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### Symphonic metamorphoses

*Variations on vulnerability: orchestral musicians' employment in times of crisis*

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#### Publication date

2022

[Link to publication](#)

#### Citation for published version (APA):

Kurzbauer, H. R. (2022). *Symphonic metamorphoses: Variations on vulnerability: orchestral musicians' employment in times of crisis*. [Thesis, fully internal, Universiteit van Amsterdam].

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## 2. Theme and Variations: research questions and methodology

*"An orchestra is an orchestra is an orchestra."<sup>6</sup>*

*"One does not begin with a theory and prove it. Rather, one begins with an area of study and what is relevant to that area is allowed to emerge"<sup>7</sup>*

*The challenges faced by orchestras and their musicians, including the growing number of increasingly vulnerable freelancers have met with renewed interest from non-musicians post 2007-2008 financial crisis. As the original gig-workers who inspired that term, musicians' trials and tribulations in the employment market have piqued the curiosity of those concerned with various aspects of atypical work. "Until recently, the music sector was mainly ignored as the problems faced by musicians seemed to be peanuts, ancillary to the problems of 'big labor,' or care, food industry and/or delivery workers. Nowadays, everyone in labor and employment circles is trying to get a grip on the rapid recent variations at the workplace. Musicians have always survived, always found creative ways to move through different varieties of employment. Now more than ever, they can inspire us."<sup>8</sup>*

The eminent sociologist and public policy commentator Pierre Bourdieu questioned "the ability [of academics] to raise speculative problems for the sole pleasure of resolving them not because they are posed. . . by the necessities of life."<sup>9</sup> My research has been prompted by the other side of the coin as it addresses the true necessities of life for traditionally employed and freelance orchestral musicians in a sector plagued by financial instability and employment crises. Protective employment regulations that took decades to put in place flouted by employers in the wake of financial crises have been further exacerbated as a consequence of the devastating impact of the COVID-19 pandemic on the cultural sector. Taking the present challenges posed by the pandemic into consideration, Bourdieu's necessity factor surpasses the delights of academic research, as orchestras worldwide attempt to find ways to keep the sector alive.

My original intention to engage in comparative discourse was overshadowed by the realization that although the variation on Gertrude Stein's famed quote above (fn. 6) reflects a general truism on the way orchestras play, the fundamental differences between national commitments to culture and funding, not to speak of vast differences in litigation cultures, color an examination of European and U.S.-based orchestras and their musician employees. Initially motivated by direct experiences as a musician-employee who experienced several Dutch orchestral reorganizations firsthand, I was fascinated by the process that unfolded. Even though a commendable system of legal protection, from EU and national labor legislation to the orchestra's Social Plan were

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<sup>6</sup> Paraphrasing Gertrude Stein's 'a rose is a rose is a rose' from "Sacred Emily" 1913.

<sup>7</sup> Anselm L. Strauss and Juliet M. Corbin. *Basics of Qualitative Research: Grounded Theory Procedures and Techniques* 2014 p. 23.

<sup>8</sup> Conversations with Tino Gagliardi, President Local 802 American Federation of Musicians (AFM).

<sup>9</sup> Pierre Bourdieu. "The Scholastic Point of View" 1984 p. 380.

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in place, musicians perceived and reported on irregularities concerning positions lost and positions gained. Of all the elephants lurking in rooms and corridors, the largest of them all was the fact that orchestras became a particular target of massive subsidy reductions in the Netherlands in the aftermath of financial crisis. The news from the orchestral front in my native United States was even more dismal as bankruptcy bailouts, lockouts, and strikes became commonplace as a 21<sup>st</sup> century orchestral state of affairs. Voices from both sides of the Atlantic clamored for more information in an attempt to share best practices and possible solutions to the increased vulnerabilities within the sector.

Keeping the Atlantic in mind, a poignant anecdote that illuminates musician vulnerability comes to mind. On a fateful afternoon on the deep seas in April 1912, a band of five musicians played on, as the great ship Titanic sank. The musicians who performed in the face of the unspeakable impart an enduring image of professional tenacity. A distressing footnote sheds light on an inconceivable concept: posthumous vulnerability. Two weeks following the tragedy, the musicians' family members received late payment bills for uniforms lost at sea. Booked as entertainers by a noted Liverpool impresario, the Titanic musicians were under contract to perform services for the White Star Line. The latter chose not to include musicians as crew members, listing the five performers as second-class passengers. This conscious exemption on the part of the employer left family members bereft of any recourse to insurance benefits, and adding insult to injury, led to the late payment charges. Throughout the course of my enquiry, musicians and media reporters alike alluded to the orchestral sector as a sinking ship, exemplified by the sub-headline: *Music industry heads warn of a devastating landscape for British orchestras, as the live music sector struggles to stay afloat.*<sup>10</sup>

My objective throughout this symphonic metamorphosis has been to weave an analysis of orchestral employment in two countries that goes beyond statistics and economic reports. Field research based on interviews with the people who perform, direct, manage, and bear the responsibility to finance orchestras garnered unexpected answers to standard questions. These in turn opened the doors to new questions, new perceptions, and new paths within the research process. Weaving through the myriad questions and answers is the theme of vulnerability: orchestral musicians are not only subject to the vicissitudes of external vulnerabilities related to organizational financing, but also are affected by a wide swathe of internal vulnerabilities related to workplace hierarchies, and modus operandi.

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<sup>10</sup> Maddy Shaw Roberts reporting for ClassicFM 6 August 2020, 12:53. Available at:<https://www.classicfm.com/music-news/coronavirus/british-orchestras-losing-six-million-month/>

The research is primarily qualitative based on extensive interviews both semi-structured and informal with important stakeholders supplemented by archival research in libraries and music databases, and weekly social media contact with orchestral practitioners. At the outset, multi-method research was informed by a critical review of previous research in the field of orchestral employment and labor relations. Initial data collection and analyses based on a robust review of relevant theories and literature across related disciplines including, cultural economics and participation-at-the-workplace studies, have been companions along the way.

I interviewed a cross-section of stakeholders in the orchestral nexus: board members, CEOs, consultants and external advisors, music directors, human resource staff members, union negotiators, and most importantly, musicians.<sup>11</sup> As appropriate to mainstream methods of qualitative research, the subject selection was purposive. Decisions made in the selection of participant-interviewees were made on the basis of who could best inform the underlying vulnerability-based research questions. In some cases, exemplified by the slim pickings in the list of orchestral board member interviewees, difficulties arose in persuading representatives to share what they considered to be 'privileged,' and 'sensitive' information. To compensate for their restraint, other insiders were selected to inform board-related issues.

Interviews were organized to uncover: the history and nature of the respondent's employment relationship to the orchestra, the respondents' perception of the framework, (finances, management, and institutional reactions to questionable employment practices), the respondents' participation with and/or cognizance of collective bargaining and contracts, the respondents' experiences and/or perceptions of discrimination at the workplace, and the respondents' suggestions for change.

How can research dedicated to expose vulnerabilities within the orchestral world of work improve the lot of orchestral musicians? It is hoped that the scope of this research creates a conduit for informed empowerment for musicians and dedicated stakeholders.

Although it may seem logical for the reader to expect that a compendium touching upon a wide range of orchestral musicians' vulnerabilities in relation to employment would adopt a symphonic structure, the range of subject matter inspired by musicians' input along with rapid changes in the sector led to the choice of a symphonic metamorphosis, a tone poem that evolves as it moves through different jurisdictions and encounters.

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<sup>11</sup> See, *Recitative: The Interviewed*.