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To: Julie L. Sigall  
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From: Jason Turgeon

Comment:

I'm a college student in Boston. Boston has a small but thriving jazz scene now, but it wasn't until I took a class in jazz that I found out how important the city was to jazz in the 1940's. For a while, Boston was arguably more important than New York City. Every great name in jazz played the clubs just down the street from my house.

Now, many of the people who made that scene are passing on. A call went out from one of the remaining members to start making a history of jazz in Boston before too many more of the players disappeared. I volunteered to my professor to help out on an oral history of jazz in Boston. I figured it would be great to participate in a project which would produce a book with photos and newspaper clippings from the 30's and 40's, perhaps include a CD with songs from the era and clips of the interviews. A companion website or even a standalone website would also be plausible.

Sadly, copyright issues are preventing us from doing this. There is relatively little archival info remaining, because so little of it is of no commercial value to anyone. Yet the copyrights still live on, and will do so long after it's possible to interview the musicians who made jazz in the 1940's into a major cultural force. I can't use clips from a now-defunct newspaper, because it is copyrighted and the authors and editors have died or disappeared. There is no repository for archived television or radio footage from long-gone stations, because no one wants to take on the legal issues surrounding such a library. Old pictures are verboten, too--who took them? Who are they of? Who owned the club they were taken in? It's impossible to work with questions like these clouding ownership. I could make a history of jazz in Boston, but it would be an incomplete effort, comprising only interviews with a few remaining musicians and the handful of pictures and songs that I could both find authors for and afford to license.

While I understand that artists need to be compensated for their work, I see no justification in the current system of automatic copyrights and the resulting orphaned works. The copyright system needs major reform. But this reform will probably come too late for many products like the one I want to do. In another few years, these performers will all be gone, and we will have nothing left. Please fix this system as quickly as possible!