

Under suspicion: library music and the Musicians' Union in Britain, 1960–1978

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Abstract

Drawing primarily from unpublished archival data, this article reconstructs the Musicians' Union long embargo on library recording in Britain (1965–1978), retracing the immediate as well as long-lasting implications of the ban for the shaping of library music practices and discourses. The article demonstrates how crucial relations with the Union were in shaping the nascent library music industry as well as the working lives of the many individuals and groups involved in it, including London-based session musicians and music publishers. More theoretically, the article argues for a horizontal, ecological approach to library music culture, acknowledging its many intermediaries and prompting us to consider (musical) history in its unfinishedness, heterogeneity and ambiguity. The methodological challenges of researching ephemeral or 'secondary' music are also highlighted.

In the summer of 1965, an unsigned column denouncing the Musicians' Union (MU) ban on library music recording was published in the conservative British newspaper *The Daily Mail* (Anon. 1965, p. 10). It was claimed that the 'twelve' library music publishers in Britain (all of which were based in London) were having their material recorded in Europe with continental orchestras, consequently depriving London-based musicians of a potentially important – and needed – source of income.¹ The piece highlighted, in the sensationalistic and xenophobic tone characteristic of the

¹ In reality, more than 12 recorded music libraries were active in London at the time. *The Directory or Film and TV Production Libraries – including Recorded Music Libraries, 1963–1964*, compiled and published by the Association of Special Libraries and Information Bureaux (Aslib), listed at least 14 of them, all of which still existed in 1965. In alphabetical order, these were Boosey & Hawkes (Bassett Silver), Bosworth & Co. (L. J. Munsie), Charles Brull (Don Brewer), Chappell & Co (Pat Lynn), Conroy Recorded Music Library (R.C. Denton), EMI (no contact person was listed), Francis, Day & Hunter (Bryan Bradley), Inter-Art Music Publishers (Fred Benson), Josef Weinberger (Fred Benson), KPM Music Recorded Library (Desmond Irwin), William Paxton & Co. (Austin Rayner), Southern Library of Recorded Music (Dennis Berry), Synchro Recorded Music Library (Dennis Berry) and Vivo Music (Jeff Lawes). To this list we need to add De Wolfe – which was not included because it was not a member of Aslib.

‡The original version of this article was published with the funding statement omitted. A notice detailing this has been published and the error rectified in the online and print PDF and HTML copies.

newspaper, a situation which (although not novel) had apparently become untenable: library music publishers (KPM, Boosey & Hawkes) were becoming increasingly 'nervous', while session musicians appeared 'restless'. The opening paragraph of the column introduced some 'facts' about the realm of library music publishing in the UK, laconically informing readers that:

The music introducing BBC television news bulletins was recorded by German musicians in Stuttgart.

The French horn-and-strings opening to the *Compact* serial was recorded in Paris.

Its successor, *199 Park Lane*, used music recorded in Amsterdam.

The closing music for *Emergency Ward 10* comes from Paris. (Anon. 1965; I have italicised the names of the series.)

The intricate functioning of library music publishing would have been alien to most of the paper's readership (and is still obscure to most people today). Yet readers would have certainly been familiar with the television programmes evoked above, and their memorable, immediately recognisable theme tunes.² The tracks and their composers were, tellingly, left unnamed – recalling the in-built anonymity of library music (alternatively described as stock, background, production or programme music). Library music can be characterised as 'music composed to be stockpiled, waiting to be used commercially' (Taylor 2012, p. 120), referring as much to a type of applied music (defined by its audiovisual utilisation or function) as it does to a specific organisation of musical labour (Nardi 2012; Smith 2017). Anonymity – which Nardi more radically equated with 'voicelessness, neutrality and genericity' (2012, p. 81) – was inherent to the production of library music from the start, allegedly because what mattered most was the finished musical product and the ends (or destination) to which it might be put (this does not mean however that the musical product in question was automatically devoid of aesthetic originality). It may be argued that library music, which existed in the shadow of popular music, was also symbiotically and continuously connected to it: as well as often sharing the same aesthetic codes, technological modes of production and studios, library music personnel (including composers, arrangers and session musicians) frequently crossed the line between the two milieus, with library composers often writing under pseudonyms.³

The purpose of this article is twofold. Firstly, it aims to provide an understanding and theorisation of library music practices in the 1960s and 1970s, a period during which library music materially and discursively emerged as a practice, as well as an 'issue' to be contained and negotiated, a legal object, a source of employment, a terrain of creative experimentation, a site of international cooperation and an industry. 'Library music' (itself a falsely homogeneous term), with its networked articulation, may therefore be more accurately approached as a dynamic musical 'ecology' or a 'web of relations' (Piekut 2014, p. 212) – a proposition to which I

² The music used as a theme in *Compact* was Roger Roger's 'City Movement' (published by Chappell in 1961); Peter Yorke's 'Silks and Satins' (first issued in 1952 as part of the Francis, Day and Hunter Mood Music Library) was used in *Emergency Ward 10*.

³ In the UK, Keith Mansfield, Alan Parker, Johnny Pearson, Madeline Bell, Mike Vickers or yet again Brian Eno were among those who worked across the commercial (popular) music and the library music environment. Pearson was notably known to the public as the musical director of the *Top Of The Pops* orchestra, a role he held from 1966 to the mid-1970s.

will return in the conclusion.⁴ Secondly, the article provides the first empirical account of the long conflict which opposed library music publishers and the Musicians' Union, as well as retracing the Union's changing views on library music. The Union's total embargo on library recording (1965–1978) had an enduring effect on the *modus operandi* of library music publishing in Britain and (it may be argued) contributed to reinforcing its habit of secrecy and anonymity. Relations between the Union and music publishers were therefore crucial in shaping the development of library music production and use during the period – as well as in professionalising it. Aspects of the working lives of some library participants, including composers, session musicians and publishers, are therefore sporadically emphasised.

With its focus on a singular conflict – which was only one among the many issues which were debated within the Musicians' Union during the period – this article offers a microcosmic and filtered view of the Union's activities.⁵ In doing so, it expands both the extremely sparse literature on library music and on the MU,⁶ answering MU historians Williamson and Cloonan's invitation to 'delve more' into the Union's substantial archive to reveal discrete histories and localised forms of musical labour (2016, p. 17). The tensions and lack of unified view prevailing within the Union itself (with London members explicitly campaigning against the ban) are also acknowledged. The article is organised chronologically, starting with the pre-embargo period and ending with the 1978 library music agreement between the Union and library music publishers. The contents of this article are chiefly drawn from unpublished archival sources held at the Musicians' Union archive at the University of Stirling – an important site for the preservation of popular musical heritage – with complementary information obtained from the Boosey & Hawkes archive held at the British Library.⁷ The opening section provides a reflection on archival methodology, highlighting the challenges of researching the loosely defined field of library music (and more broadly television music), and its relevance for popular music research. I argue for a reevaluation of library music *as* popular music, claiming that it constitutes a substantial yet invisible, under-valued and under-narrated facet of popular music history and heritage.

Shadow archives and the neglected heritage of library music

British Library sound archivist Chris Scobie (2016) has coined the phrase 'ephemeral music' to describe the vast quantity of scores amassed by the Library over decades which, deemed to be qualitatively inferior, were left unattended and unarchived. Production music can be seen as belonging to this long lineage of 'ephemeral music' or secondary music. The contents of the marginalised secondary collection at the British Library typically include 'popular music (including musical theatre); music for children and learners; instrumental methods/tutors; music for domestic

⁴ In the Minutes of the Executive Committee, items relating to library music come under a variety of headings; the most frequent ones are 'library recording', 'library recordings', 'publishers' records', 'library music' and 'library and programme music'.

⁵ For a survey of the broader MU concerns at the time see Williamson and Cloonan (2016).

⁶ This literature notably includes Williamson and Cloonan (2016), Cloonan (2014, 2016) and Witts (2012). See Williamson and Cloonan (2016, p. 5) for a full overview.

⁷ The Boosey & Hawkes archive – totalling about 800 boxes – was acquired by the British Library in 2017 and, at the time of writing, is still awaiting full cataloguing.

performance; music for film and television; and arrangements' (Scobie 2016, p. 23). As Scobie points out, their relegation to the secondary collection proceeded from a subjective rather than a rational or objective set of criteria.⁸ In an article surveying archives and sources for television music studies in the USA, Reba A. Wissner (2019) has further emphasised the poor or lacunary preservation of television-related documents such as music cue sheets and correspondence with television composers.⁹ Her survey highlights the in-built precariousness and perceived 'illegitimacy' of television archives, contrasting them with the long-established, culturally valued film archives which are 'almost as old as the film industry itself' (Slide 1992, p. 9). It may be proposed that the persistent 'hierarchical epistemological divide' between film studies and television studies (Deaville 2011, p. 7) has explained, and anticipated, the wider delegitimisation of television music (as opposed to film music) as an object of scholarly attention.¹⁰ The study of library music has unsurprisingly fallen between disciplinary cracks. Its stylistic versatility and in-built anonymity, as well as its distinct mode of production and dissemination – library music records were not commercially available to the public – further means that it has been repeatedly ignored by scholars of popular music.

Yet, much like commercially available pop songs, library tracks were 'globally distributed commodities' (Pickering 2018, p. 191). With their wide circulation across audiovisual media (television, film and the radio), they represented a ubiquitous and immensely popular form of recorded music, as well as a constitutive element (or sound signature) of British collective memory. Although library music pieces were composed quickly and generally not supposed to last, their extensive and repeated use in films and television programmes means that they have durably seeped into the cultural collective unconscious. For example, a piece such as Keith Mansfield's 'Light and Tuneful' (from the 1972 KPM album *Life is For Living*) has been used since the 1970s to the present day in BBC's *Wimbledon* coverage, becoming a potent intergenerational 'mnemonic vehicle' (Pickering 2018). Furthermore, from the 1990s onwards, practices of sampling and reissuing library music tracks have brought library music into the 'mainstream' popular music sphere, partly contributing to its 'de-anonymising' (see Sexton 2022, n.p.).¹¹ The practice of reissuing previously unavailable library records – originating in collectors' milieus in the 1990s with the development of CD technology – must also be considered as an important means of disseminating, preserving and re-legitimising it (Adinolfi 2008; Maalsen 2019). Attempts at memorialising and narrating library music cultures have almost exclusively occurred outside of the academic and institutional realm (Trunk 2016; Hollander 2018), even though a reconsideration of library music would profitably expand existing discussions on popular music, memory and the archive (Baker *et al.* 2018).

⁸ On the recovery and revaluation of cultural contents across time, and the trajectory from waste to value, see Thompson (1979) and Assmann (2011).

⁹ See also Mera and Winters (2009) for a survey of film and television music sources in the UK.

¹⁰ This course of academic marginalisation was progressively corrected from the 1990s onwards, in the wake of Tagg's (1979, 1989) pioneering musicological analyses of television music and stereotypes in mood music.

¹¹ Electronic, rap, hip hop and pop artists who have sampled historical library music tracks include De La Soul, Aphex Twin, Eminem and Beyonce (to name only a very few).

Because of its institutional marginalisation, library music can only be researched in an indirect and allusive – or even accidental – manner.¹² In a literal and metaphorical sense, background music, which doesn't constitute a fully fledged or defined archival category, let alone a set genre or a well-defined scholarly object, is almost always encountered peripherally. The Musicians' Union archive has revealed itself to be a crucial resource for understanding the broader social and industrial frameworks within which library music operated (or tried to operate) in Britain in the 1960s and 1970s, while also helping us to realise how library music emerged and circulated as a discursive object. It should be underlined, however, that the materials preserved by the Union are bound to be partial: the voluminous minute books of the Executive Committee may 'hide as much as they reveal – and are, of their very nature, biased towards the Union's own viewpoint' (Williamson and Cloonan 2016, p. 7). Furthermore, gaps inevitably remain. The gaps are owed not only to the fragmentary nature of archival work and to the difficulties of researching ephemeral music as outlined above, but also to the specific organisation of the Musicians' Union archive – mirroring the decentralised structure of the Union and its tripartite system (comprising the Executive Committee, the Branches and the District Councils).¹³ Moreover, the deceptively unified term 'Musicians' Union' covers a range of heterogeneous, and sometimes irreconcilable, realities and forms of labour. While the minute books of the Executive Committee were carefully preserved, local branches – such as the Central London Branch – left a more haphazard and incomplete trail of records. Yet the information retrieved from various branches and various locations of the archive, no matter how lacunary, is precious, because it allows us to critically evaluate the policies of the Executive Committee and their regional reception. For obvious reasons, the information which would be the most valuable is bound to be the most carefully concealed. For example, Union members who were illicitly involved in library recording sessions in London were cautious enough to cover their tracks. It follows that their activities – unfolding outside the 'frame of consent' sanctioned by the Union – leave a 'negative imprint' in the archive. The unofficial practices, voices and struggles of London members can only be partially inferred from the Union's repeated restrictions and statements.

The issue of library music, rather than being an autonomous one, must be contextualised within the longer history and broader concerns of the Union, particularly its general campaigning – from the introduction of sound film in the late 1920s onwards – against the displacement, de-skilling and replacement of musicians by recordings and automated musical instruments (Williamson and Cloonan 2016, p. 11). On an anecdotal level, the present case study may concretely exemplify what Williamson and Cloonan described as the Union's simultaneously 'oppositional' and 'opportunistic' views on technological innovation (Williamson and

¹² Of course, no historical research ever is 'direct'. Library music poses greater challenges however because of its lack of institutionalisation, and its ephemeral and polyvalent quality.

¹³ The full Executive Committee would meet at least four times a year to discuss and decide upon the Union's policies. It was formed of 20 members who were elected to serve a two-year period. The General Secretary was elected on a permanent basis. There were 130 local branches, each with their own Branch Committee, and nine District Councils formed from elected delegates from the branches in the district area. The District Councils would meet at least three times a year. Every two years, the delegates would gather at the Delegate Conference to discuss members' concerns and make suggestions regarding new and existing policies. The delegates were constantly liaising with the Executive Committee (MU/1/17, 1974, p. 4).

Cloonan 2016, p. 12). However, the Union cannot be reduced to a personification or to a homogeneous 'view', and certainly never existed as a single or autonomous agent of change. Although collective abstractions such as 'the Executive Committee' or 'the Union' – which recur in the archival material and are employed, for practical reasons, throughout the article – may deceptively denote cohesion and unity, we must keep in mind that they cover disparate practices and views which were inevitably subject to change over time. The case of policymaking – how decisions come to be shaped, negotiated, implemented, ignored, subverted, etc. – invites us to consider agency as 'leaky, enacted by collectives [...], individuals [...], and materials' (Piekut 2014, p. 198). It further urges us to examine and acknowledge 'the alliances, creases, and asymmetries of the real world, always encountered *in medias res*' (Piekut 2014, p. 195).

Contextualising the library music crisis

The MU had issued its first reserves and restrictions on library music in the early 1950s, when attempts were made to control the circulation of gramophone recordings and to limit the uses of library records (also known as 'music publisher's records') in the context of feature films (MU/2/1/13, June 1954). The launch of commercial television in 1955 (in the wake of the 1954 Television Act) reinforced the anti-library music views of the Executive Committee, although the total embargo on library music recording wouldn't officially crystallise until 1965 (only being lifted in the summer of 1978). As a result of the long-standing ban, detailed in the next section of this article, many library albums of the period – including those of the now-iconic KPM 1000 series – were recorded in continental Europe, most notably in Germany, Belgium, Holland or Switzerland.¹⁴ At the same time, 'shadow' recording sessions took place in London. The unidentified author of the *Daily Mail* article quoted at the beginning of this article was keen to insist that 'foreign composers [were] becoming alert to the lucrative possibilities of library music. Their musicians are becoming more practiced at sight-reading mood music' (Anon. 1965, p. 10). He further predicted that 'Unless the ban is lifted, Britain will lose the dominant position. Thoughts of this, and the money lost to Continental musicians, are bound to force the issue to a head soon' (Anon. 1965). When a copy of the item reached the Executive Committee of the Musicians' Union – and the desk of its General Secretary Hardie Ratcliffe – it created an unfavourable but passing impression, and no attempt was made at publicly refuting it.¹⁵

Although it failed to elicit responses or concrete action, the one-off column suggested that by the mid-1960s the library music situation had reached a climax or a moment of crisis. The *Daily Mail* article can be productively read alongside a newspaper column penned by Hardie Ratcliffe just two months earlier and published in *The London Evening News* (3 June 1965).¹⁶ Ratcliffe's piece depicted another 'crisis' – which he called the 'canned music crisis' – sententiously announcing the death of live music. The author contended that modern technologies, including records and

¹⁴ Library sessions notably took place at Ariola Studios and Cornet Studios in Cologne, Trixi Studios, Arco Studios and Union Studios in Munich, Katy Studios and Morgan Studios in Brussels. See Kerridge (2016).

¹⁵ See the October 1965 minutes.

¹⁶ See Witts (2012, p. 251).

television, would eventually lead to the complete 'extinction' of the musical profession (MU/2/3/12). He further lamented that music had become irremediably 'debased and cheapened' since '[m]ost people hear[d] it only from radio and records' and proposed that musicians should 'consider abandoning the making of gramophone records altogether' (MU/2/3/12). Modern sound was further disparaged as 'a synthetic product of the recording studio'. Commercial television, by then a decade old in Britain, was deemed responsible for the disappearance of 'hundreds of theatres where there was work for orchestras'. While the piece represented Ratcliffe's personal anti-progressive stance on the ubiquitous technologisation of music, it could also be taken as incarnating – or seeking to incarnate – the most dominant opinions within the Executive Committee (EC). Ratcliffe unequivocally signed it in his official capacity of 'General Secretary of the Musicians' Union'. The Executive Committee's dogmatic anti-recording and anti-television stance completely informed the policy which was adopted towards library music from the inception of commercial television in 1955 through to the late 1970s. Ratcliffe, who had become General Secretary in 1948, would stay in post until 1971. During this period (and for most of the 1970s, under John Morton's secretaryship), the Union adopted a distinctly moralistic view on television work, frequently demonising members who were involved in it and refusing to acknowledge its potential benefits. As late as 1971, the EC would congratulate themselves that 'the existing instruction which precludes members from accepting engagements to record library music [...] [was] still in their own best interests' (MU/3/8/1/1, 17 January 1971).

1960–1965: indeterminacy

In the second half of the 1950s, the independent television network offered new employment opportunities for musicians. Union members, in particular those based in London, felt compelled to work for television companies without a contract rather than turning down lucrative proposals (MU/2/1/15, December 1959). Such behaviour was heavily condemned by Hardie Ratcliffe, who believed that such members dishonoured both the musical profession and the principles of the Union as they '[took] the short term view' and decided to 'earn as much money as they [could] whilst the going [was] good' (MU/4/3/1/26, 11 April 1954, p. 33). Recording music for recorded music libraries – which answered television's growing demands for new music – was another, peripheral way for session musicians of obtaining television work. At the turn of the 1960s, the Union's EC denounced the staggering 'amount of material being used for introductions, endings, etc. [...] under the heading "Library Music" and repeated ad-nauseam to the detriment of [...] members' (MU/4/3/1/26, 7 November 1960). The Union's main contention was that the circulation of library records could not be stopped or restricted, and that once it was recorded a track would be used over and over again: rather than being dismissed as 'ephemeral music', library recordings were therefore deemed to be harmful on account of their perceived permanence, or persistence.¹⁷

¹⁷ This recalls the Union's earlier concerns with the introduction of sound film leading to the loss of employment for cinema musicians.

It must be noted that, until the early 1960s, members were not strictly forbidden from recording for library music publishers. Special agreements existed between the Union and library companies, who featured in the 'fair lists' providing members with names of all the 'companies for whom [they] may record'.¹⁸ Pre-1962 'fair lists' – as published in *Musician* magazine and the weekly *Bulletin to Branches* – regularly included the names of music publishers producing library records. Chappell & Company, Bosworth & Company, Keith Prowse Music Publishing Company Limited, Conroy Recorded Music Library (Berry Music Company Ltd.), Joseph Weinberger Limited and Southern Music Publishing Company Limited all had agreements with the Union. Although recording agreements effectively existed, what members were allowed to record – and how records circulated – was restricted. Members were informed that they 'should not perform for recording unless the purpose of the recording was specified in a written contract and its use for other purposes was specifically excluded by such contract; that recording should not be undertaken for multiple or unspecified purposes' (MU/2/1/15, May 1958). In addition to this, 'recordings of an incomplete nature' – which offered music editors more flexibility – were 'strictly forbidden' so that musicians could not be asked to record discrete parts, sections or motifs. The above restrictions directly undermined the purposes, principles and 'shape' of library music (as many library tracks were purposefully 'incomplete' or fragmented – and certainly shorter than regular orchestral pieces). Furthermore, reusability was an inherent attribute of a library music track: the individual trajectories or 'life cycles' of library pieces demonstrate their prodigious plasticity and adaptability (Corbella 2020, n.p.).

Because of these limitations, library publishers such as Boosey & Hawkes and Francis, Day & Hunter were already accustomed to recording their material abroad in the 1950s to bypass the Union's rules. Additionally, recording abroad was a cheaper alternative – especially in the case of orchestral music. Boosey & Hawkes's managing director Ernst Roth indicated that 'the musicians' fees in [Britain] were so monstrously exaggerated that no ordinary recording could be justified financially; it would have to be something very special and very particular if one could justify the extreme costs of recordings in England' (MS Mus. 1813/2/1/47/2). It follows that library recording sessions – which were deemed to be of secondary importance by music publishers, most of whom effectively developed library music as a 'side line' of business – took place in Holland,¹⁹ Germany and Switzerland.

In November 1962, the EC took the decision to terminate all existing agreements with library music publishers – the fact that they deliberately chose to record abroad was an issue, but the main problem was that the circulation and the use of recordings couldn't be controlled (MU/2/1/16, November 1962). In a 1973 meeting, members of the EC reminisced that 'it was felt, on the Union's side, that [the agreements with publishers] were not being satisfactorily observed and that, in any event, they were inadequate' (MU/1/7, April 1973, p. 58). The Executive

¹⁸ The bulletins also featured a complementary list – entitled 'Special Notice' – which contained the names of the companies, agencies and individuals with whom Union musicians were not allowed to work (the name 'M. De Wolfe' appears on every list from the late 1950s through to the 1960s).

¹⁹ Many of the Dutch sessions were conducted by Dolf van der Linden aka Nat Nyll Dolf. Van der Linden was also making recordings for other British libraries including Paxton and Charles Brull.

Committee was particularly concerned with the BBC's increasing reliance on inexpensive library recordings, noting how detrimental the practice was to Union members.²⁰ It is important to underline that the BBC was the main employer of musicians in the UK at the time; even more crucially, all the musicians employed by the Corporation had to be Union members (Cloonan 2014, p. 18).

From 1962, Union members were officially forbidden from recording for library music publishers (the consequences of engaging in illicit recording sessions are outlined in the following section). This doesn't mean, however, that no library recordings were made in the UK. Contrary to music publishing companies, commercial television contractors were theoretically allowed to develop their own music libraries in the UK under the 'Library clause' of their agreements: the latter stipulated that 'where live musicians could not be used [commercial television companies] should record the music for future use' (MU/2/1/14, June 1957). However, this clause was constraining and made no provision for the circulation of library tracks. In 1957, the ITV franchise holder Associated Rediffusion – who 'were prepared to spend a considerable amount of money in forming a proper music library' – tried to renegotiate the library clause as they wished to make an extended use of their library and to make it 'available outside [the] country to American television film companies' (MU/2/1/14, June 1957).²¹ The MU disapproved of the proposal, indicating that the library clause, which had been granted as a 'concession' in an 'endeavour to assist' programme contractors, could not be extended. What is worth remarking, however, is that music publishing companies and television companies benefitted from very different conditions when it came to recording library music: the former (such as Boosey & Hawkes) were dissuaded from engaging in library music activities (and subsequently recorded abroad) while the latter were granted a greater freedom (even though they might have felt otherwise). The fact that different statuses coexisted indicates that the MU's policy on library music was never completely stabilised, but constituted a sort of grey zone – an indeterminacy which paved the way for the negotiations of the late 1970s, when music publishing companies such as KPM sought to obtain the same conditions as libraries created and owned by television companies. It could be proposed that the different regimes also came to determine which companies were given permission to record in the UK, and which were not. Traditional music publishers were all recording abroad while libraries such as the Standard Music Library – launched in 1968 as a collaboration between London Weekend Television and the Bucks music publishing group founded by Simon Platz – had less difficulty organising their sessions in London.

²⁰ Programmes such as *Whacko*, *Hancock's Half Hour* and *This Is Your Life* used specially composed signature tunes and closing music (recorded by Union members) in conjunction with library recordings, when members should (according to the Union) have been asked to record all of the music and be paid accordingly (bulletin dated 19 September 1960, n.p.).

²¹ Associated Rediffusion, launched in 1955, was the ITV franchise holder for London and some of the home counties until 1968 – when it merged with ABC, another ITV franchise, to become Thames Television. In the mid-1950s, commercial television emerged as a direct rival to the BBC. Independent television, with its varied franchises and networked structure, proved a particularly difficult entity to negotiate with as, contrary to what was the case with the BBC, there existed no central point of negotiation.

1965–1975: total embargo and illicit recording sessions

Despite the 1962 termination of agreements, publishers' library records were still being made in the UK and abroad. In the autumn of 1965, a notice to members appeared in the *Bulletin to Branches* regarding 'illicit library recordings'. It was worded as follows:

For some time the Executive Committee have been concerned by reports reaching them that a considerable amount of illicit library recordings are being undertaken by members; and the Committee now instruct that the attention of members shall be drawn to the total embargo placed on their recording for library purposes. Any member acting in breach of this embargo shall be considered guilty of an offence under the rules and be charged accordingly.

It has frequently been reported to the Committee that members (particularly members of the Arrangers' Composers' and Copyists' Section) have their compositions recorded for library use, on the continent. This practice shall be considered to be in breach of the embargo, and such members shall be subject to the same disciplinary action. (*Bulletin to Branches* dated 28 October 1965, n.p.)

Engaging in illicit library music activities was classified as a 'major offence', which could be severely punished – although it was difficult to closely monitor members' activities. A major offender was defined by the Union as 'any member whose conduct is unjustifiably detrimental to the Union (whether internally or externally), to the musical profession or to the professional musical interests of any other member' (MU/1/17, 1974, p. 28). Depending on the gravity of the offence, the guilty member could be fined or have their membership suspended (or both) for a period of one year, or be permanently expelled, thus no longer benefitting from the social protection of the Union. It was known to the Union that music publishers as well as musicians, composers, arrangers, copyists and conductors were consistently disregarding their instructions and that library records were still being recorded on the continent and (unofficially) in Britain. However, the Union was not materially able to identify, and therefore dismantle, the strong library music network or to stop sessions from happening. External assistance was occasionally sought from partner organisations such as the International Federation of Musicians (FIM) (MU/2/1, June 1967). For instance, in the early 1970s, the Union – under the impulse of its new General Secretary John Morton – approached the FIM with a view to shaping a global policy on library music.²²

It appears that the Union's means of exerting pressure on session musicians were of a primarily symbolic type, taking the form of dissuasive 'claims' and warnings circulated via *The Musician* and the *Bulletin to Branches*. The Union relied on the practical collaboration of its members, inviting them 'to report to Union officials about any sessions they know are taking place' (MU/2/1, June 1967). Don Smith (the MU's Sessions Organiser) was in charge of enforcing the Union's rules,

²² From 1973 onwards, Morton was both General Secretary of the MU and being President of FIM, a position which facilitated the discussion. At its 8th Congress (held in London in May 1973), the FIM issued the following statement: 'Congress recalls the great dangers arising from the production of sound recordings that are stored and lent or sold ("library music") for repeated and unlimited use for various purposes, including the production of films and of radio and television programmes. Unions which do not prefer to request their members to abstain from co-operating in recording for library music would be well advised to regulate and control the use of such recordings by agreements with the producers and with the users of library music' (FIM Archive).

looking after the interests of session musicians employed in the recording, film and television industries. Session musicians were 'often hired on a one-off basis' (Cloonan 2014, p. 21) and belonged to a long continuum of 'unnamed performers' who 'worked' (and whom Frith opposes to recognised and culturally valued 'named artists') (Frith 2017, p. 111).²³ It may be argued that they were often eager to indiscriminately accept any employment they might be offered. Although they were urged to report back on any unusual work they might have been asked to undertake (and to volunteer information on any suspicious recording activity they might be aware of), it was not in their interests to do so.

As early as 1954, in the wake of the Television Act, Hardie Ratcliffe had addressed the London branch and insisted that 'everybody's cooperation [was] needed' in the matter of dubbing, and that members must 'give all information to Union officials about events as they occur' in order to be offered 'the greatest possible protection' (MU/4/3/1/26, 11 April 1954, pp. 12–13).²⁴ Ratcliffe was especially concerned with films having had music dubbed abroad and tried to intimidate members into 'tell[ing] [him] which members of [the] union went abroad to help to get the music dubbed' (MU/4/3/1/26, 11 April 1954, p. 12). The Union however, lacking informants, was in most cases unable to intervene and stop illicit recording sessions from happening. Ratcliffe, overtly expressing his frustration, summarised the situation in the following terms:

[...] we know that despite our efforts and despite the efforts of unions abroad which might try to help us, recordings of various sorts – not limited to recordings to appear on television or in other films but for other purposes – can be made in some other countries. In some countries you can find a band, just as you can find a band here, which does not care what the recording is for – a band or orchestra the members of which are concerned only to collect their £4 or £5 for the job and to hell with the consequences for themselves and others. We know that that happens, but sometimes we find out too late that some of our own members, when bands and orchestras cannot be brought together to do recordings in this country, will help the person who wants the recordings by going abroad and organising them. Sometimes we find that members of our union could give us information about this before the event, thus giving us a chance to stop it; but they hold back until it is too late. (MU/4/3/1/26, 11 April 1954, p. 13)

It was arguably not in London members' interests to disclose details about library sessions or to engage in close mutual surveillance and acts of denunciation. Very few items of members' correspondence regarding sessions have survived in the MU archive, yet an interesting and isolated letter relates to a suspected library recording session which took place in the late 1960s. In October 1968, the Union received a report from one of its London members – a member of the string section called J. Glazier – regarding an alleged library recording session conducted by Johnny Hawksworth (letter dated 17 October 1968, MU/3/2/3/4). The session had taken place at Chappell's studio in New Bond Street, and Glazier described having been asked to record music 'without titles' and 'in short sequences which

²³ It is worth noting that 'named artists' is a categorisation used by the British copyright collective Phonographic Performance Limited (PPL), and bears implications on the assignment of performance royalties.

²⁴ Dubbing is defined as the 'copying, to arrange for material to be available in convenient form, e.g. transferring music from disc to tape. Also, copying together and combining effects or music with pre-recorded speech' (Nisbett 2003, p. 359).

were described as “A”, “B”, “C” to “K” – two elements which roused his suspicions. His description suggested that the orchestra was large – consisting of ‘strings, brass, woodwind and rhythm’. The session lasted three hours during which about 12 minutes of music were recorded. No documentation transpired about this session, although Glazier gathered, from interrogating some of his fellow players, that the session was possibly made for an American company called Music Cues. A representative of the Union scrupulously cross-examined the above information the week after receiving the letter, confirming that approximately 28 musicians had taken part. However, rather than an illicit library recording session, it had been a regular film music session, organised to record the soundtrack for Michael Cort’s comedic science-fiction feature *Zeta One*.²⁵ A further item of correspondence reveals that Johnny Hawksworth, who belonged to the MU, had his activities closely scrutinised by the Union. Having been questioned at close quarters about the *Zeta One* session, Hawksworth felt threatened and not unreasonably worried that his library activities may be discovered. Records show that he subsequently rang the Union’s London office on at least two separate occasions to inform them about his upcoming sessions at Chappell’s studio, asking them to ‘attend the recording’ if they ‘doubt[ed] [his] sincerity’ (MU/3/2/3/4). As well as officially recording film music, Hawksworth was prolifically involved in library music (being featured on at least five library albums – for the KPM and JW Theme Music libraries – the year he composed the soundtrack for *Zeta One*). He seemed to have successfully used his persona as a film composer to distract the Union’s attention from his library activities. It was not unusual for union representatives to attend recording sessions, although their presence was never announced beforehand so as not to give musicians time to contrive a pretext. In the late 2010s, library composer Alan Hawkshaw discussed the sessions secretly undertaken in the basement studio of KPM, remembering the constant threat that ‘Dr. Death’ – as Don Smith was nicknamed – would appear and stop the session (Lomax 2018, pp. 324–5). When Smith did attend, an excuse would be improvised on the spot to mask the illicit character of the recording.

London members against the ban

It is unsurprising that pressure to lift the embargo should have come from members of the London branch of the Union, who were the most directly affected by the library music ban. Indeed, library music at this time can be described as a London-centric phenomenon as all the recorded music libraries – and many of their clients – were based there.²⁶ Accordingly, London members considered that ‘general union policy [was] not always something which [was] good for London musicians who [had] problems of earning a living which [were] absolutely unique throughout the country’ (MU/4/3/1/26, 11 April 1954, p. 32). Throughout the 1960s, library music was a frequent topic of discussion within the London branch (MU/4/3/1/26, 3 October 1960). In 1964, when the branch launched their ‘open forum’, the first topics put forward by members for the inaugural debate were those of mood

²⁵ The film was released in December 1969. It is known in the US under the alternative title *The Love Factor*.

²⁶ More generally, the music profession has traditionally been ‘centred in and around London’, with London members accounting for ‘between a third and a half of MU members’ (Williamson and Cloonan 2016, p. 16).

music, casual employment and signature tunes (MU/4/3/1/26, 7 July 1964). In the early 1970s, discussions intensified and concrete action was sought – during a period when London was hailed as ‘the most important centre for [...] films, records and television in Europe’ (MU/4/3/1/2/8, 29 January 1979) and had ‘the reputation for having the best sound recording facilities in Europe’ (*Music Week*, 29 September 1973, p. A4). Even though there was ‘no uniform view’ among them, most London members indicated that they were ‘not happy with the library music position’ of the Union, alleging that ‘a great deal of work was [being] lost to musicians’ (MU/4/3/1/2/8, 20 April 1972). Another concern was that continental freelance studio musicians were seen as benefitting from more advantageous conditions than they did (MU/4/3/1/2/8, 29 January 1979). London members outlined three main areas of discussion for the Committee, couched in the following terms:

- (a) Would the making of library music create more sessions than it destroyed.
- (b) The possibility of an agreement with the publishers limiting the use of any library music made.
- (c) The possibility of imposing restrictions on the users. (MU/4/3/1/2/8, 29 January 1979)

Members’ requests appeared to be relatively modest, and it may be argued that they were not completely incompatible with the MU’s existing policy (for instance, the question of ‘limiting’ the uses of library music resonated with the Union’s earlier discussions on ‘controlling’ its circulation).

In 1971, when John Morton replaced Hardie Ratcliffe as the General Secretary of the Union, London members approached the Executive Committee again. However, Morton, building on the legacy of his predecessor, was ‘most reluctant to see the Union abandon the struggle against the use of library recordings and recordings of other kinds, in broadcasting, television, and film production’ and saw ‘little prospect of an agreement being reached that would ensure the exclusion of library music from radio and television programmes’ (MU/2/1/19, March 1971) – a point which was of crucial importance for the Union as its policy was still to resist and ‘control’ the use of library music as much as feasible (MU/2/1/19, March 1971). Other members of the EC held more moderate and tolerant views than Morton. Committee member Lester Clayton for instance thought that the ‘struggle’ against library music ‘had been going on far too long’: he reported that he was willing to meet the Music Publishers’ Association (which represented the interests of all library music publishers apart from De Wolf, which wasn’t a member). Basil Tschaikoff, who was chair of the London Branch, further commented on the (relative) meekness of London members who had ‘lost substantial sums of money [...] because they have been prepared to support the Union on this issue’ (MU/2/1/19, November 1970) – although a few years later it was suggested (perhaps untruthfully) by the Executive Committee that ‘contrary to a commonly held belief, there was not a fortune to be made by musicians in the recording of library music’ (MU/2/1/23, May 1975).

In May 1971, a petition had been signed by some London members ‘calling for the establishment of agreements for recording library music’ (MU/2/1/20, May 1971),²⁷ prompting the EC to wonder whether they should be reassessing the

²⁷ Don Smith was tasked with interviewing the members who had signed the petition to get a clearer understanding of the issue (MU/2/1/20, May 1971), although no trace of these interviews could be recovered.

agreements which had formerly existed with music publishers (MU/2/1/20, May 1971). It was decided that a meeting with some of the publishers with whom the Union previously had an agreement in the early 1960s should be arranged, and John Morton (General Secretary) met representatives of KPM (Robin Phillips) and of Chappell Limited (Teddy Holmes), as well as James De Wolfe, to discuss 'fees and conditions for recording library music' (MU/2/1/19, September 1971 + December 1971; MU/2/1/20, May 1971).²⁸ The Executive Committee's position at this point seemed to have mellowed as it was agreed that Morton would officially 'discuss the matter further with any interested persons and organisations', including the Music Publishers' Association (MU/2/1/20, May 1971 + MU/2/1/19, September 1971). As well as 'negotiat[ing] a rate for the work', the Union was adamant that some 'limitation of use' should be established, most urgently in the context of the BBC (MU/2/1/20, May 1971).

In early December 1971, a meeting finally took place with representatives of the Music Publishers' Association. The Union indicated that it was potentially willing to 'enter into agreement with any producers of library music', while complaining that 'library music producers did not seem prepared to allow any restriction on the use of their products' (MU/2/1/19, December 1971). This was followed by more meetings in the first quarter of 1972, notably an inconclusive meeting with the Central London Branch (MU/2/1/19, September 1972). The question of uses continued to be at the core of the dispute between the Union and publishers. Accordingly, as well as trying to potentially reach a more holistic agreement with all library music publishers in order to produce 'library music in this country with suitable safeguards', the EC was still engaged in parallel discussions with individual institutions including the BBC, repeatedly asking the Corporation to 'reduce the use of library music in their programmes' (MU/2/1/19, September 1972).²⁹ The Union's paradoxical views in the early 1970s were very similar to what they had been one decade earlier: while the MU was willing to allow for library music to be produced, they were reticent to authorise its use. This contradiction notably explained why agreements with publishers, who were naturally desirous to disseminate and monetise their records, were so difficult to reach.

1975–1978: Regency Line agreement and relaxation of the ban

Granting commercial television broadcasters the right to launch their own libraries, and enticing them to contract a stable pool of unionised musicians to provide the contents they needed, was deemed to be one means of protecting members from the unfair competition of library publishers' recordings. In June 1975, ATV Music (the music publishing branch of ATV) negotiated a one-year 'library music Agreement' with the MU, allowing it to develop its own library output, which was to become the Regency Line Background Music Library (MU/2/1/24, September 1976).³⁰ One of the reasons which may have explained the special

²⁸ Morton was General Secretary between 1971 and 1990. De Wolfe was not a member of the Music Publishers' Association contrary to KPM and Chappell.

²⁹ It was reported that the BBC notably used library recordings from the Canadian Talent Library in radio broadcasts.

³⁰ The Regency Line library was based in Brighton and managed by Len Beadle with the assistance of Jill Stean.

arrangement with ATV was that John Patrick, head of Music at ATV/Central Television, was also Chair of the Musicians' Union EC at the time – which gave him a privileged insider's position when it came to discussing the Union's policies on library music. One particularity of the agreement was that the Regency Line recordings, rather than solely being intended for use in ATV programmes, could be licensed to 'other bodies' (MU/2/1/24, September 1976). Another peculiarity was that the Regency Line Background Music Library – precisely because it employed unionised musicians – was allowed to have its music recorded in the UK. The agreement with ATV music was deemed unfair by library publishers, and prompted the Central London Branch to approach the EC again in January 1976, asking for more transparency and a levelling of conditions for all publishers and users of library music (rather than a system based on exceptions and special arrangements).³¹ The motion read as follows:

This Central London Branch requests the E.C. as a matter of urgency to discuss the subject of Library music and recommends that the rates and conditions contained in the Agreement between the M.U. and A.T.V. Music Ltd (Regency Line Background Music Library) should be offered to all other Companies involved in the manufacture of library music. At a date to be decided, all users of library music (BBC, ITV, AIRC, FPA, IPA etc) should be requested to select only library music recorded by our members under the Agreements entered into with the publishers concerned. (MU/4/3/1/2/8, 20 January 1976)

The response of the Executive Committee was not initially encouraging as it was remarked that 'the special Agreement with ATV restricted the use of the product so that employment was not reduced' (MU/2/1/23, May 1976) and it was noted that 'the agreement contained limitations that other library music producers had not been prepared to concede in earlier negotiations' (MU/1/7/1977, p. 90). These limitations notably had to do with the uses of the recordings which could not be used 'as featured music where this is normally performed live or specially recorded [...] as needletime [...] in cinema feature films [...] as accompaniment or to replace live musicians in theatres and [...] as featured music in commercials' (MU/1/7/1977, p. 91). While the agreement with ATV was intended to protect musicians' working conditions, it was feared by the EC that such levels of protection could not be achieved by commercial music publishers 'since they were not employers offering broadcasting engagements' (MU/2/1/23, May 1976). The Committee however indicated its willingness to discuss (without reiterating what they were) 'the basic problems of library music' with traditional music publishers while at the same time asserting that it would continue to object to its use in broadcasts, films and advertisements (MU/2/1/23, May 1976) – a paradoxical position consistent with that of the earlier decades.

The agreement with ATV Music was 'the only Union approved library music agreement in existence' (MU/2/1/25, May 1977). It was regarded by the London branch as a 'loophole' and was strategically used as a 'bargaining chip' by library music publishers (especially KPM and Bruton) when they jointly and successfully negotiated the lifting of the library recording ban in 1978. A key figure in these negotiations was Robin Phillips, who had managed the KPM recorded music library from

³¹ A motion to revise the Union's policy on the matter was presented before the Executive Committee (with 85 members voting for and only one against – showing that an almost complete level of homogeneity had been attained within the branch) (MU/4/3/1/2/8, 20 January 1976).

1965 (contributing to developing its successful catalogue) and was appointed by ATV Music in the Spring of 1977 as its new managing director. Phillips was more specifically asked to inject ATV's languishing recorded music library with new musical ideas and he can be seen as a mediator between the realm of 'traditional' music publishing and the new form of publishing developed by the television industry. Bringing with him most of the team who had worked with him at KPM, he founded Bruton music, replacing the ailing and musically uninspired Regency Line library.³² Phillips took the excuse of the pre-existing agreement between ATV Music to approach the MU and negotiate a similar agreement for Bruton, enrolling the support of Peter Cox (his former colleague, now managing director of KPM) and Alan Parker of Themes International Music.³³ In December 1977, the Union was ready to consider the 'possibility of establishing a standard agreement' with a number of library music publishers (MU/2/1/25, January 1978). The negotiations however mostly took place informally, across a number of social meetings: because discussions unfolded 'outside' the official structures of deliberation of the MU, the details provided in the minutes of the Executive Committee are impressionistic and relatively minimal (see Lomax 2018, p. 412). In this respect, the influence of individual union members (such as John Patrick, mentioned above) and interpersonal relationships within the MU cannot be underestimated – and is not adequately represented in the official record of the MU. Such interpersonal relationships certainly played a significant role in lifting the Union's ban on library recording in the UK.

On 1 July 1978, an agreement with Bruton Music, KPM Music and Themes International was signed (*The Musician*, MU/1/1/14, p. 17), and by the autumn of 1978, the Union had signed separate standard agreements with 10 different library music companies for a trial period of one year (MU/2/1/27, June 1979). The rates and conditions were published in *The Musician* with the notice that 'The Union has entered into agreements with a number of Companies for the recording of Library Music and members should check with National Office before accepting any engagement offered to them for library music sessions' (*The Musician*, December 1978, p. 18). The rate for a standard 3 hour session was £35, and up to 20 minutes of music could be recorded during that time. Any overtime was paid at the rate of £4.50 per 15 minutes. The news of the agreement also appeared in *Music Week* in July 1978, and described as a 'significant breakthrough' by Peter Cox (KPM) since it would improve both 'the performance and recording quality of library music' (Anon. 1978, p. 16).

Conclusion

As the documents contained in the Musicians' Union archive unequivocally demonstrate, policies are made and implemented across extended periods of time in a nonlinear way. Many sources – including minutes, reports, articles and petitions – have been examined to (partially) reconstruct the long conflict which opposed the Union and library music publishers in the 1960s and 1970s, drawing

³² While it was primarily a new library, it must be noted that Bruton incorporated some tracks from The Regency Line catalogue.

³³ Themes International Music was a library label founded in 1973 by KPM composer Alan Parker and involving many KPM composers. Most of the Themes recording sessions took place in Germany. See Trunk (2016), p. 226.

our attention to processes of collective and distributed agency.³⁴ A great number of institutional and individual actors were involved in the shaping of library music cultures during the period. On the production side, these included composers, arrangers, copyists, publishers, session musicians, sound engineers, studio owners, graphic designers; this anonymous and elusive constellation invites us to reflect on the networked and hyper-mediated ontology of library music, with its ramifications in the contemporary work of collectors, reissue record labels, and so on. Georgina Born's insistence on the 'distribution of creative agency between different producers' and processual modes of 'collective authorship' (Born 2005, p. 25) urges us to coin a more nuanced and dynamic approach to forms of musical mediation(s). Discussing library music in the contemporary digital context and drawing from Christopher Small's concept of musicking (1998), Júlia Durand (2018) further examined how the meaning of a library piece gets collectively negotiated, insisting on the long chain of intermediaries involved in the process of symbolic elaboration (including music supervisors and audiences) – an analysis which can also helpfully inform historical approaches to library music. In a special issue of *Contemporary Music Review* devoted to the electronic music studio, Jonathan Goldman, Fanny Gribenski and João Romão have pleaded for a 'connected history and geography of studios' (2020, p. 639), acknowledging them as localised yet transnational sites of circulation where 'actors, artefacts, knowledge, and economic models' ceaselessly entangle (Goldman *et al.* 2020, p. 640). An analysis of library music which pays attention to its material (as well as discursive) sites of production, intermediaries and infrastructures is inseparable from a reflection on scales and temporalities – from the microcosm of the studio and micro-socialities of music making to 'macro-dynamics of cultural history and technological change' (Born 2005, p. 34). While recovering the professional lives of individual composers and offering analyses of neglected cultural artefacts (including albums and films) constitute a significant and necessary gesture of historical reparation, resituating them within a collective social and musical framework is equally crucial, if only to avoid the traps of cultural fetishism. A 'horizontal' approach to library music may allow us to understand its resonances, continuities, legacies and reinterpretations (or remediations) across time – from the discrete composition and 'life cycles' of individual library tracks (Corbella 2020, n.p.) to the transnational digital infrastructures underpinning processes of cultural (re)mediation and 'relayed creativity' (Born 2005, p. 26).

In this endeavour, the archive, with its topographical aspect, is a critical partner in dialogue, encouraging us to consider (musical) history in its unfinishedness, heterogeneity and ambiguity. As such, archival methodology may offer an important counterpoint to fixed understandings of library music, urging us to reflect on moments of transition and emergence. Drawing attention to a moment of historical crisis – or to what may be termed the long crisis of library music in the 1960s and 1970s – is useful to understand how working conditions were progressively clarified, regulated and stabilised for those involved in the industry. This does not mean, however, that such stability lasted or prevailed in the following decades. British session musicians were authorised to undertake library music work at a time when orchestral types of library music were being displaced and challenged by

³⁴ Adopting a comparable reconstructive approach based on archival data, Witts (2012) and Cloonan (2016) have provided detailed, but contrasting, overviews of the 'needletime' issue involving the MU, the BBC and PPL in the 1935–1988 period.

home studios, synthesisers and (shortly afterwards) digital instruments (a matter which in turn elicited many discussions within the MU). The Union's decision to grant its members permission to participate in library sessions can therefore be read as a retrospective comment on, and belated acknowledgement of, the 'golden age' of the industry. For many members, it came too late.

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Archival documents

This article uses the reference styles and categories of the Musicians' Union archive and the British Library collections. Full details are available from the following online catalogues:

https://collections.stir.ac.uk/collections/getrecord/GB559_MU
<https://searcharchives.bl.uk/>