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# Theft: A History Of Music



## Synopsis

Theft: A History of Music: This comic lays out 2000 years of musical history. A neglected part of musical history. Again and again there have been attempts to police music; to restrict borrowing and cultural cross-fertilization. But music builds on itself. To those who think that mash-ups and sampling started with YouTube or the DJ's turntables, it might be shocking to find that musicians have been borrowing " extensively borrowing " from each other since music began. Then why try to stop that process? The reasons varied. Philosophy, religion, politics, race " again and again, race " and law. And because music affects us so deeply, those struggles were passionate ones. They still are. The history in this book runs from Plato to Blurred Lines and beyond. You will read about the Holy Roman Empire's attempts to standardize religious music using the first great musical technology (notation) and the inevitable backfire of that attempt. You will read about troubadours and church composers, swapping tunes (and remarkably profane lyrics), changing both religion and music in the process. You will see diatribes against jazz for corrupting musical culture, against rock and roll for breaching the color-line. You will learn about the lawsuits that, surprisingly, shaped rap. You will read the story of some of music's iconoclasts " from Handel and Beethoven to Robert Johnson, Chuck Berry, Little Richard, Ray Charles, the British Invasion and Public Enemy. To understand this history fully, one has to roam wider still " into musical technologies from notation to the sample deck, aesthetics, the incentive systems that got musicians paid, and law's 250 year struggle to assimilate music, without destroying it in the process. Would jazz, soul or rock and roll be legal if they were reinvented today? We are not sure. Which as you will read, is profoundly worrying because today, more than ever, we need the arts. All of this makes up our story. It is assuredly not the only history of music. But it is definitely a part " and a fascinating part " of that history. We hope you like it.

## Book Information

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## Customer Reviews

"[Y]ou've got no excuse not to start reading it today. [A] followup to the greatest law-comic ever published...Theft traces millennia of musical history, from Plato's injunction against mixing musical styles to the outrage provoked by the troubadours who appropriated sacred music and turned it into bawdy songs .. (a trick Ray Charles repeated hundreds of years later!); from the racist outrage over rock and roll's challenge to white supremacy to the fights over sampling...." "It will make you a lot smarter about music, where it comes from, how we regulate it, and the tensions that are embodied in the copyright fight we're having...Theft is as laden with visual, textual and musical references as a Dizzy Gillespie solo, an early Public Enemy wall-of-sound, an illegal Girl Talk mashup." "Cory Doctorow, Boing-Boing" [boingboing.net/2017/02/25/copyright-copywrong.html](http://boingboing.net/2017/02/25/copyright-copywrong.html)" "An engaging, transparent narrative... Captivating illustrations." The comic book, Theft!, is not so much concerned with the twenty-first-century sense of musical theft--piracy and illegal file-sharing--as it is with the way musicians have borrowed from, emulated, and sampled one another and how attempts at musical control, in history and modern times, are really attempts at social control. In the same way that Plato thought changes in musical modes could incite social revolution, George Wallace, ..worried that the cross-racial cultural exchange facilitated by rock music would revolutionize segregated Southern society... The book depicts Boyle and Jenkins journeying through time and space, seeing how music has been inherited and restricted from the Greeks to Kanye West. Theft! also aims to push back against a legal-cultural trend of over-regulating musical adaptation and adoption. "Could we have jazz, soul music under contemporary musical culture? And I think the answer is no, and that ought to make us pause," says Boyle. "I want to make sure that to the extent that people want to build on their prior culture, they can," he says. "Noah Rawlings, INDY WEEK" "A book that should be in the collection of every library. It examines the certainty that music could not be written without relying on music that was created before--the "standing on the shoulders of giants" idea... [The book] is a labor of love as well as a primer on copyright overall. If you are teaching copyright to librarians or students, this might be the only required text that you assign." Carrie Russell, DISTRICT DISPATCH "An ode to the public domain.... "We want to drink your blues!" scream the zombie copyright lawyers on the cover of "Theft: A History of Music." Musicians, don't be alarmed! Our heroes are on the way to save the day.. James Boyle and Jennifer Jenkins, both

Duke law professors, tell the story of the thin balance between creativity and control in the music industry. In a world where nothing is new under the sun and musicians stand on the shoulders of their predecessors, how do we make sure that artists get rewarded for their products without hampering future musical developments? [S]ass and humor punctuate the book and create a jazzy atmosphere. .. However it is the blend of different styles and themes that gives "Theft" its unique identity. From the Beatles' "Abbey Road" cover to an Igor-like narrator, from the beloved DeLorean to the Dr. Who's Police Box, "Theft: A History of Music" constantly cites and rearranges pieces of pop culture.. " Maria Carnovale, The Chronicle

James Boyle is William Neal Reynolds Professor of Law at Duke Law School and the former Chairman of the Board of Creative Commons. He has written for The New York Times, The Financial Times, Newsweek and many other newspapers and magazines. His other books include The Public Domain: Enclosing the Commons of the Mind, Shamans, Software and Spleens: Law and the Construction of the Information Society, and Bound By Law a comic book about fair use, copyright and creativity (with Jennifer Jenkins.) Jennifer Jenkins is a Clinical Professor of Law and the Director of Duke's Center for the Study of the Public Domain. She is co-author of the open coursebook Intellectual Property: Law and the Information Society (with James Boyle). Her recent articles include In Ambiguous Battle: The Promise (and Pathos) of Public Domain Day, and Last Sale? Libraries' Rights in the Digital Age.

Unique and eye-opening, Theft is a fascinating look at a particular and misunderstood history of music theft and sampling. Highly recommended.

From concert nerds to casual listeners, this sharp-witted, hilarious, informative graphic novel about the development of music through the ages really wowed me. I'm a music lover but no scholar, and I was really intrigued by the impact of societal forces on musicians. I can't say that I ever thought I'd see Plato, Beethoven, and Public Enemy in the same book! An outstanding purchase. Five stars for sure.

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