

meiea[®]

MUSIC & ENTERTAINMENT INDUSTRY
EDUCATORS ASSOCIATION

Journal of the
Music & Entertainment Industry
Educators Association

Volume 7, Number 1
(2007)

Bruce Ronkin, Editor
Northeastern University

Published with Support
from



Improvisation and Reciprocity: An Analysis of the Jam Band Community and Its Unique Business Model

Casey Lowdermilk

The MEIEA Journal occasionally features outstanding student papers. This undergraduate research paper was written by Casey Lowdermilk, a 2007 graduate of the University of the Pacific.

Aside from the noodly solos and thirty-minute songs, jam bands are also noteworthy for their unique business practices. The Grateful Dead and Phish, two pioneers of this genre, both built innovative business models around their music. These practices have evolved into an exceptional business model within today's thriving jam band community—one that is an expanding and exciting market with the possibility of influencing a dramatic change in the business practices of the ailing mainstream music industry.

The very name of the jam band genre has been the subject of much discussion. Some bands view it as a musical boundary and try to distance themselves from it while others embrace the style and push the limit. Whatever their perceptions may be, a broad conjecture can be made that there are four defining features of the music and bands that are categorized in this dynamic and loosely defined genre. First and foremost, the artists are expert musicians who have mastered their instruments and playing styles. Second, these bands are marked by their relentless touring schedules, often surpassing two hundred shows a year. This naturally lends itself to the improvisation that is a hallmark of the live setting. Every night, each song takes on new life as it is redefined through improvisation. Next, the term arose from a need to categorize bands that did not fit within other genres of popular music. According to Dean Budnick, the senior editor of *Relix* magazine and the person responsible for popularizing the term jam band, “their willingness, their ability, [and] their propensity to cross genres” defines jam bands. They do not fit within other styles, yet these bands are influ-

<https://doi.org/10.25101/7.10>

enced by, and create, music that draws from nearly all genres. Finally, the taping policy of jam bands is perhaps the most distinctive aspect of their business model and thus a defining characteristic of the genre. While the specific terms vary from band to band, jam bands generally encourage fans to record their live concerts and trade them among other fans with the stipulation that no money is exchanged. The mixture, to varying degrees, of these four features loosely defines jam bands, a diverse musical culture that thrives upon the live concert experience. These bands have ignored the traditional record industry business model and created unique practices to form a new model that is healthy and flourishing. As Carrie Lombardi, president of Madison House Publishing, so aptly puts it, “Jam band isn’t really a genre as much as it is an approach to music.” This approach is distinguished by the same creativity and improvisation that drives their noteworthy business practices.

“History’s Page Will Thus Be Carved In Stone”
John Perry Barlow, from *Throwing Stones*, Grateful Dead

Grateful Dead and Phish: Business Innovators

Before the term existed, the prototypical jam band that laid the groundwork for today’s jam band community was the Grateful Dead. The preconceived notions surrounding the Grateful Dead and their fans, Deadheads, are a hindrance in attempting to comprehend their real impact on the music business. It is important to look beyond their music and distinctive legacy to discover that they developed a different way to do business. Their most significant contribution was to let fans record and trade music freely. Not only did tape-trading feed a fan base that was committed to sharing the intellectual property of the Grateful Dead, but also “carved in stone” a business practice that would be at the core of an active and thriving music community over forty years later.

In his article *Fear and Norms and Rock & Roll: What Jam Bands Can Teach Us About Persuading People to Obey Copyright Law*, Mark F. Schultz, Assistant Professor of Law at Southern Illinois University explores the business contributions of the Grateful Dead. As Schultz explains, “[The Grateful Dead] ran its own business very effectively, gaining a tremendous amount of freedom and independence from the large amounts of income generated by its endless touring” (Schultz 676). Traversing the nation sev-

eral times a year in their prime, the Grateful Dead would provide a unique concert experience each night that relied heavily upon improvisation. Fans soon began modeling their lives around the Grateful Dead, their tour schedule, and community. It was much more than just the music. Tape trading allowed fans to share their passion as they captured each night's unique performance—special moments in time that happened once and would never happen again in quite the same way. John Perry Barlow, a lyricist for the Grateful Dead, explains how tape trading was important to the Grateful Dead—how it fostered the Deadhead community:

I think it is probably the single most important reason we have the popularity that we have... [T]he proliferation of tapes...formed the basis of a culture and something weirdly like a religion...A lot of what we are selling is community. That is our main product, it's not music (McNally 386).

The generous and kind community that evolved as a direct effect of the business practices of the Grateful Dead is an attractive environment for a certain group of music fans. These music fans respect the rules set forth by the band in trading free music, yet they also actively support the band by buying commercial releases, wearing band merchandise, and attending concerts.

The Grateful Dead made taping and trading a foundation for their business model. As Schultz notes, fan recordings of live performances were available, but rare, when the band started in the late 1960s. During this time the band passively encouraged taping by allowing fans to plug right into the soundboard. In the mid-70s the band officially condoned taping during shows. By the mid-80s they realized the importance of taping to their fan base and began the first ever tapers' section, typically behind the soundboard at a venue, where tapers could get the best sound while not interfering with the experiences of the non-taping fans. The Deadheads' passion for capturing the best sound possible influenced their enthusiastic consumption of new recording technologies. This community was always quick to embrace new technologies such as cassettes, digital audiotapes, CD burning, and the internet (as a forum to list and trade tapes more easily).

If the Grateful Dead laid the groundwork for the generous community and taping policy of jam bands, Phish modernized the business prac-

tices for a new generation. Much like the Grateful Dead, Phish constantly toured, had a devoted community of “phans,” and created innovative business practices by interacting with those fans. Phish was a pioneer in recognizing the need for high quality soundboard recordings of their live concerts. As a result, they were among the first to release a series of live soundboard-quality recordings in 2001—the LivePhish CD series ultimately including twenty-three volumes. Apparently this did not quench the fans’ thirst for high quality recordings. In December of 2002, just days before Phish returned from hiatus, livephish.com was launched as the first-ever web site to release a live soundboard-quality recording of a concert within forty-eight hours of the performance.

The band was also among the first to truly embrace the power of the internet as a virtual gathering place for fans. Through the web, Phish polled fans for Halloween musical costume ideas, accepted suggestions for versions of songs to be included on *A Live One*, and, as early as 1990, created an email list of fans. Phish used the internet unlike any other band before to connect with fans. This was a grassroots, organic approach to culture and to growing notoriety. These loyal fans on the internet increased the social capital of the band. Fans created fan web sites, rumor pages, message boards, email lists, subgroups within the fan base, and maintained a comprehensive history of the band and its performances.

Phish used this special connection with their fans to interact with them and use their feedback to guide their business practices. For example, as Budnick acknowledges, for several tours in the early years Phish merchandise was primarily designed with the stylized and unique imagery of Jim Pollock. The band began to notice that fans were more interested in the lot-style shirts, unofficial merchandise created by fans often incorporating song names in creative ways. Phish then began to integrate more of this lot-style iconography into their official merchandise so as to satisfy the desires of the fan base. Phish further developed a reciprocal relationship with its fan base through one-of-a-kind festivals, unique Halloween concerts, elaborate New Year’s Eve performances, a tour-long chess match, and a secret language between band and audience. The fans motivated these uncommon business practices and Phish delivered while reshaping music business norms at the same time.

As the pioneers of the jam band genre, the Grateful Dead and Phish certainly did their part in defining the virtuosic musicianship that is characteristic of the style. Perhaps more importantly, they also laid the foundation

for business practices that continue to this day to foster a community based on generosity. This contributes to the conclusions of Schultz, “The jam band community has found a way to tap into reciprocity, thus inspiring norms that are unusually supportive of the rights of musicians...[through] loyal, sustained, and mutually beneficial relationships between musicians and their fans” (Schultz 657). The Grateful Dead and Phish are the founders of this genre and it is a healthy and thriving alternative to a music business that is struggling to step into the digital age.

*“And The Kids They Just Don’t Understand,
But They Got A Rock n Roll Band”*
Trevor Garrod, from *These Two Chairs*, Tea Leaf Green

Jam Bands Today

The jam band scene has evolved and responded to the post-Grateful Dead and post-Phish era. There is no longer a single band that can claim the throne to the jam band world, rather there exists a multifarious group of high quality bands consistently touring the U.S. and abroad. Some bands can sell out arenas (although not too frequently) while other bands stick to the local bar scene. The music of today’s jam band scene has expanded into a rich and eclectic mix of different styles and energies far beyond its hippie ancestry. There are now several distinct genres within the jam band scene including rock, jazz, electronica, bluegrass, reggae, folk, funk, blues, fusion, and world music. This new era for jam bands, coupled with the radically changing business environment of the music industry, challenges today’s artists to push themselves musically and to develop creative grassroots marketing campaigns. It appears this musical community has got it figured out—close relationships among fans and bands, the integral role of live performances, and business practices that favor the interests of both the fans and the artists. When performed live, the lyrics quoted at the beginning of this section from Trevor Garrod, keyboardist of Tea Leaf Green, reveal that the most important factor in this model is the music—a creative passion for bands and fans.

The relationship between the band and the audience cannot be denied as being at the core of this scene. The bands feed off the audience both to create surreal live experiences and to motivate their distinctive business practices. To properly understand why the businesses of these bands oper-

ate as they do, it is essential to be familiar with the fans. The following is an analysis of jam band fans—who they are, why they attend so many concerts, and the values they share.

Jam Bands Today: The Fans

Jam band fans, while diverse and eclectic in their own right, share a singular passion for the music. The gatherings of these like-minded fans are mostly at concerts, on the internet, and at festivals. Through these shared experiences jam band fans transmit the culture and values of the scene to others.

To further investigate the jam band community, primary research was performed through an online survey of fans, the results of which are included throughout this analysis. This ten-question survey was posted on nine different fan-created band message boards. A smaller portion of the data was collected by direct email. The survey yielded 82 respondents, making the study anecdotal, but nonetheless relevant and indicative of general trends among the jam band community. The fans responded to the survey with limited knowledge of its purpose. The compiled data reveals some interesting trends.

Live jam band concerts are the most frequent gathering place for fans. 97.5% of respondents had seen at least one concert in the past three months, with over 45% having attended eleven or more. The concert is a community-based event where fans congregate outside the venue several hours before and after the performance to interact with others. To relate a personal experience that typifies the atmosphere of the jam band community, after a concert in the summer of 2004 my friend and I were sitting in the lot by our car talking to other fans. One person, whom we had never met, gave us a high quality recording of the previous night's concert after talking with him for just two minutes. This fan had nothing tangible to gain from going to the effort to make and distribute recordings of the concert free of charge. He just wanted to spread his joy and passion for the band. This experience also illustrates how much this community has embraced newer technologies to quickly distribute recordings. This experience is typical of jam band shows; it creates a strong bond between fans.

In fact, 84% of those surveyed feel there is a connection between themselves and other fans that like the same music; contrast this with the 63% who feel a connection between themselves and the bands they like. Fans feel a stronger connection to other fans than they feel with the bands

they enjoy. The fans perceive an increased value of a live concert because they are getting much more than just the music—they also get a community experience. Perhaps the words of a surveyed fan, written under the username treywarren, best describe this connection, “That’s one of the great parts about going to shows... Getting together with a group of like-minded people for an event that 99% of the public wouldn’t give a shit about. But that small group, whether it be 100, 1,000, or 5,000, ‘gets’ what you get.”

Nevertheless, the connection between fans and the bands is still significant. Shultz has made it clear that because jam bands operate outside of the mainstream music business, it’s more likely they will interact with their fans before or after the concert. The bands are not separated from their fans by the industry middlemen found in the mainstream music business. This fosters a special connection that promotes trust and loyalty among fans.

The popularity of festivals has been steadily increasing in the past few years. Of those surveyed, 84% attended at least one festival since January, 2006. Festivals such as Bonnaroo, High Sierra, Langerado, and Gathering of the Vibes range in diversity of lineup and in size—from 1,000 to 80,000 attendees. Bands even play host to their own festivals such as moe.down, Camp Bisco, and Hookahville. The summer months are typically festival season with temporary utopian cities springing up across America for several days of music, community, and art. Attending a festival has become almost a religious experience for fans, serving as a pilgrimage of sorts. People travel great distances to remote and beautiful locations to be with other fans and to share in the joy of the music. In this religious context the music serves as a communal event, perhaps analogous to Holy Communion among Christians.

Lombardi explains that the demographics of the jam band community are between ages 16 and 40, more heavily within the 18 to 25 year old range. She also points out that the fans are getting older as the bands they enjoy are staying around longer. The heavy markets are major cities and college towns—not unusual for any genre. The majority of survey respondents indicated that they don’t hear music they like on terrestrial radio. This encourages them to actively seek out music through other means. The main ways grassroots jam band fans find new music is by word of mouth (35%) and the internet (28%). These fans also consume large quantities of recorded music with 82% having obtained six or more live recordings in the past month. Lombardi explains, “The [jam band] fans demand more music...[and] want every piece of music that their favorite band makes.”

This trend of obtaining several live recordings of a single band rather than a smaller number from a wider variety of bands feeds the notion that the more familiar a fan is with the music of a particular band, the more enjoyable the live concert experience will be. Familiarity with the music does not just mean knowledge of the songs—it's about knowing the many versions of songs, the changes in the band's sound over the years, and the set-list formation. For the jam band fan, it's one experience connecting community, tape trading, and live music. Also, the survey respondents report enjoying many genres of music including (starting with most popular) jam band/improvisational music, rock, bluegrass, jazz, hip-hop, electronica, funk, reggae, and classic rock.

Mark Shultz cites the social norm of reciprocity as being at the core of the jam band community. The lyrics of Robert Hunter and Jerry Garcia from *Uncle John's Band* still seem to express the wisdom that guides the jam band community today,

Think this through with me
Let me know your mind
Wo-oah, what I want to know
Is are you kind? (*Annotated Grateful Dead Lyrics*)

This value of kindness is pervasive within the community. Due in part to the direct and positive relations a band has with its fans, “Jam bands and their fans have forged a unique community based on a mutual passion for the music and reciprocal generosity, trust, and respect” (Shultz 675). The reduced distance and perceived fairness of the bands contributes to the fans' willingness to cooperate with, and even enforce, the taping policies. This unique trusting relationship allows jam bands to pursue business practices that the mainstream music industry would not and could not achieve. These loyal fans are even concerned with preserving and promoting the values of their community. Oftentimes when referring to “the scene,” a fan is making a reference to fan-to-fan relations and surprisingly, reference to the music is a smaller, yet still significant, contributing factor. An example of promoting the values of the community in the virtual world was reported in the July, 2005 issue of *Relix* in which an entire article was devoted to message board ethics in an attempt to raise awareness of the effect of message boards on bands.

Perhaps the words of Ted Kartzman, co-founder of JamBase, an online community and resource for live music, best describe the fan's approach to the music:

Jam band is not a great term for bands because they can play so many genres of music, but it's an accurate term for a fan because it's those fans that are willing to be open-minded and are willing to hear all this different music. What I love about Yonder Mountain String Band is totally different than what I love about the Slip and different than what I love about the Disco Biscuits. But they're all incredible musicians. For [jam band fans], we embrace them the same.

This spirit of being open-minded and willing to experience new things is not only an approach to music, it also translates into a philosophy of life for some fans and helps to explain the attraction of the community. This community is critical to the development of the innovative business practices of jam bands.

Jam Bands Today: The Business

Jam bands have attained an unusual level of creativity and independence in their business practices. They operate outside of the mainstream music industry that is still, in many ways, trying to figure out what to do with the internet. This section provides a close portrait of several business aspects of jam bands including a look at the "total package" company, SCI Fidelity/Madison House, founded by the String Cheese Incident to meet nearly every need of both artists and fans. Other areas in this section include the approach to a studio album, various forms of promotion, the influence of festivals and a look at two important means of communication for jam bands and their fans: *Relix* and the internet.

The type of business environment and practices that String Cheese Incident wanted to create could not operate under the traditional music industry model. This led to the formation in 1998 of SCI Fidelity Records/Madison House Inc., an integrated business that provides services to accommodate the needs of artists and fans on several levels. This partnership, which is a separate entity from the band, increases communication and supports increased creativity for a business that focuses on a grassroots

community. Its services include booking, management, a record label, travel, ticketing, publicity, graphic design, and merchandise. Since 1998 it has grown to include a number of today's jam bands on its roster—a one-stop shop for jam bands and fans.

Carrie Lombardi suggests that this business model can easily adapt to the rapidly changing market due to its independence. The company understands the need for these bands to create a unique connection with its fan base to help foster a loyal relationship. Lombardi explains that the company tries to let the relationship between the band and the fans grow organically. SCI Fidelity/Madison House has developed business practices that are in step with the trends of the genre, focusing on the importance of a unique live experience, the mass consumption of live releases, and the grassroots community of fans. An obvious way to encourage the perception of fairness and the continued consumption of music is to cut and control costs. One example of this is the marketing strategy of creating buzz on the internet by advertising on message boards; the company even has a message board on its own web site. Web advertising can be a low-cost, effective marketing tool. The label has also controlled the costs of making and distributing its albums, both live and studio. The unique trust between fans and bands has permitted the widespread use of digital distribution channels for live and studio releases. Although the label does have a major distribution deal with Ryko, the increasing number of digital downloads helps to control costs. In 2003, SCI Ticketing even filed a lawsuit against Ticketmaster alleging antitrust violations. This was an attempt to gain more control of the ticket prices and pass the savings on to the fans. As Lombardi points out, "We can keep costs down and let the fans feel that through cheaper concert tickets." SCI Fidelity/Madison House is committed to providing a total quality experience for fans. With String Cheese Incident as the spirit of the company, festivals have been held in beautiful locations with high-quality sound, lower-priced concert tickets, and participatory artistic events for the fans.

The primary source of revenue for the artists of SCI Fidelity/Madison House is touring. These bands don't have the benefit of using radio to sell records; instead they must tour constantly. However, album sales do contribute to the revenue of bands due to the much lower breakeven point. Lombardi even suggests that sales of 50,000-100,000 units can be profitable if the costs are controlled. SCI Fidelity Records differentiates itself further by not having an artists & repertoire department. Instead, all the

people who work at the company are also fans of the music who are always searching for new talent either out in the community or by listening to demos sent to the office. In discussing SCI Fidelity Records' approach to studio albums, Carrie Lombardi comments on an important distinction in the jam band business model. "SCI Fidelity is about the music. We have never tried to stifle the artist's creative vision, they are allowed to make the album that they want."

The studio album is a common obstacle to jam bands in that it's difficult to capture the energy and creativity of a live performance. In recording a studio album, some bands have used unconventional methods in an attempt to capture this live aspect. For example, the 2002 release from moe., *Wormwood*, featured an interesting approach. The band laid down the rhythm tracks during their summer 2002 tour with textures, solos, and vocals recorded at a later time in the studio. The January 2006 issue of *Relix* reported that moe. would attempt to capture this live energy again for their 2007 release entitled *The Conch*. The band recorded several basic tracks of two live shows at the State Theater in Portland, Maine to fully capture the complete performances. A special microphone, the Holophone, captured the 360-degree ambience and reverberation of the room. These tracks were then completed and mixed in the studio. Jam bands experiment with ways to capture the strengths of both live and studio recordings in their album releases.

As mentioned earlier, jam band fans do not generally hear the music they enjoy on the radio. Radio is a difficult medium for jam bands because these bands are typically not known for the short, pop songs that commercial radio seeks. Some bands even claim that producing radio-friendly songs has hurt their success within the jam band community. As reported in the January 2006 issue of *Relix*, Chan Kinchla of Blues Traveler asserts, "In the jam-fan world, we're still to this day paying penance for having a hit single. That's sacrilege" (47). Therefore radio promotion is naturally a much smaller part of the jam band business model. Specialty shows on college or public radio, and Sirius or Rhapsody, are outlets that these bands have pursued to get some radio play. In the case of SCI Fidelity/Madison House, radio promotion is an in-house operation. However, several other bands use an independent radio promotion company, such as Powderfinger Promotions or Leeway's Home Grown Music Network. Leeway's also serves as a direct online distribution outlet for its artists.

One way that jam bands gain exposure and build their fan base is by playing at music festivals. Jam band music festivals have increased in importance in the post-Phish era with the festival circuit often shaping a band's summer touring schedule. The festivals, such as Wakarusa, 10,000 Lakes, and All Good are several-day experiences featuring diverse lineups, late night music, and bigger names alongside local bands. As Ted Kartzman explains, "The festivals are typically a cash cow for the bigger names, while the smaller bands play for exposure and free entry." The festival promoters have an early application process for bands and seek to introduce their audience to new and diverse music. Lombardi notes, "In the booking realm, the festivals have become a priority for our bands." Not only can festivals spread the word faster about a new band, they also challenge sponsors to create innovative ways to benefit the fans. This has resulted in live webcasts of several festivals, faster recording of festival performances, and other unique services.

Relix, the leading magazine for live improvisational music, has a presence at, and provides coverage of, several of these festivals. The magazine was founded in 1974 as a newsletter for Grateful Dead tape-traders. It has now grown into an eight-issue-per-year subscription magazine with an interactive web site. Beginning with the February/March 2006 issue, *Relix* included a free mix CD with each edition to help introduce readers to new music. Dean Budnick, senior editor at *Relix* and founder of jambands.com, acknowledges that *Relix* is the dominant source for news about the premier bands. He also suggests that the magazine acts as a filter in "distinguishing which bands are worth potential fans' discretionary income." Additionally, *Relix* has sponsored this genre's version of the Grammy Awards, the Jammy Awards, for the past six years. The Jammy Awards are specifically designed to give recognition to bands within the live and improvisational realm. The Jammy evening includes several performances (with unique collaborations) and award presentations for tour of the year and live performance of the year among others. *Relix* is a formidable and respected voice in the jam band community.

This past year, the Sixth Annual Jammy Awards was produced concurrently with the Green Apple Music & Arts Festival, the largest Earth Day celebration in the United States. This is representative of a trend within the jam band community toward socially and environmentally conscious actions. With Hot Buttered Rum traveling on a bio-diesel fueled tour bus and The String Cheese Incident using their Gouda Causes to leave a posi-

tive legacy in every city through charity, performers in this genre try to funnel their energy, and use music as a medium, to address greater issues.

Another means of communication within the jam band community is the internet. The internet has become increasingly popular for the marketing of bands, with 28% of fans citing it as an ideal forum to learn about new music. The internet carries enough significance for Budnick to claim, "The hallmark of one of the bands that's succeeding is not only that they're doing well at their shows, but clearly that they have a strong online community." This online community has several places to interact. Tape-trading forums such as archive.org and etree.org give fans an opportunity to interact around a forum for live recordings. People can also interact on several band web sites, message boards, and genre-specific web sites. Jambands.com, an online music source, provides daily news, concert reviews, editorial articles, and surveys of the jam band community. JamBase is a comprehensive live music web site that boasts a tour date search engine of over 30,000 bands playing in over 50,000 venues worldwide, as their web site states. It also serves as a music marketing and promotions company, which as Kartzman explains, was one of the first sites to use targeted direct email marketing. JamBase uses its database of over 400,000 registered users to send emails directly to fans about their favorite bands. In many ways, internet promotion has taken the place of radio promotion and has proven to be more cost-effective and efficient.

Bands also frequently interact with their fans through the internet. They offer discounted concert tickets and exclusive downloads, and they receive suggestions for tour routes and venues. Bands and their management listen to the voices of the fans when making decisions, and the fans appreciate the opportunity to participate in the conversation. This is an example of a unique relationship where fans, band management, and artists work together to create a special experience for all, whereas in the mainstream music industry, management is often seen as greedy middlemen who exploit artists and their fans.

Jam Bands Today: The Implications

While the jam band business model employs many creative innovations, there are also much farther-reaching implications. The model is rooted in permitting the free recording and trading of live concert recordings, a defining aspect of the genre. This has evolved into a community that is uniquely supportive of copyright law. Also, this post-Grateful Dead and

post-Phish era has seen an explosion of talented bands creating some of the most relevant and exciting music today. Some of these bands have evolved their sounds to incorporate more songwriting. This group of bands has recently been identified as being among the first crop of a new, distinguishable genre—post-jam, bands with a tighter focus on songwriting that can still jam. With the release of their latest album, *Eisenhower*, The Slip is among this freshman class. The jam band genre is staying true to its roots and evolving at the same time.

The social norm of reciprocity, as described by Mark Schultz, is fundamental to the jam band community. He suggests that this norm directly correlates with jam band fans being willing to follow copyright law. The mainstream music industry has had difficulty in finding solutions to the increasing problem of copyright infringement. From suing music consumers to installing illegal software on albums, very little has worked. This growing problem is directly related to the widespread use of digital media and the internet. So how has the jam band community set up a culture that supports cooperation and persuades fans to respect intellectual property rights?

To paraphrase Shultz, the community has several features that support this environment. The reduced social distance among all players—bands, fans, and management—encourages cooperation. These bands are not seen as distant, money-making rock stars, but more as hard-working, friendly musicians. Another important feature is an increased perception of fairness. Through their taping policies, jam bands generously give away massive amounts of free music. Fans feel a loyalty to the band and are compelled to support them. Fans support the bands by attending concerts, buying merchandise, purchasing commercial releases, and complying with the taping policies. In several cases, they even work with management and the law to punish those who don't follow the policies. The majority of fans don't want to steal music; they just have to be given the opportunity to comply. This grassroots community has made a conscious effort to involve fans at several levels of the business, which supports active participation and encourages reciprocity. The bands and labels do not assume the worst about music fans; they encourage voluntary compliance. An emphasis is also placed upon "building communities based on sustained relationships between fans and bands" (Schultz 719). Through time, loyalty has developed. It has grown organically into a community that is unique within the music industry.

Despite all the positive aspects of the jam band community, several bands do not like some of its associations, and desire to branch out of the scene. For example, The Slip formed in 1996 and built a dedicated following through constant touring. The progression of live shows and album releases has seen a transformation, so much so that the band's web site states the band has "been accused—perhaps appropriately—of changing everything short of their name." The progression has been from a heavily jam-based, improvisational sound to a greater focus on songwriting. Their latest album, *Eisenhower*, is targeted for an audience outside of the jam band scene. The band wants to sell more albums and become more known for songwriting than jamming. At the same time, The Slip wants to retain the freedom of jam bands and still play to its original, open-minded fans. As Ted Kartzman, former manager of the band insists, "It was my feeling, as manager, that the jam band fans are always going to be there if you give them what they want at the shows. That is virtuosic musicianship—you play well, you play great songs, and you do it night in and night out."

The desire to be a song-oriented band that can jam during live performance is not uncommon. Bands such as Apollo Sunshine, the Benevento/Russo Duo, My Morning Jacket, and The Slip are all comprised of extremely talented musicians who perform unique live concerts focused on both songwriting and jamming. The idea that this group of bands is the beginning of the post-jam genre was reported concurrently in *The Village Voice* and the December/January 2007 issue of *Relix*. Post-jam is a melding of indie rock and jam bands, two of the primary genres that have recently been filling the lineups of festivals across the country. While there is still a plethora of jam-heavy bands that embrace the jam band moniker, this new breed offers an appealing innovative sound to many listeners. It will be interesting to see if, and how, these bands incorporate the practices of the jam band business model into their own approaches.

"What Is The Central Theme To This Everlasting Spoof?"
Richard Wright, from *Halley's Comet*, Phish

Conclusion

The jam band business model has embraced the trends and interests of the grassroots fan community to develop unique practices that differ

from the traditional music industry model. Some of these innovative business practices should be incorporated into the drastically changing environment of the mainstream music industry. This model is healthy and thriving with dedicated, trustworthy fans and passionate musicians. One of the essential success factors has been the community-building fostered by maintaining close relationships between fans and bands. Within this community, it is clear that music has, and always will be, the number one priority; the fans actively consume tremendous amounts of taped live performances and commercial releases, and the bands are constantly developing new and better ways for fans to access music. Interestingly, unique characteristics of this community, such as reduced social distance, increased perception of fairness, and reciprocity, persuade fans to obey the copyright laws. The mutually beneficial relationship between the bands and the fans is based on trust, loyalty, and generosity.

Some bands have evolved to be among the first post-jam groups, opening the door for continued and more widespread innovation of the jam band business model. The genre is changing and there are more bands trying to build a fan base. Although creating a unique sound and building a fan base are difficult tasks, a band with passion and talent has a good chance of success if it works within the jam band business model. As Budnick argues, "Nowadays there are so many bands out there that I think it's much harder for a developing act to come up and get the community support right now, as of November 2006, but I think that the opportunities still are there and that's how bands within the scene thrive." The mainstream music industry, controlled by the four major labels, is suffering while it struggles to incorporate the internet and digital media into its old business model. The jam band model could save the traditional record industry. The majors have an opportunity to develop innovative and effective business practices similar to those found in the jam band model. If this were to happen they might positively affect consumer perceptions of the mainstream music industry and perhaps even save their companies.

References

- Baron, Josh. "In the Studio with moe." *Relix* (Dec./Jan. 2006): 32–33.
- Budnick, Dean. "Blues Traveler 2.0." *Relix* (Dec./Jan. 2006): 46–51.
- Budnick, Dean. Telephone interview. Nov. 16, 2006.
- Dodd, David. *Annotated Grateful Dead Lyrics*. Music Dept., Univ. of California at Santa Cruz. <<http://arts.ucsc.edu/gdead/AGDL/gdhome.html>>. Accessed Nov. 30, 2006.
- Gehr, Richard and Phish. *The Phish Book*. New York: Villard Books, 1998.
- Gold, Daniel. *175 Annotated TLG Songs*. Daniel Gold's Unofficial Fan-Site About Tea Leaf Green. <<http://www.dgold.info/green/>>. Accessed Dec. 18, 2006.
- Greenhaus, Mike. "Meet the Benevento/Russo Duo." *Relix* (Dec./Jan. 2007): 56–61.
- Jambase*. <<http://www.jambase.com>>. Accessed Dec. 2, 2006.
- Kartzman, Ted. Telephone interview. Nov. 13, 2006.
- Lombardi, Carrie. Telephone interview. Nov. 8, 2006.
- Lowdermilk, Casey. "Trends Among Jam band Fans." Unpublished research conducted through PhantasyTour and e-mail, 2006.
- McNally, Dennis. *A Long Strange Trip: The Inside History of the Grateful Dead*. New York: Broadway Books, 2002.
- Mockingbird Foundation. *The Phish Companion: A Guide to the Band and Their Music*, 2nd ed. San Francisco: Backbeat Books, 2004.
- Schultz, Mark F. "Fear and Norms and Rock & Roll: What Jam Bands Can Teach Us About Persuading People to Follow Copyright Law." *Berkeley Technology Law Journal* 21 (2006): 651–728.
- Shapiro, Shain. "The Medium Is The Message." *Relix* (July 2005): 45–48.
- The Slip*. <<http://www.theslip.com>>. Accessed Dec. 2, 2006.
- Zwickel, Jonathan. "Sliptease." *The Village Voice* (Nov. 28, 2006) <<http://www.villagevoice.com/music/0648,zwickel,75169,22.html>>.

CASEY LOWDERMILK graduated from the University of the Pacific in May, 2007 with a Bachelor of Science degree in Business Administration concentrating in Arts & Entertainment Management. This paper was written for Professor Keith Hatschek's Music Industry Analysis course in the fall of 2006. Casey now lives in San Francisco and works in the editorial department at Rhapsody, the digital music service. He is also involved with the Rex Foundation as a Musician's Spotlight writer and volunteer.

The *MEIEA Journal* is published annually by the Music & Entertainment Industry Educators Association (MEIEA) in order to increase public awareness of the music industry and to foster music business education.

The *MEIEA Journal* provides a scholarly analysis of technological, legal, historical, educational, and business trends within the music industry and is designed as a resource for anyone currently involved or interested in the music industry. Topics include issues that affect music industry education and the music industry such as curriculum design, pedagogy, technological innovation, intellectual property matters, industry-related legislation, arts administration, industry analysis, and historical perspectives. The *MEIEA Journal* is distributed to members of MEIEA, universities, libraries, and individuals concerned with the music industry and music business education.

Ideas and opinions expressed in the *MEIEA Journal* do not necessarily reflect those of MEIEA. MEIEA disclaims responsibility for statements of fact or opinions expressed in individual contributions.

Permission for reprint or reproduction must be obtained in writing and the proper credit line given.

Music & Entertainment Industry Educators Association
1900 Belmont Boulevard
Nashville, TN 37212 U.S.A.
office@meiea.org
www.meiea.org

The *MEIEA Journal* (ISSN: 1559-7334)
© Copyright 2007
Music & Entertainment Industry Educators Association
All rights reserved