

## MANAGING ARTISTS

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Task

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### Introduction

Artist management involves the activities of organizations or persons that facilitate the success of artists. The artist manager makes use of the artists' potential in benefiting both parties of the agreement (Allen, 2011, p.1). Laws in place have affected the customs and practices in artist management over the last twenty-five years in music. Acts by the governing authorities have contributed to these changes in the United Kingdom. Initially agreement between artists and their managers neglected issues relating with the requirement of laws. However, dissatisfaction by artists led to filing of suits, which later formed precedent by altering the laws governing music practices. Artist management has to be effective for all the stakeholders in music to benefit. Therefore, there has to be an artist manager who takes the responsibilities to ensure business takes place mutually (Allen, 2011). The person will take charge in planning and other managerial responsibilities. This paper looks at how the report cases influenced the music artist management in the United Kingdom.

The cases in this study have caused a shift from the traditional practices in music management for over the last twenty-five years. The judgments of those cases have lead to the establishment of laws guiding relations in the music industry, specifically artist management. All the cases emphasized on the need to shift away from split management, which was common in the UK in the past. In the case of Mills Company as an example, Sullivan received 50% for the copyright, which later became a precedent in the customs and practices of artist management. Legal authorities nowadays have influence on artist management activities compared to the past (Allen, 2011). In the case above the judge ordered an inquiry into profits made by Mills Company. There are compensations to artists as opposed to the past, from the above case mills is

fighting for his empire, which is suffering because of engaging in malpractice. The judgment and laws in place forces him to adhere to requirements when managing artists.

According to the case reports music has become a source of livelihood to many individuals in United Kingdom. Allen (2011) states that the music industry has experienced growth over the past years commercially thus promoting professionalism in artist management. The present day artists understand their basic patent rights regarding music and the relations with their managers (Marcone, 2003, p.145). Awareness has made the artists challenge status quo from the traditional style of artist management. In the case reports, financial agreements takes place in accordance to the acts stipulated thus alteration to custom and practices, which took place in the past.

The case reports clearly highlight management roles in ensuring success to the music industry. All the cases prove that some management duties are more critical like marketing and selling artistry works. The report cases have influenced the present practices by managers whereby signing contracts have become a basic legal requirement before managing an artist (Allen, 2011, p.2). This ensures justice and fairness to all the parties who engage in music in case where a dispute arises.

In the report cases, copyright is a sensitive element considered as the major contributor of disputes in music. Financial disagreements are subjective to patent rights when solving cases affecting artist managers (Beeching, 2005). The artists and other individuals in the music industry have the mandatory obligation of recognizing copyright laws as stipulated in the United Kingdom. The copyright law has provision that allows for fair utilization of literature material by all citizens, whereby they have a right to conduct personal research on a piece of music works. The law gives artists managers the right use music from other artists but reciprocate with

payment (Allen, 2011, p.186). The United Kingdom lined their copyright law with the international standards for code of ethics to facilitate smooth business since music is an international business.

The case reports show roles that artist managers perform in order to ensure all legal requirements are attained in the business. The case of Donald Passam clearly highlights the duties and obligations that artist managers embrace to facilitate smooth business. The artists' manager should connect them to lawyers, but from the instances mentioned in the case studies above, artist managers neglected this duty. The case states that split management was a preferred practice for artist management in the UK. This happened before the introduction of stringent measures on the terms of engagement that later altered traditional practices. The judgments provide an elaborate structure for commission review when signing contracts. The managers were so influential in signing artists in the past years as opposed to what the law requires currently (Allen, 2011, p.32).

In all the report cases artists were excluded in decision making like the signing of contracts ignored their individual rights. This report cases highlights how artist managers conducted duties contrary to the requirements in contracts made in the music industry today. The reports elaborate on the role of artist managers in signing contracts to be in line with changes in customs and practices of the society (Allen, 2011, p.52). The rulings made emphasized on the requirement by management in signing of contracts and making other decisional roles critical to the development of music. The review on commission agreement in the United Kingdom improved artists' lifestyles by increasing their earnings. Alteration of individuals' practices happens in the case where James filed a legal suit for damages. This later set a precedent for other disgruntled artists who felt deprived by artist management companies. In the past, several

artists engaged in contracts under the influence of artist managers. This happened from either trust or an illusion of what is expected. Upon the judgment of this case, there is concern on royalties where writers now earn much income from their songs compared to the past (Allen, 2011).

Most artists signed contracts with limited knowledge in the past only to realize later that music companies were infringing on their patent rights. Artist managers were using the service of artists for their own benefit like song writing. Organizations capitalized on artists prior to the establishment of strict measures in place recently. Nowadays an artist can attain full benefits of his /her works regardless of their knowledge on music management (Smirke, 2012). The laws have ensured artists' managers recognize service of artists such as writing songs and performances.

The report cases discussed above have brought about the element of professionalism in artist management, thus minimizing conflicts in music management practices. Legal channels have been developed and put in place to monitor future relations between various stakeholders in the music industry. Most music companies now are engaging in ethical practices by recognizing the efforts of individual artists they manage. Though the cases resulted to justice to the aggrieved parties, they have brought detrimental impacts to those who capitalized on weak legal system for the acts on artist management (Allen, 2011, p.260). In the case involving Gilbert O'sulvian, the Judge ordered an inquiry into profits made by the accused music company to track any form of malpractice. The artist won the copyright back from the judgment against mills, two years later mills launched an appeal to fight back for his empire. Mills was frustrated and later forced to manage his first artist due to the strict laws introduced about music artist management.

The element of counseling is important in artist management as it prevents irregularities from taking place (Beeching, 2005). In one of the report cases, Elton John struggled toward his success before fully establishing his potential. He joined the music industry at a tender age through songwriting, which earned them a lot. There was a sudden disgruntlement from the artists upon fully understanding how the industry operates. The doctrine of equity applied in the cases above, when settling legal issues within the music field. For example in the case, O'Sullivan versus Management Agency and Music Limited (1985), the time of the agreement forms a basis of judgment in this case.

Time changes determine the relationships that exist in music management; modernization tends to complicate this by bringing up copyright laws for digital music and other advancements in the musical field (Allen, 2011). Some elements not present in the past twenty-five years are challenging organizations already engaged in the music when adjusting to present regulations. The cases identify the elements considered when picking the right manager by an artist in music. Prior to choosing a manager artists will have considered the previous record of the manager in terms of ethics since this will guide the courts when settling disputes. The willingness that the artist manager expresses in terms of enthusiasm and zeal for the music and experience in handling legal disputes is also considered (Marcone, 2003, p.5). The management was concerned with the element of accountings and record keeping in the past, which later shifted to a more dynamic role. The report cases indicate that back up information formalization financial agreements when making contracts with the artists should be considered. Everyone in the cases was liable to their responsibilities where ignorance of the music copyright act will not defend a judgment by legal institutions.

Compensation is emphasized when conducting music businesses via an artist manager (Allen, 2011, p.6). Those using artistic materials are obliged to pay their owners. The cases resulted in artists getting back what was theirs. This frustrated the efforts of companies that did not conduct businesses in line with the provisions about artist management. In all the report cases the management companies suffered because of neglecting their roles as artist's managers, their motive was to capitalize on the artist's effort while enriching themselves.

### Conclusion

The cases discussed contributed to the changes in the music industry concerning artist management practices. Music management has been formalized due to custom changes are congruent with the ethical practices under the laws of United Kingdom pertaining music. Previously, artist managers neglected their roles and instead capitalized on the limited knowledge of their artists to enrich themselves. Due to changes of practices in music artist management, the manager can act as a technical manager or a tour manager in the music according to the report cases. Artists presently benefit from their efforts while they can file cases when aggrieved. A contract has become an essential requirement prior to any engagement between the artists and their managers. Exceptions are only in cases where artists manage themselves (Allen, 2011). The cases led to development of clear policies concerning compensation for works of literature. This has improved cordial relations in music management, which was not common in the past twenty-five years. However, on the negative, artist management has increased cases of mistrust, whereby business are conducted in line the acts in a rigid environment. This limits flexibility on either side that engages in music activities.

## References

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