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Rude Citizenship: Jamaican Popular Music, Copyright and the Reverberations of Colonial Power

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Larisa Kingston Mann's *Rude Citizenship: Jamaican Popular Music, Copyright, and the Reverberations of Colonial Power* delves into the intersection of law, technology, and music creation to offer a critical examination of the lingering effects of colonially derived laws – in this case, copyright – that work in opposition to modes of music-making indigenous to Jamaican culture and identity. Central to this book is the idea of "the original" – a concept that within copyright law signals notions of "originality" and is linked to authorship. In the opening paragraphs of the book, Mann relays a story in which Jamaican producer, Skatta, criticizes vocalist Tanto Blacks for using a backing track of his own creation, stating "I wish he use a more original riddim, not one that they make themselves. … Use one more established riddim that been tested!" (p. 1). Unpacking Skatta's use of this term "original", Mann notes how it *departs* from colonial notions of original (and, by extension, legalities of authorship, and copyright), and points instead to reuse as a normative creative practice in Jamaican musical culture. Original, Mann states,

"signals a collective recognition, a collective relationship to a shared worldview, and – given the root word 'origin' – a shared history and cultural origin among the listening and performing community" (p. 2). At the heart of this opening vignette – and indeed of the book – is an exploration of music-making in Jamaica as a relational cultural practice that is at odds with the structures and dynamics of colonial power. Mann investigates the lingering impacts of colonial power on Jamaica and musical creation in the country through an intersectional framework that traces its interlocking nature as configured through laws and policies that structure society, how they are administered and reinforce race- and class-based hierarchies, ultimately becoming engrained in and influencing culture. My reading of the book (of seeing through the narrative the interlocking nature of structuring laws, their administration, and influence on culture and experience) is influenced by Patricia Hill Collins' concept of the matrix of domination, which she first introduced in her pathbreaking 1990 book *Black Feminist Thought: Knowledge, Consciousness and the Politics of Empowerment*. While Mann herself doesn't draw on this aspect of intersectional framing, the narrative certainly brings the reader through these spheres of the Jamaican popular music industry. Drawing on a combination of legal scholarship, ethnographic fieldwork, and interviews, Mann explains how these systems are experienced by musicians. With a chapter attending to each of these domains, *Rude Citizenship* explores the various ways in which copyright has contributed to continued inequity in the music industry – even beyond the end of formal colonialism.

Following the vignette described above, the book opens with discussion of coloniality, the structural organization of power, and copyright in Jamaica. "Jamaican copyright law was written by its colonizer," she writes, and enforced colonial notions of ownership and authorship that (even though not explicit in the law) reflected "an interest in culturally and economically subjugating the island's Black majority" (p. 11). English-authored copyright law remained in force long after Jamaican independence, as Mann discusses, and the enactment of the 1993 Copyright Act of Jamaica left the fundamental elements untouched. Copyright – in Jamaica and elsewhere – privileges literacy over orality, focusing on assigning authorship to a fixed, discrete (and "final") work that ignores the "social dynamics of creativity in which works may be an element of a larger creative practice" (p. 14). This, as Mann explains, conflicts with "Jamaican traditions of phonographic orality and syncretism that rely on the reuse of preexisting music as the foundation for new musical interactions and recordings" (p. 15). In this context, copyright law reinforces social inequity, and the music of poor Black creators is devalued, as *Rude Citizenship* details through chapters that explore the structural, cultural, and interpersonal domains within which music-making unfolds in Jamaica.

The first chapter offers a deep history of music creation from pre-Independence Jamaica to the 2010s, exploring the history of a range of genres against the backdrop of the institutionalization of radio, recording studies, as well as sound systems and the technological advancements that accompanied them. Popular music, as Mann explains through this historical description, is situated in Jamaica's poor communities, but the technology used to capture and distribute music were expensive and out of reach for these communities. In the 1950s, record players and radio became communal instruments, amplified in social settings. The advent of multitrack recording (which allowed for the separation of vocal and instrumental

tracks) resulted in the circulation of riddims (instrumental accompaniment) over which vocals could be performed live or recorded. Out of this technological innovation grew a music-making culture that valued a tradition of reuse and of collaborative creative processes, developing on top of "original riddims" (as outlined in the opening vignette). But, as Mann explains, these practices were in direct conflict with copyright law, which requires official permission of the "original" copyright holder in order to register new musical works.

Early enforcement of copyright law focused on transferring royalty payments from Jamaica to foreign copyright owners, but as the recording industry developed in the country it was clear that copyright law's framework for defining rights and rights-bearing roles "were impossible or deeply impractical for most poor Jamaicans" (who were the predominant music-makers in the country) (p. 51). Chapter 1 sets historical, cultural, and legal contexts of copyright and the music industry for a deeper engagement of the "exilic space" of the Jamaican street dance that unfolds in the second chapter. Rich with ethnographic fieldnotes, Mann describes the street dance as an important and disruptive cultural space that, though "illegal or semilegal, free admission, outside, in poor neighborhoods" (p. 90), are central to daily life of poor Black Jamaicans in Kingston, and of the experiences of the gay men and transgender women known as the "gully queens" who literally live in the gully because they have been driven out of their homes by homophobic/transphobic families. This chapter reveals a class of value systems between the middle- and upper-class Jamaicans that remain oriented toward whiteness and colonialism (and certainly shaped by homophobia and transphobia) and poor Jamaicans whose lives and experiences are policed via zoning and noise ordinances and copyright law that requires venues to pay fees to play recordings. But there is a seeming unevenness to the application of local regulations defined by "sonic dominance", wherein social forces of geography and reputation of neighborhoods, individual authority, and local rivalries shapes law enforcement.

In this industry, women's voices are the minority; while Doris Darlington is recognized as one of the foundational DJs, women are strikingly absent from music-making (as DJs, selectors, sound system operators, or engineers) but their bodies and sexuality are central to dance. And while this situation leads Mann to question in the book's conclusion "whether exilic spaces serve women as well as men" (p. 182), exploration of women's experiences are underdiscussed in this book. Mann addresses the absence of women in the book's introduction, when she writes that she does not pursue "questions of gender equality within the popular music scene" (p. 26). Although Mann articulates reasons for this absence (which are related to the complexities of broader gender dynamics in Jamaican culture and society), it does feel like a missed opportunity to explore the contours of gender inequity and of homophobia and transphobia, especially since they are so prevalent within the global popular music industry and widely studied; this would be a case for discussing inequity and discrimination on a regional level in important ways. And yet, though not a site of focus in the collection, paying attention to where women *do enter* the book's narrative articulates a claim made in the opening chapter:

> women's expertise in the Jamaican music scene is rarely visible in the control of musical technology, women's voices are a distinct (although powerful)

> minority in the music, and women's work in the music is much more likely to be behind the scenes, organizational, managerial, and generally uncredited (p. 26).

A critical next step for those working in the field of Jamaican popular music would be to pull on these threads, to render the stories, experiences, and voices of women working in this music scene visible.

The final chapter shifts focus from industry and cultural sites of music-making to practices of reuse central to musical creation. The riddim traditions described in Chapter 1 that relies on "shared knowledge as a foundation for creativity" (p. 155) are central here, with Mann's analyses positioning songs in dialogue, explaining the process of music making within a broader discussion of ownership, licensing, and royalties. Here, we see more clearly how these worlds are in conflict, and as songs cross borders and become global smashes – as did Dawn Penn's "You Don't Love Me (No No No)" in the 1990s – claims to authorship are open to contestation. A strength of this book are the ethnographic elements and interviews that draw the reader through these structural, cultural, and interpersonal domains and articulate the complex ways in which Jamaicans use the *language* of legal rights to articulate discourses of power, respect, identity, and mutual obligation. This orientation, as Mann states, "reflects a relationship to law that is not really in its shadow but instead seems to be in a place where copyright law casts very little shadow" (p. 132).

The influence of digital technologies for music-making and distribution looms throughout the book, much as they are looming in conversations amongst practitioners and scholars. Of particular interest for those invested in discussions of technology and surveillance are discussions of how large commercial copyright holders use technology to monitor music use and circulation. As Mann explains in the case of the Jamaican popular music industry, in some instances, "disadvantages are already embedded" in technologies. The U.S. Digital Millennium Copyright Act, which governs distribution platforms, requires sites to have a system for "removing content a copyright owner alleges to be infringing" (p. 118). While digital technologies may have lowered barriers to production (with the rise of home studio technologies that have extended the potential for creative practices of reuse) and distribution (bringing increased visibility through online platforms), technology has expanded the reach of copyright enforcement in ways that have the potential to limit the global reach of Jamaican popular music. Technology has become an instrument for enforcing copyright law, exacerbating race- and class-based inequities in poor communities, and should be of concern to scholars and practitioners alike.

Rude Citizenship comes at a critical point in popular music scholarship, when industry, legislation, policy, technology, and practice are being put under a microscope to consider the conditions in which they were designed and explore how they are operating in contemporary contexts. This book is an excellent pairing for Matthew D. Morrison's deep exploration of the origins and implications of copyright in *Blacksound: Making of race and popular music in the United States*. Morrison, like Mann, describes how intellectual property and copyright laws prop up unequal systems that prohibit Black musicians from legal ownership of their creative work. Though certainly different socio-cultural and geographic contexts, both books reveal how copyright privileges literacy (sheet music) over orality

(performance) and explore the implications for legislation that extends publishers' ownership to royalties of mechanical reproductions (records) creating a legal framework for capitalizing on the musical creation of Black artists, while keeping money in the pockets of white-owned publishers and labels. Mann's book offers a rich case study and framework for exploring how Jamaicans "have created and maintained a global network of traditions and products under their own creative authority" (p. 180) – one rooted in community-based and relational cultural norms. In this context, the retooling of notions of originality away from Western legal understandings and toward a tradition of community recognition suggest a relationship to notion of ownership and authorship that prioritizes social relations. For Mann, the solution is not to redraw the boundaries of laws; not only will this not circumvent global systems of copyright or guarantee steady income to creatives, but it cannot account for surveillance, struggle, and poverty that unfolds throughout the country and in street dances. Instead, she advocates for investment in critical infrastructure – roads, water, housing, food, education, health care – to "provide more security in the material conditions of life" (p. 188). It was these concluding pages of the book that most resonated for me, where Mann names and describes the complex ways in which colonial power shapes the boundaries of life and creativity in Jamaica, offering a robust framework for considering how Jamaicans play outside, within, and through them. *Rude Citizenship* is an important contribution to popular music scholarship, expanding the geo-cultural boundaries of discourse on copyright law and music, and broadening our understanding of copyright's reach via technologies and across borders.

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