COMMUNITY CLASSROOM

ENGAGING STUDENTS AND TEACHERS THROUGH FILM

COPYRIGHT CRIMINALS

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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.

PRESENTED BY:

ITVS

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NATIONAL ENDOWMENT FOR THE ARTS

Activity 3

Hip Hop Sampling: Theft or Tribute?
(90-120 min + assignments)

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Subject areas: Social Studies, Civics, Government, Sociology, Language Arts, Economics, Ethics, Art/Music, Business, Media Studies

Lesson Purpose:

The course of sampled music has created a cycle in which sampled artists can gain an audience in a new generation of listeners. This lesson takes into account the attention that artists can and have received by being sampled. Students will look into musical legacies that have been created with sampling and create their own versions of oft-sampled records.

Objectives:

Students will:
- Identify samples in popular songs.
- Investigate the far-reaching effects of certain artists and records that have been sampled again and again.
- Reflect on how some artists' careers have been revived from being sampled.
- Create their own musical composition using a sampled break.

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

Materials:

- Computers with Internet LCD projector or DVD player
- **COPYRIGHT CRIMINALS Discussion Guide**
- **COPYRIGHT CRIMINALS Film Module 3 "Hip Hop Sampling: Theft or Tribute?"**
- whiteboard/markers, or chalkboard/chalk
- **Teacher Handout A:** Assignment Rubric
- **Student Handout A:** Module 3 Note Taking Guide
- **Student Handout B:** Quotes

Procedures:

PREVIEWING ACTIVITY:

1. Bring that Beat Back:
Play three examples of songs that were noticeably sampled by popular contemporary artists. For example, "Straight to Hell" by The Clash, sampled in M.I.A.'s "Paper Planes"; "Move on Up" by Curtis Mayfield, sampled in Kanye West's "Touch the Sky"; "Love on a Two-Way Street" by The Moments, sampled in Jay-Z & Alicia Keys' "Empire State of Mind." (Note: Teachers can use websites such as Who Sampled? (http://www.whosampled.com), 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). Call on students to respond:

- What is the more recent song that samples this original? Describe how much of the song they sampled and how they used it.
- After listening to the original, how do you like it? How does it compare to the song that samples it? Did the sampler take the best part of the song?
- Are you curious who the original artist is? Would you want to listen to more music by the original artist?
- How and why do you think the producer chose to sample that particular artist and song?

2. How Far Can a Sample Go?
Have students listen to "Can I Get An Amen?", the audio installation by Nate Harrison about the Amen break, the infamous four bar drum break taken from obscure 1960s funk/soul band The Winstons' song "Amen, Brother." The Amen break has been credited in dozens–if not hundreds–of hip-hop recordings and later became the foundation for the jungle/drum-and-bass musical genre (http://nkhstudio.com/pages/popup_amen.html).

Discuss the following with the class:

- Why was this particular drum break so "usable" and ultimately so ubiquitous?
- How did producers use digital samplers to creatively use the Amen break? Which use do you like the best and why?
- Can it be argued that hip-hop, sampling, and the era digital music rescued The Winstons from obscurity? Why or why not?
- Should The Winstons have been credited and compensated for the many uses of their record? How do you think they feel about the mileage that producers and music as a whole has gotten out of their break?

3. Provide Background Information on COPYRIGHT CRIMINALS: Briefly introduce the film *Copyright Criminals*. Note how the film module will focus on artists who have been famously sampled in hip-hop, such as JB's drummer Clyde Stubblefield, Parliament/Funkadelic front man George Clinton, and The Beatles. Have students read page 4 of the **COPYRIGHT CRIMINALS Discussion Guide**, specifically "Copyright Ownership and Fees" and "Creative Commons."

VIEWING THE FILM:

4. Viewing the Film Module: Instruct students to take notes on **Student Handout A: Module Note Taking Guide** as they view the **COPYRIGHT CRIMINALS Film Module**, making note of the artists who were sampled and the hip-hop songs that sampled them.

REFLECTING ON THE FILM:

5. 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 impact(s) does sampling have on the original artists? Is the effect generally good or bad for the sampled artist? In what ways?
- Clyde Stubblefield, the most sampled drummer in hip-hop, worked as a session musician on James Brown's records, and never received publishing or composing credit for music on which he was prominently featured. Is this fair? Why or why not? Should he be compensated for the use of his drum hits and patterns in sampled music?
- Do you agree with Shock G's painter/photographer analogy? Why or why not?
- George Clinton's career was arguably revitalized by hip-hop's sampling of his music. However, he argues that the hip-hop artists should pay. Do you agree or disagree?
- If you wanted to make a song, should you have the right to be able to sample? Should you have to pay the artist you sample? Why or why not?
- How would you feel if someone else sampled your song? Does money affect the way you feel about it? Does it make a difference if the person who sampled your song is making money from his/her music? Does it make a difference if you are being compensated financially for it? What would you want someone sampling to do in return?
- What other examples are there of sampling bringing attention to the music of the sampled artist in a positive way?
- What is Creative Commons, how does it work, and is it an effective way to mediate between the rights of the artist and the creativity of the samplers?

6. Assignment: Funky Drummer: Assign students in small groups to take a previously sampled piece of music such as "Funky Drummer," "Amen, Brother," or another one from the beginning of the lesson and create their own piece. Have them create a "sample script" similar to the one by Public Enemy shown in Module 1. They could also search for their own sound sources (http://www.freesound.org is a great Creative Commons site with tons of sounds – including drum loops and breaks) to compose an audio collage with. Using a free audio editing and recording tool such as Audacity (http://audacity.sourceforge.net/) or more involved production software such as GarageBand or Pro Tools (especially for music production classes), students can re-arrange the break, add or subtract elements, record their own lyrics or vocals, or even layer and collage speeches or other "found sound" sources to create their own composition. Direct groups to upload finished compositions to a blog or class website and have groups listen to and comment/critique each other's works. Have them also attribute their sample sources in some way, such as including a recognition on their web post, or adding links to the original artist's website or to a place where their music can be purchased.

Note to teacher: Depending on availability of computers, internet access and other technology constraints, it may be more practical and have just as much impact to have students create recordings using a tape recorder or even the voice recorder on most cell phone/smartphone devices.

Assessment

Use **Teacher Handout A: Assignment Rubric** to assess groups' media productions. Students should receive the rubric in advance to guide their work.

Extension activities for students:

1. Research the music and backgrounds of artists who were sampled. Explore the genre and era of the music that the sampled artist comes from.

2. Trace the musical DNA of a series of songs using the Who Sampled? website (http://www.whosampled.com). For example, students can see how songs that use samples have themselves been sampled, and so on. They can have a contest to find the series of songs with the most "generations" of sampling.

3. Research the different types of copyrights involved in music in a deeper way, looking at publishing, songwriting, recording, etc. Develop a presentation for the class.

4. View the DJ Shadow scene from the film *Scratch* (http://www.youtube.com/watch?v=1gpKYnRdf0A). Reflect on how digging for records and sampling is a form of preservation of those artists' legacies. Research other artists who have preserved or paid tribute to forgotten/unsung forbears in their own work.

Recommended National Standards

THE CONSORTIUM OF NATIONAL ARTS EDUCATION ASSOCIATIONS
Music: Grades 9-12
Standard 4: Composing and arranging music within specified guidelines
Standard 6: Listening to, analyzing, and describing music

MID-CONTINENT RESEARCH FOR EDUCATION AND LEARNING STANDARDS
Career and Business Education
Standard 34. Understands the role of ethics in the business world

NATIONAL COUNCIL FOR THE SOCIAL STUDIES
V. Individuals, groups, & institutions
V.a. Apply concepts such as role, status, and social class in describing the connections and interactions of individuals, groups, and institutions in society;
VII. Production, distribution, & consumption
VII.b. Analyze the role that supply and demand, prices, incentives, and profits play in determining what is produced and distributed in a competitive market system;

Student Handout A: Module 3 Note Taking Guide

Note which perspective (can be both):

Artist	Sampled by	Views on sampling and music
Clyde Stubblefield (James Brown's drummer)		
George Clinton (Parliament/Funkadelic)		
Other:		
Other:		
Other:		

Reflect using this sentence stem:

If someone else wanted to sample my song, I would want them to _____

_____

because _____

_____.

Student Handout B: Module 3 Quotes

So you take a drummer like Clyde Stubblefield, who plays The Funky Drummer, and James is like, you know, take it, Clyde, and he goes ahead and takes his break. And that break ends up becoming one of the bases for a whole bunch of sample-based records.
-Jeff Chang (Solesides Records)

I never got a thanks. I never got a hello, how are you doing, or anything from any of the rap artists or anything. The only one I got a thanks from was Melissa Etheridge.
-Clyde Stubblefield (James Brown's drummer)

Perhaps it's a little easier to take a piece of music than it is to learn how to play a guitar or something. True. Just like, it's probably easier to snap a picture with that camera than it is to actually paint a picture. But what the photographer is to the painter is what the modern producer and DJ and computer musician is to the instrumentalist.
-Shock G (Digital Underground)

As a creative tool, like for someone to use a sample of an existing piece of music to – and then, for their music, I think it's an extraordinarily lazy artistic choice. It's much easier to take something that is already awesome and play it again with your name on it.
-Steve Albini (Musician/Recording Engineer)

Rock and roll was lazy. You know, three chord blues--you know? Everybody would look down on basic rock and roll and the people would like say, that's not music.
-George Clinton

One of the things that sampling has done is that it's revitalized a whole bunch of musicians' careers. At the time that a lot of hip-hop producers started sampling George Clinton, his records weren't available commercially anymore, so hip hop literally reintroduced the world to George Clinton.
-Jeff Chang (Solesides Records)

Even Gangsta's Paradise did much more than Past Time Paradise by Stevie Wonder, and like 10 times more, and that was Stevie Wonder. Who the hell is Coolio?
-Tom Silverman (Tommy Boy Records)

I think ultimately it's up to every artist, if they're going to borrow something from somebody, to pay respects to the person that they borrowed it from.
-Bobbito Garcia (Rocksteady Crew)

I prefer to get my name on the record saying, this is Clyde playing. It's just – the money is not the important thing. It's just to get myself out in the world, knowledgeable with my name, is more important.
-Clyde Stubblefield (James Brown's drummer)

Teacher Handout A: Assignment Rubric – Media Production (Lesson 3)

Criteria	6	5	4	3	2	1
Content	Creative, original use of the sample. An audio collage that makes connections between different found and created sounds, vocal recordings, and effects. The track is a musical composition with feeling and movement.	Creative use of the sample. An audio collage that makes connections between different found and created sounds, vocal recordings, and effects. The track has elements of composition.	Creative use of the sample. Makes use of different found and created sounds, vocal recordings, and effects. The track has some elements of composition.	Uses the sample. Uses some different found and created sounds, vocal recordings, and effects. The track has some elements of composition.	Simple use of the sample. Uses few other found and created sounds, vocal recordings, and effects.	Simple use of the sample. Uses little or no different found and created sounds, vocal recordings, and effects. Lacks structure and organization.
Presentation	Web page is well-organized with clearly labeled sections. Layout is dynamic, making excellent use of color and graphics. Shows original thought and creativity. Pays tribute to the artists and sources of their samples.	Web page is well-organized with clearly labeled sections. Makes good use of color and graphics. Shows some original thought and creativity. Pays tribute to the artists and sources of their samples.	Web page is organized and labeled. Makes use of color and graphics. Shows some original thought and creativity. Mentions the artists and sources of their samples.	Web page is organized and some sections are labeled. Uses some color and graphics. May show some creativity and original thought. Mentions the artists and sources of their samples.	Web page is not clearly organized, and sections may or may not be labeled. Uses limited color and graphics. Shows limited creativity. Does not mentions artists and sources of their samples.	Lacks organization, and sections are not labeled or are labeled incorrectly. Uses little or no color and graphics AND they distract from the content. Does not mentions artists and sources of their samples.

Scoring Guide:

6 **Exemplary**
complete, correct, comprehensive

5 **Accomplished**
complete, correct, comprehensive

4 **Satisfactory**
complete, correct

3 **Developing**
complete, incorrect

2 **Unsatisfactory**
incomplete, incorrect

1 **Unsatisfactory**
incomplete, incorrect

GUIDE CREDITS

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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.