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Symphonic metamorphoses

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

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19. Coda: Quo Vadis? Contemporary and countervailing reactions to orchestral musicians' vulnerability

The word 'coda' entails (pun intended as 'coda,' in Italian, denotes 'tail') a musical conclusion that is intended to leave the listener with a sense of balance, a reference to tonal material that appeared in previous *movements* resolved conclusively. This coda-conclusion reflects on vulnerabilities examined in past pages and offers insights into the future. To conclude symphonic metamorphoses, it is high time to divulge a musical source that has provided inspiration close to the surface of this project. While *Haydn rewrites history* paid homage to a great composer/conductor and his striking musicians in the 18th century, there is a lesser-known letter H composer whose *Symphonic Metamorphosis of Themes by Carl Maria von Weber*²²⁷⁷ is the musical godfather of this project. Paul Hindemith's conscious reflection and transformation of four forgotten musical themes that leads to an expansive coda is the source for more than a title for this enquiry; not only the music, but the man and his actions were meritorious.

19.1 Vulnerabilities in context

Paul Hindemith chose to leave Germany for two reasons. Firstly, the National Socialists banned performances of his 'decadent' music in 1936. Secondly and exceptionally considering the actions of the vast majority of his colleagues, the famed composer and pedagogue refused to disassociate himself from the plight of Jewish musicians. Hindemith followed the courage of his convictions to leave his beloved homeland at the height of his career, exposing himself to what he referred to as the ultimate precarity, the unknown.²²⁷⁸ He took to the road and sought refuge in several countries before settling in the U.S. in 1940 grateful to accept a professorship at Yale.

The first composition completed in his newly adopted homeland (see above, *Symphonic Metamorphosis*) pays respect to the father of German romantic music, Carl Maria von Weber. Normally a strict stickler for form, Hindemith departed from the traditional symphonic classical sonata form in these variations. "While model and original essentially agree on matters of melody, harmony, rhythm, and form, closer scrutiny reveals the process of metamorphosis to extend beyond surface modifications . . .

²²⁷⁷ The composer was careful to opt for a title in English, the language of his newly adopted home in the United States.

²²⁷⁸ The Paul Hindemith Collection, Yale University Repository. Series V: Correspondence and Journals, 1934-1960. From the Collection 1940-1942, https://archives.yale.edu/repositories/6/archival_objects/2654175

which ultimately affect every level and component of the composition's structure."²²⁷⁹ In addition to his compositional contributions to the canon of 20th century music, Hindemith was a preeminent scholar of music theory and composition. His revered tome, *The Craft of Musical Composition* (1937) proposes a detailed theory to transplant sacrosanct explanations of harmonic progression in pre-20th century music to post-tonal music.²²⁸⁰ Hindemith's dedication to adopt the old in order to pave the way for the new resonates with research objectives revisited here.

From Frances Henrickson's tremulous pleas to Elizabeth Rowe's clarion call, from Haydn's "Farewell" Symphony walkout, to the trials and tribulations of U.S. orchestras in lockdown after the financial crisis of 2007-2008, from the silenced Netherlands Radio Chamber Orchestra (RKF) in 2013 to the eerie hush at Lincoln Center 2020, home of the top-tier formerly fully employed Metropolitan Opera Orchestra (MET), different variations on the theme of orchestral musicians' vulnerabilities and reactions to those vulnerabilities have filled these pages.

My research objectives centered on a description and analysis of diverse employment-related vulnerabilities faced by a category of workers overlooked by mainstream studies. As the previous pandemic-related *movement* *The curtain falls?* explained, vulnerabilities in the orchestral musician world of work are substantial and ongoing. With its aims to describe musicians' vulnerabilities in terms of internal and external factors shared by orchestral players the world over, this enquiry hopes to lay the groundwork for future research to inspire and motivate a rethink in terms of musician empowerment. Parallels to other precarious employment sectors merit further exploration in the hopes of discovering solutions to the pressing problems connected to vulnerability in the 'forgotten' orchestral sector.

Although the scope of the enquiry was massive in terms of volume, there are many lines of reasoning and areas of research left untouched. One area conspicuously missing from these pages focuses on the future for new ways and means to engage unions in cooperative efforts with grassroots collaboratives such as the Platform voor Freelance Musici (PvFM). Another area worthy of examination with an eye to redress vulnerable employment in the sector is the realm of public policy, as the *Requiem for an orchestra movement* intimates. The bulk of this project examines the vulnerabilities of the freelance substitute musicians who play side-by-side with regularly contracted

²²⁷⁹ Gene Anderson. "Musical Metamorphoses in Hindemith's "March" from *the Symphonic Metamorphosis of Themes by Carl Maria von Weber*." *Journal of Band Research* 20 (1) Fall 1994, p. 3.

²²⁸⁰ Paul Hindemith. *The Craft of Musical Composition. Volume I: Theory* (translated by Arthur Mendel) 1937.

colleagues in an orchestra. The most vulnerable of all orchestral freelance musicians are those who perform in pickup orchestras, freelance ensembles formed from a larger pool of freelancers. Their plight touched upon en passant deserves further examination and consideration.

Circling back to solutions within a legal framework, far more research on the impact of workplace regulation with regard to vulnerabilities related to discrimination is essential, as discussed in the *movements* under the rubric *Dissonance: discrimination in the orchestra*. Research concerning the coverage and strength of collective bargaining as unions face decreasing membership is also of the essence. Further within the legal landscape, additional focus on the impact of NLRB decisions as outlined in *Back in the USA* are not only of academic worth but are of value for orchestral musicians considering litigation. More research to discover the extent disproportionate procedural bars to discrimination cases as discussed in the pages devoted to summary judgment in *Greener Pastures* could add extra nuance to the substantial critique of this mechanism.

Further consideration of the legal landscape as it impacts the most vulnerable workers post-*FNV KIEM* in the Netherlands would be of immense value. Comments provided by a Dutch-based bass player who, in her own words 'mustered the courage' to take her former employer to court recently, highlights this view. "The litigation I was involved in was so much larger than my personal situation that the very idea of going to court struck fear in my heart. I am a bass player and a woman, that says a lot in a corner of the orchestral profession that is full of powerful men. Until the budget cuts in 2012, I worked at what now is called Het Ballet Orkest (HBO) for ten years as a regularly employed musician. Immediately, within less than a few weeks following the cuts and my dismissal, I was hired by 'my orchestra' as a guest player (freelance substitute player) and worked happily for several more years until I was told that I was not needed anymore. I was stunned, how could I be not needed after I had proven myself as colleague and section member for all those years? I went to court in the name of all those freelancers who are afraid to stand up for their rights. A win for me, is a win for all who have not found the courage to take these steps themselves."²²⁸¹

²²⁸¹ Conversations with former HBO bass player, Annemieke Marinkovic. She won her case against Het Ballet Orkest (HBO) in July 2020: the conditions of her employment may have taken on another contractual wording (guest player post-dismissal, employee for ten years prior to the staff reductions) but the work remained the same. The fact that she worked in the orchestra as an independent contractor (zzp) post-dismissal, was not a matter of personal choice, it was her only option to continue to work. According to the judge, she was an employee pur sang.

19.2 A Community of Musicians

*“A re-imagined freedom of association with broad application to all workers, including the self-employed.”*²²⁸²

In 1987, Ernest Fleischmann, the much-respected former executive director of the London Symphony and the Los Angeles Philharmonic orchestras, opened the floodgates of a debate on the position of musicians within the orchestra in a graduation speech.

*“As you prepare to enter this demanding perplexing, enticing . . . profession that is part craft, part art, part sport, part magic, as you contemplate your musical future, I really need to ask you to commit a crime. I want you to become arsonists, yes arsonists, to join me and lots of musicians, administrators, and trustees in setting the symphony orchestra ablaze. If the music we care about so deeply is to survive, we must accept that the orchestra is burnt out, but from its ashes something infinitely richer, more varied, more satisfying can arise if we all work together to create it - ladies and gentlemen, the symphony orchestra is dead, long live the Community of Musicians.”*²²⁸³

Five years later, Deborah Borda, his successor in Los Angeles, responded to predictions of impending disaster with fighting words: “if we accept these dire future forecasts, it is clear that something has to change. There are two ways change can occur: one is by taking the drive over the cliff, and the other is the tough work of building real partnerships where all parties are enfranchised in the results.”²²⁸⁴ It could be argued that the Fleischmann-Borda gauntlet has been taken up far from Los Angeles. In the Netherlands, the aforementioned PvFM, a collective of orchestral freelancers has formed a strong protective front to represent the rights of the most vulnerable orchestral musicians. Another timely example for consideration here centers on the actions taken by the beleaguered musicians of New York’s celebrated MET whose innovative approach was feted in an earlier *movement*. Small steps forward in their untenable unemployment state of affairs in 2020-21 exemplifies how musician solidarity can mitigate financial vulnerability.

²²⁸² Ruth Dukes and Wolfgang Streeck. “Labour Constitutions and Occupational Communities: Social Norms and Legal Norms at Work” 2020 p. 22.

²²⁸³ Ernest Fleischmann, Commencement Address, Cleveland Institute of Music 1987.

²²⁸⁴ The Wolf Report, *The Financial Condition of Symphony Orchestras Part I The Orchestra Industry*. Research and report by The Wolf Organization. June 1992 p. 69.