape piece, Gangsa, was featured in an experimental video by Gwen Gose. The piece was presented at a program of the Alliance for Community Media conference in Houston, Texas, on October 23. The program also aired on Houston Public Access Television several times.

Alfred Hoose Pange Ligua was performed at the Boston Chapter AGO Organ Library's annual "Composers Night" at Marsh Chapel, Boston University 1/25/99.

Jacqueline Jeeyoung Kim received a grant from the Jerome Foundation to write a percussion quartet piece for Ethos which will be performed at Merkin Hall (5/18) and Queens College (4/17). She was chosen to be a Finalist to write a piece for Dale Warland Singers. Her chamber orchestra piece "Equilibrium" was performed by Seattle Creative Orchestra in Seattle, WA on Feb. 5th & 6th of 1999. At cold solstice for harp solo will be performed at a contemporary music festival "Image" at University of Memphis in February.

New recordings of **Daniel McCarthy's** work include *infinity, Christopher Norton and Song of Middle Earth: An Anthology of Percussion Music by Daniel McCarthy.* McCarthy was also the 1998 recipient of the Indiana State University Research/Creativity Award.

Charles Norman Mason won second prize in the 1998 Premis International de Composició Musical Ciutat de Tarragona Orchestra Music prize for his orchestra work, *Hradcanska*. The same work also won a reading session with the Plymouth Music Orchestra Reading Project and was premiered March 4 bye the Alabama Symphony Orchestra.

David Moore has been commissioned by the Harrah (OK) Historical Society to write a work for the Harrah Community Band, to be performed as part of the city's centennial celebration in June. His Chanukah choral piece, *Let the Light Shine*, was performed in December by the Cortland (NY) College-Community Chorus.

William Prices's A Prayer forgotten (sax quartet) was performed on 12/3 at the Baton Rouge Gallery by the Red Stick Quartet as part of a NACUSA Mid-South Chapter concert; Strata I (fl) was performed by Anna Povich at the SCI Region II Conference on 12/4; Rush Hour (tenor sax and tape) was performed by John Perrine on 2/5/99 at the North American Saxophone Alliance Region VI Conference, University of Georgia and was performed again on 2/21/99 on the 54th Festival of Contemporary Music at Louisiana State University.

**Bruce Trinkley's** *In Almost July* (poem by Deborah Austin) for mixed choir and piano, was performed at the Ithaca College Choral Festival by the Ithaca High School Choir on 11/14/97.

Paul Siskind has been appointed Assistant Professor of Theory/Composition at the Crane School of Music, SUNY-Potsdam. This fall, his *Bright Morning Stars are Rising* was released on CD by the Heartland Men's Chorus, and his *Lim'not Yahmeinu* (...to number our days) was performed by the Gotham Chamber Orchestra in Brooklyn, NY.

#### **Transitions**

Congratulations to **Kristine Burns** and **Colby Leider** who decided to take the long walk down the aisle and get married on December 30, 1998. Colby is working on his PhD in composition at Princeton, and since Kristine has a teaching position at Florida International University, they will have a long-distance marriage for the first two years while Colby finishes his coursework.

#### **Members' Activities Column**

Please send <u>current</u> information on your activities to the following address:

SCI Newsletter University of Iowa School of Music Iowa City, IA 52242

#### Visit our Web page

**Tom Lopez,** a graduate student in composition at the University of Texas is our webmaster. The URL is:

http://www.utexas.edu/cofa/music/ems/sci

Please visit the pate and make your suggestions on the information you would like members and non-members to access.

York, to the big city, and I wanted while I was here to "work with" (which is perhaps the right word) Bartók, whose music I very much admired, having heard a lot of it on what were then 78s. I asked a former composition professor of mine at the Eastman School who was, as it happens, a pianist (as I was) as well as a composer and thought perhaps he could give me some advice because I too knew even then that Bartók did not and had not taught composition. And Burril Phillips, with whom I was speaking said, "Oh well, you play the piano very well and you're a composer so why don't you do what everyone else does who wants to study composition with him. Simply sign up for piano lessons, take your own music, and see whether perhaps he wouldn't say something about it! But, I was very priggish in those days (maybe I still am), had very high ideals, and I thought this was no way to go about it whatsoever. I'd even tried to be a C.O. - that just shows how complicated I was.

So, I thought about this and over the summer finally ended up with a short letter of three, four, five sentences - no longer than that; got his address from his publisher, Boosey & Hawkes (which has since become my publisher) and wrote him a letter in which I started out by saying I was coming to New York in September, that I would like very much to show my music to him for his criticism, that I understood that he did not teach composition and I could imagine why he would not do so, but nevertheless (and this was, I think, not a bad sentence for a 23 year-older) it did occur to me that it was possible for someone to learn something about composition from someone who thought he couldn't teach it.

WKCR: That's great.

JB: Yeah, it's rather great. So as a result, I got a response from him from Seranac where he was spending the summer. I don't know what the doctors thought was the matter with him but Seranac was famous in those days, and had been for a long time, as a place where tubercular people went. He actually had leukemia, from which he died. Anyway, I had a nice letter back from him, in rather good english, suggesting that he would be also in New York by that time and that if I wished to get in touch with his publisher to find out where he was living, he would be glad to see what could be done. Whereupon, in October I went to 309

West 57th Street, where his apartment was and is there now-there has been for sometime—a plaque on that building, there's now a bust (there's also a disco on the ground floor a little bit west in the same building). I took the elevator up to the correct apartment and somebody was playing the piano inside-playing Mikrokosmos with one handvery distinctly and very loudly-so I thought, "Well, he can't be practicing his own Mikrokosmos," (which is a series of six volumes of teaching pieces—some of them quite complicated). So I waited until the sound stopped, knocked on the door, and there came to the door a short, youngish woman with long pig-tails. I thought at the time and I've since thought that she looked as though she were a refugee from a chorus of a performance of the opera Freischutz (peasant girl). She'd been playing. So she disappeared into the back of what was a very small apartment (probably a one bedroom apartment - there was a big grand in there) and out came Bartók.

I'd seen pictures of him, though you must remember that at that time, in the fall of 1944, Bartók's music was little played here or abroad, as therefore his picture was not that well-known either. He was about my height, as a matter of fact he was about an inch shorter - about five-five. He was deeply tanned, from Seranac, and was very strongly made, so to speak. But what I remember was the tan and the fact that the skin seemed almost translucent. He was very courteous, and a little formal, and said very little. We sat down on the couch and he looked at a piano sonata which I had written that summer, the Third Sonata, and he said very little except that this stem ought to go down and that one should go up and that I shouldn't use double bars when the meter changed because double bars really have to do with the ends of sections, and comments of the sort that many people would find pedantic. As a matter of fact, I learned from my session with him that year not to be afraid of seeming to be pedantic because anyone who listens to Bartók's music would never think of the word pedantic in any sense whatsoever. It's astonishing that the kind of vigorous music that he wrote came out of such a-not frail but-small, wellmade body. It occurred to me that if he could spend the time worrying about double bars and stems when someone else might have expected great artistic statements and questions and answers of some sort, then I could afford later when I was teaching - so called

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Audio Streaming Project Manager Ohio State University Gerald Warfield, General Manager Martin Gonzalez, Executive Secretary teaching—composition to graduate students over 30-40 years, I could afford also to talk about stems, double bars, and things of that sort, no matter what the students thought.

Anyhow, he came across a passage in that sonata, or possibly another one which I showed him, that he tried the right hand out on the side of the couch, had trouble with it, went to the piano and had trouble with it and then he said, "Well, you can't play that either, can you?" You must remember, as you probably know, that he was an excellent pianist, that he had taught as a professor of piano in Budapest for many, many years never composition - and that he played widely, very often Mozart concerti with orchestras in this country and elsewhere. He couldn't play the passage and I did and he asked why. I told him why - because I'd had a nut of a piano teacher who liked me to work on double notes—and then he launched into a discussion - a very interesting one about how the hand of a pianist composer always determines the kind of music he writes for the piano. He played some Liszt and said, "Of course you can tell from the way Liszt wrote for the piano what his hand was like, as you can with Brahms." I've never heard anybody else talk about that. It's one of those sophomoric ideas which is true and which grownups don't like to discuss, even with graduate students - especially with graduate students. In any case, this went along very well, except that I was astonished after half an hour sitting on the couch looking at the music when he asked me, "Well, let's see how you play the piano," so I had to go play it. At the end of the session, which was two hours long, we stood up, and I wanted to pay him, but I had somehow the sense that he wouldn't like to talk about money. He was, as you know, not "well-off," and as I discovered from talking to my colleague at Columbia, Paul Henry Lang (who was also Hungarian and who had known Bartók and Kodály in Hungary as a student), that middle-class Hungarians don't discuss money. It's a dirty subject. He had, in fact, told me this before I went so I stayed away from the subject. On the other hand, sitting for two hours with a person, I thought I should do something, so I brought a wad of bills of various denominations in my pocket and somewhat surreptitiously put \$20 (which was quite a lot of money in 1944) off on a table without his having to smirch his hands with it. Then he said - because I said something about payment - that I was welcome

to come back again if I wished to. And then if I wished to come back and if I wished to pay him I could perhaps pay him what I would pay him were I his piano student, which is rather roundabout. So I thanked him and left. And then, this was October '44, from then into March I went back with some irregularity, at the shortest interval a week, sometimes longer than that, taking him up on his offer that if I had anything to discuss with him or if I had some music I'd like to show him for his comment. I was welcome to come back. This continued, as I said, until March. At that point he developed pneumonia was ill off and on, and then back up at Seranac for that summer, and then died in September-September 11th was it?-in 1945.

The other sessions I could tell you about if you like, but that was the substance of it...

WKCR: ...on whether they had discussed any of Bartók's music...

JB: Yes, at least twice that I remember. I brought in a set of songs, a cycle for contralto and piano-the Crazy Jane songs of William Butler Yeats, and thought I'd like to have his comments about them. He looked them over and said, "Oh, they're songs in English," and I said, "Yes," and he said, well he couldn't make any comment about songs because the essence of a song is the text which one is setting and that his English was not good enough to make comment about that which was the basis for the songs. Then he went on to say what I thought was very curious and shall not forget, that he didn't believe that any composer could set to music to words that were not in his native tongue. He said that because I asked him why he hadn't written more songs and his answer was Hungarian does not have a large amount of lyric verse which is suitable to musical setting. And then I asked him why, since his German was at least as good as his English, he didn't write lieder. He said, "Because German is not my native language." Although it must have been close to a stepmother-tongue. That was his comment about

So, we went on discussing texts. He liked the text that I had set—perhaps we had similar tastes—and I left and he kept the songs—although he'd said he wouldn't look at them. But he said, "I'll look at them while you're gone at my leisure," and, "why don't you come back next week."

During that week I looked up a song cycle—one of the few sets of songs by Bartók—in Hungarian [which is] not very well known, even today and examined them. When I went back to 57th Street the next week, he had my songs and his set-the same set that I had looked at in the Columbia library—and we discussed them. He said, "Well, the texts were very erotic," and they were seldom done. In Hungary, people looked on the texts as being too erotic, it was difficult to translate them into English—as all Hungarian is difficult to translate into English because it really has no roots in our Western languages—and even if they were translated, the people here would object to the erotic texts.

We then discussed by cycle—there were two or three of them that he liked very much (oddly enough, the more erotic texts—if you look up the Crazy Jane texts, you'll see why). And that was, to me, very instructive. I had never heard anyone say—nor have I since—that it's impossible for a person to set, successfully, words in a language that is not the mother-tongue.

Another time we discussed his music—it was in January, 1945—because the Boston Symphony had come to town having, in Boston, just given the first three or four performances of the Concerto. I went, naturally, to the first New York performance of the Concerto (it's odd to think of going to the first performance because it's now such a standard work—in the twentieth century repertory at any rate) and I happened to have a meeting (I'd hate to say lesson) with him the next day. So we discussed the Concerto and he wanted to know what I thought about the form of the first movement. I'm not certain that I was sitting there listening to the form of the first movement section by section, but I said it seemed to me that it was a modified sonata-allegro structure with the recapitulation somewhat awry and he said, "That's just exactly what it is."

We also discussed two other things. One had to do with the fact that Koussevitsky had some small limitations as a conductor sometimes—though he was a wonderful conductor. He got lost in the last movement which scurries around at a great rate, very difficult to play—or it was then, the first time. There happens to be a grand pause toward the end of the movement and he went on conducting through the grand pause—while the orchestra stopped—and they then started up—together—and finished the piece. That, he found rather amusing.

He also, at that session, said he had heard his first Sibelius symphony. Now, it's not correct to say that the British invented Sibelius' music—obviously—but it was the English orchestras that first played it, largely, and the Americans who played it at the time of the Russian-Finnish war for political, if not musical, reasons. Sibelius was not often played in central Europe, so he had never heard one! Which is rather astonishing because he was not a homebody—he was traveling around constantly. It was the Second Symphony of Sibelius and I asked him how he had reacted to his first experience with Sibelius and he gave me a very wry look. (I might add, parenthetically, that as we met during the year his shyness somewhat disappeared and he turned out to have quite a sharp tongue, particularly about other composers of his generation.) Though Sibelius was, of course, older he said that he had not like the Second Symphony at all. I asked him whether he'd heard it in Boston and he said, "Yes, one of the ladies on the Board told [him] that Sibelius wrote wonderful music and [he] must hear, particularly since [he] had never heard one."

He asked me what I thought of the Sibelius Second Symphony and I told him that I never like the First or the Second, but that if he wanted to find something that I thought he might like, he should listen to the Fourth or the Seventh...

WKCR: ...on Bartók at Columbia...

Bartók had a position at Columbia which was not a faculty position. It was paid for by the Alice M. Ditson fund which is in the University and which is not and cannot be used for regular teaching purposes. The first grant ever made by the Ditson fund was made to Bartók. The second one was given to Britten and Auden for their Paul Bunyan production on campus in 1941. The third grant was again to Bartók, for aid. Now, since he was very persnickety about money, as I just said, and would not accept what he thought of as charity (we might not think of it as charity, but he did), the Ditson advisory committee gave him \$2,500 a term for what turned out to be four terms—which doesn't sound like much money—but was then, to do more or less what he liked. What he did was to have an office on campus and to transcribe some Yugoslav materials which were then later published. The manuscript is, as a matter of fact, at the Columbia libraries.

He gave lectures, I think, once in a while. I heard, I think, one of them. But most of those took place before I ever got there. Since he remained in New York, or outside New York, he came back to Columbia often enough and I have the impression that there would be those who heard him speak under what would be visiting lecture circumstances—which he didn't have to give but which he would have given and which would have been very interesting.

I know that he came back to the library once in a while because I dropped in on a Saturday once and there he was, fussing around with the card catalog. This was during the period when I was working with him. We greeted one another and I asked him what he was doing. This is another one of those persnickety aspects, almost pedantic aspects. He was very concerned about the transliteration of Slavic languages into English and was worrying around about how we did and how we should spell Tchaikovsky in English. His researches, so to speak, on that subject were later published in Music and Letters. It's difficult to imagine a composer—, we know toward the end of his life (he didn't know that necessarily)—, worrying about how to spell Tchaikovsky...

Transcribed by Jon Southwood

"Setting Words" - continued from pg. 3

sion. Any additional use of the words in connection with the composition must also be negotiated with the publisher. This includes the right to make copies (such as for program inserts) and all other items listed earlier.

Sometimes composers have asked if using anothers words for a composition is "fair use," particularly when only a short segment of a text is needed. The Copyright Act states that fair use includes such uses as "criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship or research." Note that no mention is made of composing. However, a recent U.S. Supreme Court decision does assert that making a parody of another's work may be a fair use in that parody is akin to comment and criticism. That case, Campbell v. Acuff-Rose Music, Inc. (510 U.S. 569 [1994]), involved a rap group, 2 Live Crew, copying small parts of an existing pop song, "Pretty Women," as it made a new work. So there is

one context in which using another's preexisting work in composing is a fair use, and that is in making a parody. Most composing, however, does not involve parody; hence, most composing using another's pre-existing work such as a poem, or part of a poem, is not fair use.

In general, our discussion has concerned permission for use of a copyrighted text prior to the compositional process. No further permissions may be required. However, if the piece is subsequently published or recorded, the publisher or recording company will get back in touch with the text copyright holder to obtain additional permissions and to specify royalty rates. It is not necessary for the composer to try to anticipate the specifics of those permissions since publishers usually require their own contracts with text copyright holders.

Inevitably, the setting of a copyrighted text without permission of the copyright owner is a mistake. If relevant permissions are not obtained and you proceed with performances and distribution, then you will be in violation of copyright law. The message here is clear and inescapable: if you use a copyrighted text, get permission.

We welcome further discussion and mail regarding this topic. Please address responses to the editor of the Newsletter, the authors, or post a notice to the Society listserve, "sci members."

(This article is not intended to be and must not be taken as legal advice. It is simply a general discussion of situations that may be encountered by composers. We have noted some possible considerations.)

Gerald Warfield is the General Manager of SCI. Larry Christiansen is a composer, a professor at Southwestern College in Chula Vista, California, a member of SCI, and a lawyer with a special interest in copyright law.

#### ALERT!

If you teach in a department or school of music, please ensure that concert programs presented by your university are being collected and sent to ASCAP and BMI each on a regular basis. Each agency, which relies on these programs, extracts performance information and determines the amount of royalty credited to each composer based on a sample rate.

#### The First National Student Conference. "Winter Thaw" — A Review

University of Texas, Austin February 26-28, 1999 SCI-Student Chapter, host

This was the first conference on a national level hosted by a SCI Student Chapter. Tom Lopez, Jim Barry, Neil Flory and Larisa Montanaro were the principal hosts for this event. There were four concerts and four lectures, with a total of 24 participating composers. David Gompper gave the keynote address on Saturday night, and the conference was supported in part by Fran Richard of ASCAP and the UT Texas Union.

FRIDAY, FEBRUARY 26

Lecture I

Terry LEE - It's All About You & Me: A Multimedia Presentation On Musical Form

Concert I

Kari BESHARSE, Hubert HO, Russell REED, Bruce Christian BENNETT, Jason BAHR

Saturday, February 27

Lecture II

Rachel McINTURFF and Rodolfo Coelho De SOUZA - Introductory Pedagogy Of Phrase And Structure In Electroacoustic Music

Lecture III

Gina Genova - The Computer Music Center At Columbia University (CMC) 1987: Group Mind Or Network Of Cooperation?

Concert II

Anthony LANMAN. Jiradej SETABUNDHU, Ching-Chu HU, Khoi DANG, Anneliese WEIBEL, Clifton CALLENDER, David HAINSWORTH. Paul STILL, Michael POUNDS

Concert III

Peter V. SWENDSEN, Christina AGAMANOLIS, Rob SMITH, James WESTHOFF, William J. LACKEY, Chin-Chin CHEN, Larisa MONTANARO, Karim AL-ZAND

SUNDAY, FEBRUARY 28

Lecture IV

Gena Genova - Basic Skills For Composers: A Survival Guide

Concert IV

Aaron JOHNSON, Jason FREEMAN, Tom LOPEZ, Jeff HERRIOTT, Keeril MAKAN, Steve LANDIS, Edward MARTIN

## SCION

Bryan Burkett, Editor David Drexler, Assistant Editor

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> Bryan Burkett, SCION Editor 720 Tulip Tree Apartments Bloomington, IN 47408 Telephone (home): 812-857-2166

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### Visit our Web page

Tom Lopez, a graduate student in composition at the University of Texas is our webmaster. The URL is:

http://www.utexas.edu/cofa/music/ems/ sci

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### **New Members**

by region

Geoffrey D. Gibbs (RI) Sebastian Zubieta (CT)

II

Hiromi Abe (NY) Yusuke Iwasaki (NY)

Jason Royal (NY)

III

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Min-Jung Kim (MD)

David Laganella (PA)

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Anneliese Weibel (MD)

IV

Dr. Michael Braz (GA)

Robert L. Donahue (GA)

Stephen L. McPherson (GA)

Dean G. Papadeas (FL)

Joseph Breznikar (IL)

Jennifer Crane (IL)

Eric C. Honour, Jr. (IL)

Samuel Koi Hin Kwok (IA)

Ross Feller (MN)

Michael LaCroix (MI)

Stephen C. Talaga (MI)

Timothy D. Polashek (WI)

Charles Young (WI)

VI

Kari Besharse (TX)

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William Wieland (SD)

VII

Chris Contreras (AZ)

VIII

Steven Gutheinz (CA)

Hubert Ho (CA)

Keeril Makan (CA)

Joseph Nash (HI)

Allen Trubitt (HI)

Have you considered becoming a lifetime member of SCI?

#### "Keynote"- cont. from page 2

Which leads me to ask, how do we decide what goes on the canvas, what is shaped, ow those sounds are formed into meaningful musical ideas? The ear, of course, becomes the final determinor in a long and often complicated process. We learn to develop our ear, our inner ear, for this sensory unit is much more discriminating than any logical system we could ever conjure up. In turn, what allows the ear to function? Well, I think it is our own temperment. The music we enjoy writing matches our temperment, our character. This is what governs our taste. But, what determines our temperment? Our culture and language, our true DNA, and over time, what we let in: what we read, observe, listen to, all determines how we express ourselves. "Taste" is determined by these influences. And our "taste" should be fastidious, scrupulous and sensual—it is here we learn to be discrete.

I taught for two years at the University of Nigeria, Nsukka. It was 1980, the height of the oil boom with a democratically-elected

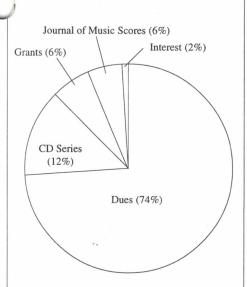
government and a relatively stable living situation. I taught practically everything: piano, theory, history, the large chorus, a madrigal group, a jazz ensemble and composition. Well, I had a student, a drummer called Sam See. And while Sam found it difficult to notate a rhythm in 4/4, I was astounded at his ability to perform, by ear, the most complicated polyrhythms, to such an extent that it took me about 3 hours to notate out seven bars of a very complex drum session recorded from a local villageit was on tape, and yet I gave up because there was no way to notate the shifting rhythms. It couldn't be done, for our notational system is too primative compared to the rhythmic oral tradition of Africans, as well as many other non-western music. It was, in a sense, proof how successfully the ear must lead the brain in certain decisionmaking processes.

What governs "taste?" Our culture, our temperment, and ultimately, our own character. As water eventually perculates down to a subterrainian water table from

which the roots of vegetation are fed, so do we feed from a deep well, always available, and not from the latest run-off from the latest storm, the latest fad, the latest wave of popularity. Stravinsky said of Krenek that he was always seeking the latest bandwagon, but always finding himself in the caboose. But finding your inner voice, protected and safe: this takes time, and of course I employ you, take the time to water, to feed the inner resevoir, because it is from here that original ideas come. Take the effort to sit with a sound, a chord, a motive, for hours, for days and weeks, before even thinking what to do with it, before acting on it.

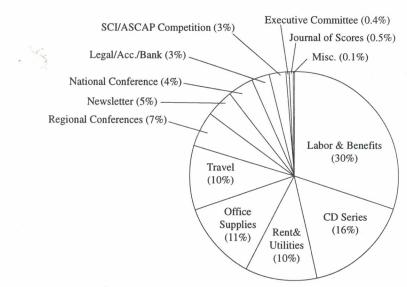
Finally, let me ask: do we as composers living in this country have an American voice? With the amount of historically-charged materials available to us, from the modernist to the waning postmodernism, can we ever hope to find such a voice? I would venture to say that if our attention is centered on the search for our own *individual* voice, the collective American voice will make itself apparent.•

# 1998 SCI BUDGET



#### Receipts (\$46,788.36)

Dues	\$34,564.75
CD Series and Interest	\$5,432.82
Interest	\$1,093.01
Grants	\$3,000.00
Journal of Music Scores	\$2,697.78



#### **Expenditures (\$44.822.25)**

Zinpericates (prijonnino)			
National Conference	\$1,824.53	Misc.	\$42.92
Legal/Acc./Bank Charges	\$1,298.16	Newsletter	\$2,402.44
CD Series	\$7,312.72	Rent & Utililities	\$4,527.58
Office Supplies	\$5,167.32	Regional Conference	\$3,294.58
(includes CPU and online)	)	SCI/ASCAP Competition	\$1,458.73
Labor/Fringe Benefits	\$13,718.00	Travel	\$4,378.99
Journal of Music Scores	\$252.50	<b>Executive Committee</b>	\$98.00

The above is from the unaudited SCI profit & loss statement for 1998. It does not reflect a \$3,494.93 appreciation in our lifetime endowment fund.

#### **ANNOUNCEMENTS** of contests,

calls for scores and other solicitations appear in the SCI Newsletter as a service to SCI members. While every effort is made to assure the accuracy of these announcements, SCI cannot accept responsibility for errors, misrepresentations or misinterpretations.

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