



COPYRIGHT CRIMINALS

BY **BENJAMIN FRANZEN** AND **KEMBREW MCLEOD**



EDUCATOR GUIDE

Can you own a sound? As hip-hop rose from the streets of New York to become a multibillion-dollar industry, artists such as Public Enemy and De La Soul began reusing parts of previously recorded music for their songs. But when record company lawyers got involved everything changed. Years before people started downloading and remixing music, hip-hop sampling sparked a debate about copyright, creativity and technological change that still rages today.

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FOR THE ARTS

Activity 1

Hip Hop and the Birth of Sampling
(90-120 min + assignments)

“There was always a culture of borrow and take, because there was a culture [that was] founded upon a lack of resources.”

-Bobby D Garcia (Rocksteady Crew)



Activity 1

Hip Hop and the Birth of Sampling (90-120 min + assignments)

Subject areas: Social Studies, Sociology, Economics, History, Cultural Studies, Media Studies

Lesson Purpose:

The development of sampling, it could be argued, is a classic “making something out of nothing” scenario. Hip-hop was birthed in the innovation of manipulating music on vinyl records with turntables; making music with samplers is a logical next step. This lesson examines the roots of hip-hop and how sampling arose out of necessity – because of the conditions and the creativity of the practitioners.

Objectives:

Students will:

- Understand the roots and the socioeconomic context of hip-hop culture.
- Examine the use of sampling in hip-hop: its origins as well as its use over time.
- Compare and contrast heavily sampled seminal hip-hop music and artists with more contemporary forms.

Skills: Stating and supporting opinions in class discussions and in writing; analytical reading and viewing; note taking; interpreting information and drawing conclusions; critical thinking; identifying cause and effect; identifying relationships and patterns; creating various forms of media; oral presentation

Materials:

- Computers with an Internet access and/or with DVD capability
- LCD projector or DVD player
- **COPYRIGHT CRIMINALS Discussion Guide**
- **COPYRIGHT CRIMINALS Film Module 1 “Hip Hop and the Birth of Sampling”**
- Whiteboard/markers, or chalkboard/chalk
- **Teacher Handout A:** Assignment Rubric
- **Student Handout A:** Module 1 Note Taking Guide
- **Student Handout B:** Quotes

Procedures:

PREVIEWING ACTIVITY:

1. Introduction:

Have students copy this quote from the film and then write quick responses to it:

The idea of not having any instruments, but having a turntable and saying, well, fine, this is my instrument. You know? And you see it now with people with overturned buckets and pots and pans. And we saw it then.

–Saul Williams

- I think hip-hop started because...
- Other objects/tools that could be used as musical instruments are...
- An example of when people used or borrowed something to create something new is...

Call on students to share their responses and discuss opinions.



2. Sampling Glossary: Post and review the terms from the *Independent Lens* website (<http://www.pbs.org/independentlens/copyright-criminals/glossary.html>). Have students share what they know and what they've heard about sampling, hardware, software, music-making, and hip-hop. Construct a grade-level-appropriate working classroom definition of what "sample" is. (For example, a piece of an existing document or recording that is then used in a new work of art.) The film module for this lesson opens with a definition of "sample," so you can compare this with the class's definition.

3. The Birth of Hip-Hop: Have students read the "Making a Name" excerpted from Jeff Chang's *Can't Stop Won't Stop: A History of the Hip-Hop Generation* (<http://cantstopwontstop.com/reader/excerpt/>).

For visual and audio context, it would be useful to show the "Masculinity" video module from the *Independent Lens* film *Hip-Hop: Beyond Beats and Rhymes*. The last portion of this module focuses on the social and economic conditions of the Bronx during the early days of hip-hop. You can find it at <http://www.pbs.org/independentlens/classroom/hiphop.html>.

It may also be useful to show the 1983 Sundance Grand Prize documentary film *Style Wars* (<http://www.stylewars.com>), which has some great footage of New York City during that era, as well as hip-hop MCs, DJs, and breakdancers. In addition, search and play video clips online such as: New York City – The South Bronx in the 1970s and 1980s (<http://www.youtube.com/watch?v=Atl-En92Xso>) and (<http://www.youtube.com/watch?v=kqawnkoCi1Y>), and 1970s Gangs and Graffiti (<http://www.youtube.com/watch?v=Nz8tOK8NGg&NR=1>). As extended background reading and context, it would be informative for the teacher and students to read more of Jeff Chang's book, especially the first two chapters "Babylon is Burning: 1968-1977" (the chapter the previous excerpt is from) and "Planet Rock: 1975-1986."

- What were Kool Herc's influences?
- How did Kool Herc make do with what he had and innovate to create something better?
- How could a rec-room party have such an influence on people and the birth of a culture?
- What do you notice about the physical environment of New York City in the 1970s and 1980s? What do you notice about the cultural environment?
- Why do you think the cultural phenomenon of hip-hop started specifically in New York City during this time?

4. Timeline of Hip-Hop: Have students read the "About Hip-Hop Timeline" from the *Independent Lens* website (<http://www.pbs.org/independentlens/hiphop/timeline.htm>) in pairs. Assign a different decade to each pair. Direct pairs to note dates, events, and people that stand out to them and explain why. They can also add any events and people they feel had an impact on hip-hop during the decade, but that aren't on the timeline. Then, have the students get into a larger group (perhaps four total) to compare notes with other pairs who are studying the same decade. Have each of the four larger groups report back to the class. You can also refer to the "About Hip-Hop" glossary on the *Independent Lens* website to clarify any terms (<http://www.pbs.org/independentlens/hiphop/glossary.htm>). Ask the students the following questions:

- What were the key events/people that drove that decade in hip-hop?
- How commercially viable was hip-hop in that decade? How can hip-hop be positioned in relation to (or within) mainstream culture in that decade?
- What were the primary changes and innovations in hip-hop during that period?
- In what ways has hip-hop changed since that period (sound/visual style/fashion/etc.)? Why?
- What do you predict the this new decade, the second decade of the 21st century, will hold for hip-hop? Do you agree or disagree that, as rapper Nas titled his 2006 album, *Hip-Hop is Dead*?

5. Provide Background Information on COPYRIGHT CRIMINALS: Briefly introduce the film *Copyright Criminals*. Note that the film module will cover the roots of hip-hop as well as the "golden age" of sampling. Have students read **COPYRIGHT CRIMINALS Discussion Guide** pages 2-3, which are particularly about the roots of hip-hop.



VIEWING THE FILM:

6. Viewing the Film Module: Instruct students to take notes on **Student Handout A: Module 1 Note Taking Guide** as they view the **COPYRIGHT CRIMINALS Film Module**, and have them record the perspectives of various subjects from the film.

REFLECTING ON THE FILM:

7. Review and Discuss: Debrief the module and notes by discussing them together as a class. Have students review the **Student Handout B: Quotes** before the discussion. Use the following guide questions:

- What were the original reasons for using turntables and samplers to make music?
- Do you think the turntable itself is a musical instrument? Why or why not?
- How did the music-making process of groups such as Public Enemy use samples? What was their purpose and how did they view their use of sampling to create music? Do you agree or disagree?
- How was Public Enemy revolutionary both in their sound and in their message? What does it mean that they were “reanimating” the voices of iconic black leaders by sampling their speeches?
- Can you think of any recent hip-hop songs that use samples? How do you think the artists were able to use those samples in the current context of hip-hop as a worldwide economically viable industry?

8. A Deeper Look at the History of Sampling: Have students read/listen to “Steinski Gives A Sampling History Lesson” an interview with sampling pioneer Steinski and retrospective of 30 decades of sampling from National Public Radio (<http://www.npr.org/templates/story/story.php?storyId=93844583>). Have students listen to “Steinski’s Sampler of Sampling” for some examples of other sampled music as well his own “Lesson” mixes. (Note: Teachers can also use websites such as Grooveshark (<http://listen.grooveshark.com/>), Last FM (<http://www.last.fm>), Pandora Radio (<http://www.pandora.com>), Myspace Music (<http://music.myspace.com>), and YouTube (<http://www.youtube.com>) to search for and stream music online for classroom use, especially if you want students to listen to full versions of songs from the film).

- What is Steinski’s view on sampling? What was his intention with creating the “collage” pieces?
- How did the featured artists use sampling in their music?
- Sampling started as a necessity because, to quote Bobbito Garcia from the film, “There was always a culture of borrow and take, because there was a culture [that was] founded upon a lack of resources.” Is that the case now?

9. Assignment - Compare and Contrast Research Project: In small groups, have students research two hip-hop artists: one from the “golden era” of sampling (De La Soul, Public Enemy, Beastie Boys, Boogie Down Productions, etc.) and one more contemporary hip-hop artist of their choice. Have them compile information and write their analysis and include songs, videos, etc. They should look specifically at the social context that informed the music of the “golden era,” versus that of the contemporary artist and the current times: social, political, and economic conditions and events (e.g. recession, first African American president). They should also analyze differences in the culture and music industry that they occupy: how much ownership they have of their music, where the money for producing their music comes from, how the artists or their label promote the music, etc. They can also look at the differences in the production techniques, sound, imagery, lyrics, and so on. Have them collect images, video, audio, interviews, news articles, written accounts, etc., and organize them into time periods, drawing connections between the personal and the historical, and showing developments over time. They should then publish their findings on a web page, blog, podcast, PowerPoint, or other form of audio/visual and/or web-based presentation. A web-based timeline tool such as Capzles (<http://www.capzles.com>) is a good place to create these.

Assessment

Use **Teacher Handout A: Assignment Rubric** to assess groups’ research projects. Students should receive the rubric in advance to guide their research.



Extension activities for students:

1. Using the process the Bomb Squad worked with, create a “sample script,” such as the one used by Public Enemy in the film. Form a group, and have each member brainstorm sounds and samples they might bring in to make into an audio collage. Map out the track on graph or chart paper.
2. Research a favorite song or music piece. Try to identify the tracks that have been sampled to create the piece. Websites such as Who Sampled? (<http://whosampled.com>) and The-Breaks (<http://the-breaks.com>) can be good resources.
3. Give small groups an assortment of everyday items found in the classroom and the household: scissors, rulers, jars, etc. and have them create music with them. Have them brainstorm other items they could use. You can reference and show examples, such as the Broadway stage show *STOMP*.

Recommended National Standards**THE CONSORTIUM OF NATIONAL ARTS EDUCATION ASSOCIATIONS****Music: Grades 9-12**

Standard 6: Listening to, analyzing, and describing music

Standard 9: Understanding music in relation to history and culture

NATIONAL COUNCIL OF TEACHERS OF ENGLISH**Grades K-12**

Standard 1: Students read a wide range of print and non-print texts to build an understanding of texts, of themselves, and of the cultures of the United States and the world; to acquire new information; to respond to the needs and demands of society and the workplace; and for personal fulfillment. Among these texts are fiction and nonfiction, classic and contemporary works.

Standard 7: Students conduct research on issues and interests by generating ideas and questions, and by posing problems. They gather, evaluate, and synthesize data from a variety of sources (e.g., print and non-print texts, artifacts, people) to communicate their discoveries in ways that suit their purpose and audience.

Standard 8: Students use a variety of technological and information resources (e.g., libraries, databases, computer networks, video) to gather and synthesize information and to create and communicate knowledge.

NATIONAL COUNCIL FOR THE SOCIAL STUDIES**I. Culture**

I.a. Analyze and explain the ways groups, societies, and cultures address human needs and concerns;

INTERNATIONAL SOCIETY FOR TECHNOLOGY IN EDUCATION

Standard 1. Creativity and innovation

- Students demonstrate creative thinking, construct knowledge, and develop innovative products and processes using technology.

Standard 3. Research and information fluency

- Students apply digital tools to gather, evaluate, and use information.



Student Handout A: Module 1 Note Taking Guide

Speaker	Their views on sampling and music.
Jeff Chang	
Tom Silverman (Tommy Boy Records)	
Hank Shocklee/Chuck D (Public Enemy / The Bomb Squad)	
Bobbito Garcia (Rock Steady Crew)	
Other	
Other	
Other	

Reflect using this sentence stem:

The comment that struck me the most was _____

because _____

_____.

Student Handout B: Module 1 Quotes

Digital samplers allow you to take a snatch of a record, or a sound, or anything like that and turn it into a building block for a song.

-Jeff Chang (Solesides Records)

Basically, when I'm sampling I have all these artists. They're in my band, and I'm sampling Wes Montgomery to play guitar on it. He's in my band. You know, I've got Art Blakey. He's my drummer. That's tight. You know what I'm saying? I've got all these legendary musicians that are in my band.

-DJ Abilities

I mean, records literally – their name, records, right? You're encoding history into these grooves, right? So, by taking these records and playing them back, DJs are giving us snatches of our history.

-Jeff Chang (Solesides Records)

There was always a culture of borrow and take, because there was a culture of – that was founded upon a lack of resources.

-Bobbito Garcia (Rocksteady Crew)

The idea of not having any instruments, but having a turntable and saying, well, fine, this is my instrument. You know? And you see it now with people with overturned buckets and pots and pans.

-Saul Williams (poet/musician)

There's going to be a time when we're going to have a nice little groove where Keith is going to be on some [sound], Chuck is going to have some [sound], and I'm going to be like [sound]. And so, we're all together and there's this one little moment that it all just meshes together in a nice vibration.

-Hank Shocklee (Public Enemy/The Bomb Squad)

What was exciting about Public Enemy was the militancy of it, like the way that Paris and Public Enemy were kind of taking Malcolm X and Black Panther speeches and recordings and sort of reanimating them.

-Drew Daniel (Matmos)

There's – there was a cultural issue in that it seemed like more or less an underground urban phenomena and how is this going to translate to the – you know, to the big record business... And it turned out that all the traditional people who were so miffed by this way back in the early days quickly realized there's a huge amount of money to be made here.

-Anthony Berman (entertainment lawyer)

Teacher Handout A: Assignment Rubric (Lesson 1)

Criteria	6	5	4	3	2	1
Content	Excellent, well-developed investigation. Makes a sophisticated, nuanced comparison, showing similarities and differences. Covers topic in-depth with excellent details and examples. Knowledge of subject is excellent.	Good, developed investigation. Makes a good comparison showing similarities and differences. Covers topic with some details and examples. Subject knowledge is good.	Sufficiently developed investigation. Makes a clear comparison showing similarities and differences. Includes essential knowledge of topic. Subject knowledge appears to be good.	Contains some investigation of similarities and differences. Includes the most important information about the topic, with one or two factual errors.	Insufficient investigation of similarities and differences. Includes some of the important information with several factual errors.	Lacks investigation into similarities and differences. Content is minimal and there are several factual errors.
Presentation	Comparative study is well-organized with clearly labeled sections. Layout is dynamic, making excellent use of color and graphics. Shows original thought and creativity.	Comparative study is well-organized with clearly labeled sections. Makes good use of color and graphics. Shows some original thought and creativity.	Comparative study is organized and labeled. Makes use of color and graphics. Shows some original thought and creativity.	Comparative study is organized and some sections are labeled. Uses some color and graphics. May show some creativity and original thought.	Comparative study is not clearly organized, and sections may or may not be labeled. Uses limited color and graphics. Shows limited creativity.	Lacks organization, and sections are not labeled or are labeled incorrectly. Uses little or no color and graphics AND they distract from the content. Writing is somewhat legible OR is in pencil.

Scoring Guide:

6 Exemplary complete, correct, comprehensive	3 Developing complete, incorrect
5 Accomplished complete, correct, comprehensive	2 Unsatisfactory incomplete, incorrect
4 Satisfactory complete, correct	1 Unsatisfactory incomplete, incorrect

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About ITVS:

The Independent Television Service (ITVS) funds and presents award-winning documentaries and dramas on public television, innovative new media projects on the Web and the Emmy Award-winning weekly series *Independent Lens* on Tuesday nights at 10 PM on PBS. ITVS is a miracle of public policy created by media activists, citizens and politicians seeking to foster plurality and diversity in public television. ITVS was established by a historic mandate of Congress to champion independently produced programs that take creative risks, spark public dialogue and serve underserved audiences. Since its inception in 1991, ITVS programs have revitalized the relationship between the public and public television, bringing TV audiences face-to-face with the lives and concerns of their fellow Americans. More information about ITVS can be obtained by visiting itvs.org. ITVS is funded by the Corporation for Public Broadcasting, a private corporation funded by the American people.

About *Independent Lens*:

Independent Lens is an Emmy® Award-winning weekly series airing Tuesday nights at 10 PM on PBS. Hosted this season by Maggie Gyllenhaal, the acclaimed anthology series features documentaries and a limited number of fiction films united by the creative freedom, artistic achievement and unflinching visions of their independent producers. *Independent Lens* features unforgettable stories about a unique individual, community or moment in history. Presented by ITVS, the series is supported by interactive companion websites, and national publicity and community engagement campaigns. Further information about the series is available at pbs.org/independentlens. *Independent Lens* is jointly curated by ITVS and PBS, and is funded by the Corporation for Public Broadcasting (CPB), a private corporation funded by the American people, with additional funding provided by PBS and the National Endowment for the Arts. The series producer is Lois Vossen.

About PBS:

PBS is a media enterprise that serves 354 public noncommercial television stations and reaches almost 90 million people each week through on-air and online content. Bringing diverse viewpoints to television and the Internet, PBS provides high-quality documentary and dramatic entertainment, and consistently dominates the most prestigious award competitions. PBS is a leading provider of educational materials for K-12 teachers, and offers a broad array of other educational services. PBS' premier kids' TV programming and Web site, PBS KIDS Online (pbskids.org), continue to be parents' and teachers' most trusted learning environments for children. More information about PBS is available at pbs.org, one of the leading dot-org Web sites on the Internet.

