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Technologies and Media in Digital Music

# From Music Market Crisis to New Listening Practices

Tecnologías y medios de comunicación en la música digital.  
De la crisis del mercado discográfico a las nuevas prácticas de escucha

## ABSTRACT

In the last decade, the music industry has become the paradigm of the transformations that has carried the development of the productive system towards Informational Capitalism. Of the hand of a quick technological innovation, not always produced by companies, new forms of production and consumption of music have been developed. This new environment has dragged the phonographic companies to a crisis of sales that has forced a radical transformation for the sake of survival. One of these business transformations has been the intensification of the management of copyright. This intensification occurs mainly in two areas: the extension of the protection deadlines and the expansion of the fields and rights management companies-driven activities. This article is intended to answer the question that lies behind the ambitions to modify the productive system: how create cultural industries capable, at the time, to maintain a common and democratic culture and also to develop initiatives to generate capital gains to musicians, songwriters, and other music professionals. We will use data from a research that have conducted three group interviews segmented by age. The aim is to cross the views and experiences of consumers with the analysis of the evolution of music industry organization. From the observation that the younger generations are installed in a culture of free music, we explore what new business opportunities appear and how are received from the conflicting positions already referred.

## RESUMEN

En la última década la industria de la música se ha convertido en el paradigma de las transformaciones que ha traído consigo el desarrollo del modo productivo hacia el capitalismo informacional. De la mano de una veloz innovación tecnológica, no siempre producida en los entornos empresariales, se han desarrollado nuevas formas de producción y consumo de música que han arrastrado a las compañías productoras de fonogramas a una crisis de ventas que ha obligado a una radical transformación en estas empresas en aras de la supervivencia. Este artículo pretende dar respuesta a la interrogante que subyace en las ambiciones de modificar el tejido productivo: cómo crear unas industrias culturales que sean capaces, al tiempo, de mantener una cultura común y democrática y desarrollar iniciativas que generen plusvalías a músicos, compositores y otros profesionales de la música. Para ello, nos serviremos de los datos extraídos tras una investigación en la que se realizaron tres entrevistas de grupo segmentadas según la edad. Se trata de cruzar las opiniones y experiencias de los consumidores con el análisis de la evolución de la organización de la industria de la música. A partir de la constatación de que las generaciones más jóvenes están instaladas en una cultura de la gratuidad de la música, se trata de explorar qué nuevos espacios de negocio aparecen y cómo son recibidos desde las posiciones en conflicto ya referidas.

## KEY WORDS / PALABRAS CLAVE

Digital music, cultural industry, publics, technologies, digital culture, digital natives, popular music, intellectual property.  
Música digital, industria cultural, públicos, tecnologías, cultura digital, nativos digitales, música popular, propiedad intelectual.

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### 1. Introduction. Beyond the music industry crisis

Since the 90s, coinciding with the emergence of the Internet, the music industry has been going through a serious crisis due to the continuous decline in sales of music supports. This sales crisis is not conjunctural, but reveals a deep transformation within the industries of culture and the relationship of these industries to the general public: people have greater and greater access to more music but do not pay for it. What is in crisis is not just a business model but a model of consumption and, consequently, a model of cultural relationships.

There are few studies on the music industry in Spain (Buquet, 2002; Calvi, 2006) and even less research and reflection, with the notable exception of Megías and Rodríguez (2001; 2003), on the relationship between people and the music they listen to: how they get it, what role it plays in their social life, which technologies they use. Evidently the new framework of the music industry maintains a dialogue with the new forms of appropriation and consumption. So, the challenge is not just to analyse the changes in the productive model of the music industry and anticipate how far these changes will permeate all the other cultural industries. It is also necessary to see to what extent the practices (and the discourses they generate) of music users are a consequence of these transformations of the industry.

This concern is at the heart of the investigation, *New practices and new technologies: digital music in Spain* (Fouce, 2009), financed by the Fundación Alternativas through the Observatorio de Cultura y Comunicación. This investigation aims to go beyond technological fetishism: of course, the digital has changed the way we access music to the detriment of old supports (LP and CD) but at the same time it has caused the industry to reorganize and to re-evaluate all that is not digital (the experience of live music), and now focuses on the maximum dematerialization of the music product (the management of rights of access through intellectual property regulations).

This research also aims to provide a platform for the main protagonists of this process of transformation who, paradoxically, are often treated as mere passive subjects and not as social actors who take initiatives, make choices, solidify cultural practices and ways of doing things, and who exchange discourses that legitimise or attack the positions of the industry, musicians or political powers.

This research was carried out quickly over a short period of time due to the rapidity of changes in this sector; the speed of change makes for few extensive works on digital music as the data and observations

become obsolete as processes spread. A drawback was limited representation among the three groups interviewed, secondary school students, university students and young adults. Taking age as the only variable, it is impossible to analyse the differences that the various types of habit, genre, education or class generate when dealing with digital music. Nevertheless, this work should be taken as a first exploration of a changing environment and of new forms of understanding the music practices and discourses that surround it. The group interviews, rather than close off questions, reveal new territories to be explored and treated with care and attention.

### 2. Practices of music consumption: new technologies and old customs

As Thompson stated (1998), media communication is a contextualised social phenomenon which constitutes contexts that it also models. Communication is a form of action tied to institutional forms and mechanisms of power. From this point of view, music is one of the fields that best exemplifies the tensions between the ways of doing things and modern institutions, the market and the State being the two most representative institutions of the information society. The dominant forms of music consumption, based above all on free P2P networks, appear to challenge an industry incapable of finding a business model that enables them to profit from the traffic of these networks. They also challenge the State, whose power is reduced by the Internet, and its need to guarantee compliance with the rules of the game of the free market, which contradicts its obligation to defend fundamental rights such as the privacy of communication.

Too often studies on communication have centred on the media rather than on the mediations, to paraphrase Martín Barbero (1987). I believe that in these times of uncertainty and change it is more important to observe how people's ways of doing things are transforming than the changes in technology; however much devices change, what is relevant is to see how their use modifies the cultural and social context, and generates a need for new technologies.

The digitalization of music has undoubtedly changed the way in which people listen to music. This study is based on interviews with three groups defined according to age. The idea was to trace the differences between the groups who were relatively close in terms of age but whose musical and technological experience was radically different, due to the speed of change in this environment. The first group (GESO) was made up of secondary school students already

educated in the use of the Internet. The second group was university students (GUNIV) whose introduction to the digital culture came a little later. The third was a group of young adults (GJA) between 25 and 35, a generation that lived through vinyl and tape cassettes and the formation process of a new model of digital cultural music.

The various ways of experience related to technologies have produced new forms of knowledge and social relations. This is the idea behind the distinction that Mark Prensky makes (2001) between digital natives and digital immigrants that enables us to search out the different types of relationship with knowledge that occur between those who were born into the videogame culture, computers and the Internet, and those who approach these cultural environments with interest but hold on to other cultural logics. For Prensky (2001: 2), these digital immigrants keep their accent, that is, their ways of thinking, working and ordering information, and they belong to a culture written in analogue. In contrast, digital natives are «accustomed to receiving information quickly. They enjoy processes that run in parallel and they multitask the technology. They prefer graphics to text. They prefer random access like hypertext.

They are motivated by gratification and rewards that are frequent and instant. They prefer games to serious work».

Ease of access to music, via the P2P networks, is now a shared experience for all generations of music fans. But the varied cultural baggage causes the evaluations on this almost unlimited and free access to change. Adults tend to value the music support as an object, the rituals linked to taking the disc out of the box, looking at the photos, reading the album notes to see who took part. The digitalization of the music has gradually marginalized an old almost ritualistic practice among music lovers: going to a record shop to seek out some long-desired item. «Buying a CD was a ritual. You bought the record, you got home, you opened it, looked at the libretto: Brilliant! You read the lyrics while you listened... sometimes you went from shop to shop in search of a record you don't find» (GJA). Music gave meaning to an activity that required time, effort and money. The reward was to have the record

in your hands. «Now all you have is a file that you can delete anytime if it no longer interests you» (GJA).

But it was not just a question of possessing an object that gave meaning to this investment in time and effort. Copying a record onto a cassette tape was a far different activity to downloading songs from a computer and e-mailing them to a friend. «You recorded a tape and put some work into it, writing out the song titles, sometimes even typing them out. I cut out photos from magazines and glued them on to the insert card [another interviewee] Yes, from the Tipo catalogue. And I pasted on the lyrics too!» (GJA). «It took time to make a tape» (GJA). Some of these practices associated to the analogical still persist among this generation of young adults, like reminiscent accents that character-

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ize digital immigrants: «My brother still tapes what he has already downloaded onto a CD, searches for the original cover and prints it out» (GJA).

Younger people, however, have no affinity whatsoever with the music supports associated to the older generation. They acknowledge that they hardly use CDs. Their chosen instrument for listening to and sharing music is the mobile phone. They download songs from the Internet and transfer them to their phones, send them to friends via Bluetooth if they are close by, and even share music on the same mobile phone with a single earphone each. But the mobile phone and the music it contains is not necessarily a device associated to privacy. Music on the mobile phone is often played in public through its speakers, thus updating the practices of space occupation that traditionally characterise youth subcultures. «They play their mobile phone music very loud. Like when the blacks in the Bronx went around with those huge radiocassette players, invading everywhere with their noise. Or like those

people who play their music loudly when driving so the rest of us passersby have to hear it too» (GJA). The music emerges from the computer environment to occupy the street once again, and it has a role in providing identity and posing a challenge to those outside the group of kindred spirits.

The dominant social representation defines teenagers as a big group of music consumers: they have more free time, they socialize more, and their socialization is particularly linked to leisure practices, with music having a substantial presence. Being pure digital natives, we are tempted to believe that they will be the biggest users of Web 2.0 in terms of music consumption.

However, the group interviews in this study go counter to this notion. The youngest group showed no great inclination towards free downloads and their

fm, you often end up listening to stuff that has nothing to do with the group you started exploring, and that is good» (GUNIV). «I buy 'El País' on Fridays, I take the list from the EP3 trends' supplement, enter the names of groups in Google and download and listen» (GJA). Downloads thus become a complement to information, as a way of judging whether the critics are right about their assessment of a group and as a way of accessing new territories. These practices involve musical taste and cultural curiosity that are absent in teenagers who are, naturally, forming their own musical criteria. That is, while teenagers need to listen to everything to be able to decide to go with a particular artist or style, the more adult listeners have already formed their taste and follow patterns of listening that are more stylistically defined. In this case, it is not proximity to the digital culture that determines uses

but the needs of these older groups. It is also necessary to point out that, just as we perceive in teenagers a culture of media convergence that unites the computer to the mobile phone as devices for managing the same files, in the young adults' group there is a continuity and complementariness between traditional media practices – specialized press and magazines, the radio – and those linked to the Web 2.0 (MySpace and YouTube).

**In terms of the practices, new ways of doing things generated by digitalization coexist with old practices inherited from analogical music. Contrary to what one might think, this coexistence not only occurs in the age group that has lived through the transformation from analogical to digital music but there are also parallels among digital natives between the earlier forms of music consumption and today's lack of differentiation the arbitrary way music is offered to us.**

potential for exploring new music or new groups. Rather they listen to groups that are in fashion, they have a broad musical taste in which there is room for melodic songs, reggaeton, hiphop and heavy metal. The digital natives who proffered opinions in this study (limited, as mentioned before) repeat the hegemonic consumer practices that existed pre-Internet, characterised by random listening (radio) and occasional purchases (a large percentage of records are bought in hypermarkets, or big shops in which the sale of music is a sideline not a speciality).

By contrast, university students and adults value more and get greater use out of the Web 2.0 tools, as a means of broadening their musical knowledge and consumption. «Emule is like the print media. I read the magazines and download records to know what these people are doing. I listen to it and if I don't like it I delete it» (GJA). «Thanks to YouTube, MySpace or Last-

### 3. The discourse on music: from suspicion to legitimization

So far we have dealt with certain aspects of the new practices of music listening, its connection to the depth of immersion in the digital culture and the continuity and breaches between this culture and the habits of the more traditional media cultures. The second part analyses another musical environment that has seen important changes with the arrival of digitalization.

This environment is the discourse on music, a space from which the influence of the crisis of the music industry is seen even more clearly than from the space of practices. Until recently, listeners' discourses on music centred on aesthetic questions, groups, songs, styles, as shown by Nick Hornby in his novel *High Fidelity* (1985), confirming Frith's assertion (1996, 4) that «part of the pleasure of popular culture is talking about it». However, the consolidation of the

Internet as a medium for listening and swapping music has generated considerable social debate regarding the clash between the use of new technologies and copyright protection. Much debate about music now focuses on the role of industry and its relationship with musicians and listeners.

The study *Challenges to copyright. Music and cinema in the digital age* (DNX, 2007) is praiseworthy for being the first to connect listeners' consumer habits to their discourse on the music industry in the Spanish environment. The users polled in this study want to be able to listen to music on any device they wish, and they positively value the possibility the Internet offers of allowing them to get to know new music and new artists free of charge. «It is an emerging digital culture capable of taking maximum advantage of the possibilities of the Net» (DNX, 2007: 22).

Other attitudes shared by the majority are related to free access to music provided by Internet. Together with a clear opportunistic streak («I copy or download music because it is free» or «I download whole albums and an artist's complete discography»), the study airs the general complaint about the current forms of commercialization (price) and distribution of music (restrictions within the physical supports): «I would not download music free if the price in the shops was fair» and «I pay to download individual songs because I am not interested in the whole album» (ibid, 22). At the same time, there is much criticism directed towards representatives of copyright and intellectual property. The study emphasises that «these criticisms act as self-legitimization in terms of the practices of free access to music». Internet users regard «the price of songs on official download sites to be very high», that «free downloading is not illegal» and that «artists have other sources of income» (ibid, 22). Our research records similar listener dissatisfaction with the music industry and even greater opposition to the extension of mechanisms to protect copyright. As mentioned in the introduction, one of the ways the music industry tries to compensate for the drastic reduction in record sales is to intensify its management of intellectual property rights. This is done by extending the time copyright is under protection before entering the public domain, and pushing copyright into new areas. The latter relates to the so-called digital statute, which has aroused fierce debate in Spain about the model of culture and the cultural industry of the future.

The debate on the statute per private copy arose out of the debate in parliament on the reform of the Law of Intellectual Property and the Law on Services of the Information Society, popularly known as the

Internet law. Spanish law differs from U.S. law in that it allows copies to be made of cultural material if it is for personal use only, and this is getting easier by the day due to digitalization. Since this involves money – if I copy a CD I don't have to buy it – manufacturers of recording devices (CD and DVD recorders, recordable CDs, scanners, photocopiers...) pay a fixed fee to copyright managers on each device sold. The reforms aim to specify the devices and the fees payable on those devices by way of the statute per private copy.

All the age groups polled agree that the statute legitimizes downloading music. «If you have bought a CD you can do what you want with it» (GESO). «If you pay 20€ more for a printer that you only use to print out your notes, then you compensate that by downloading music, so long as it's not done to make money...» (GUNIV). Teenagers, accustomed to free music, voice few opinions on this controversy while older age groups who might reject the statute articulate a more analytical discourse on the subject. «You pay the final price for the equipment and don't think about how much the statute might cost you. It's an ideological argument not one about prices. In fact, the price of the statute was already included when you bought tape cassettes and nobody protested about that» (GJA). «I think the statute makes sense because the music you download has been made by somebody. People supposedly devote their lives to music because they love music, and when you perform, because you need to survive, then the music changes. But if these people pay out to make their own music, it is only right that we should give them something back somehow» (GUNIV).

The prevalent feeling is that paying the statutory price per private copy and then being treated as a criminal for swapping files via devices that we have already paid for in order to be able to make copies is contradictory if not absurd, to say the least! There is considerable distrust and indignation over the price to pay for the statute and the fact that the sums gathered are managed by private entities that are secretive about how much they pass on to the artists. At the same time that this climate of public opinion was created, the management organizations with the support of the Ministry of Culture were undertaking campaigns against piracy, claiming that downloading music from the Internet was illegal and was in nobody's interest.

But these campaigns seem to have had no effect on the public of any age and were seen to be dubious and lacking credibility. «Nobody pays attention to those campaigns; if you go to the cinema and they show an advert for the campaign, the people just keep

on talking through it until the film begins» (GESO). «No-one cares. Besides, the punishment for this type of thing is absurd. You can go to prison for more years for downloading from the Internet than for robbing a shop» (GUNIV). Criticism is aimed at an industry that fails to understand that the paradigm of the music business has changed for ever, and also at some of the most successful artists who proclaim that music is culture, but who are the main beneficiaries of an outmoded distribution system. «This is a market society and we are in the midst of a technological revolution, just like the printing revolution. The forms of music production will have to change» (GJA). «When artists demonstrate, why is it you always see Miguel Bosé and Alejandro Sanz, who sell a million copies, and not artists like Quique González, who sells only 10,000?» (GJA).

**So it is surprising that music, now the paradigm of changes generated around the digital environment, appears so little in communication studies. Few cultural environments today are so media-friendly and mediated. The task of researchers is to keep on analysing and observing the reconfiguration of these mediations that show us the ways in which our contemporary culture is organized.**

Criticism of the industry's methods is common among all age groups, and all are unmoved by the anti-piracy campaign. However, the young adults are aware that the industry is appealing to their experience as music consumers to try to discredit file-swapping programs while giving up trying to convince the youngest who have never paid for music and who are seen as a lost cause by an industry that will emerge from this crisis unless there is a radical change in business strategy. «It doesn't play on the conscience of the youngest. They do it because it is easy, and free and everybody does it. The campaigns are aimed at people like us, but the real target is the very young. Public relations people have a hell of a job on their hands trying to convince them that it is better to pay for music. They will have to drop the prices of records and sell them on the Internet, or get the musicians themselves to sell their music. They need to find new strategies» (GJA).

The total lack of any response by the music industry and institutions to these kinds of messages is

creating widespread distrust in those in charge of deciding what music gets played and what music doesn't, personified by the record companies and the radio stations. «The record companies make the records worse; take a group that has lyrics that, perhaps, speak about violence or have a political message; if in the end they promote you, it is only so that you put in what they want» (GESO). «The musicians pay out for a lot of things and I am not sure that they get paid fairly» (GNIV). «People often buy a record not because it is any good but because of a marketing strategy» (GJA).

Music radio - and TV, although it is hardly mentioned due to the almost total lack of music programmes on the main TV channels - is also rejected out of hand, as their choice of music is deemed to be dictated by the boring and suspect music industry. «I don't trust the radio much. I used to listen to the Top 40 but then

you realize how they operate and you switch off» (GUNV).

«There are few music programmes on TV, and besides, musicians aren't allowed to play live, and they hate that» (GUNIV). «You hear very few new groups on FM radio» (GUNIV).

The logical response to this lack of confidence in the usual music mediators is the rise of recommendation systems linked to groups (MySpace) or to users' tastes

(Last.fm). «I use MySpace to find out about groups I like» (GESO). «When I hear someone talking about a group, I first look in MySpace because you don't need to download anything and because you can jump from group to group» (GJA). «MySpace is much better than the radio, and you get to choose what you want to hear» (GUNIV). However, beyond sporadic searches in MySpace, which is really nothing more than a catalogue of bands, there doesn't appear to be much use being made of the new Web 2.0 resources.

At the time of the group interviews the Spanish version of Spotify, a system of listening by streaming in which the music is not downloaded on to the hard disc, had not come out yet. Later several interviewees stated that this system had more and more users but that its advanced functions - like sharing play lists with friends - were hardly used. This was supported by the way in which Last.fm is used, as if it were a radio station, without taking advantage of its potential to develop choice of music.

#### 4. Conclusions: the reconfiguration of the media environment

In this study, I have attempted a different approach to the changes occurring in the music industry, a paradigm of cultural industries in transition towards a new business model. Instead of a descriptive work along the lines of economics and politics, my starting point was an ethnographic investigation to find out how practices and discourses on the music of the people interact with the changing environment.

One of the first conclusions, and certainly the most discouraging, is that a more profound ethnographic study is needed to be able to unravel the subtleties of the practices of music consumption: how music is searched for, what is done with it, how it is shared, and the influence of music on the creation of individual identities and group experiences are all sufficiently complex questions that deserve a more detailed study than the one on which this article is based. However, this investigation has succeeded in drawing a map of categories to which one can return later in order to refine them theoretically and extend their reach through ethnographic work. In terms of the practices, new ways of doing things generated by digitalization coexist with old practices inherited from analogical music. Contrary to what one might think, this coexistence not only occurs in the age group that has lived through the transformation from analogic to digital music but there are also parallels among digital natives between the earlier forms of music consumption and today's lack of differentiation and the arbitrary way music is offered to us. It is also noteworthy that it is the young adults who make the most of the Web 2.0 musical tools, probably due to the inclinations of taste and scarce free time.

As for the discourses, the social debate around music is extensive, especially in terms of intellectual property rights and the fixation with the digital statute. Rarely has a law generated such fierce debate in the media or in society, and a consensus appears to be more remote than ever. This debate is widespread: all

age groups show a depth of political and ethical reflection on what copyright should entail, adequate remuneration for musicians and the model of the record industry.

Music seems to be at the epicentre of problems that affect contemporary culture and the media: our daily practices, the construction of identities, the industries of culture, technology, the law, political resistance and ethical positions. So it is surprising that music, now the paradigm of changes generated around the digital environment, appears so little in communication studies. Few cultural environments today are so media-friendly and mediatised. The task of researchers is to keep on analysing and observing the reconfiguration of these mediations that show us the ways in which our contemporary culture is organized.

#### References

- BUQUET, G. (2002). La industria discográfica: un reflejo tardío y dependencia del mercado internacional, en BUSTAMANTE, E. (Org.). *Comunicación y cultura en la era digital*. Barcelona: Gedisa.
- CALVI, J. (2006). Plan integral de apoyo a la música y a la industria discográfica. Madrid. Fundación Alternativas.
- DNX (Ed.) (2007). *Desafíos para el copyright. Música y cine en la era digital* ([http://dnxgroup.com/ideas/trends/dnxTrends-Cultura\\_Digital.pdf](http://dnxgroup.com/ideas/trends/dnxTrends-Cultura_Digital.pdf)) (25-06-09).
- FOUCE, H. (2008). No es lo mismo: audiencias activas y públicos masivos en la era de la música digital, en AGUILERA, M.; ADELL, J.E. & SEDEÑO, A. (Eds). *Comunicación y música, 2. Tecnologías y audiencias*. Barcelona. UOCpress.
- FOUCE, H. (2009). *Prácticas emergentes y nuevas tecnologías. El caso de la música digital en España*. Madrid: Fundación Alternativas.
- FRITH, S. (1996). *Performing Rites*. Oxford: Oxford University Press.
- HORNBY, N. (1995). *Alta fidelidad*. Barcelona: Ediciones B.
- MARTÍN BARBERO, J. (1987). *De los medios a las mediaciones*. Barcelona: Gustavo Gili.
- MEGÍAS, I. & RODRÍGUEZ, E. (2001). *La identidad juvenil desde las afinidades musicales*. Madrid: INJUVE.
- MEGÍAS, I. & RODRÍGUEZ, E. (2003). *Jóvenes entre sonidos*. Madrid: INJUVE.
- PRENSKY, M. (2001). Digital Natives, Digital Immigrants. *On the Horizon*, 9, 5.
- THOMPSON, J.B. (1998). *Los media y la modernidad. Una teoría de los medios de comunicación*. Barcelona: Paidós.