Bootleg to Peg-legged

the Battle for Stolen Content

Aside from Urban Outfitters' affinity for vinyl, it's pretty clear that the way we consume music has changed drastically over the past five decades. Along with the medium, the level of access has changed, and so has the definition of exclusivity. Throughout the history of recorded music, whether records, 8-tracks, cassettes, CDs or streaming, one issue has prevailed without successful intervention from the industry: stolen music. And while this problem has plagued every player in the music industry for decades, the motive of fans and the goal of the endeavor has changed drastically. From bootleg recordings to pirated streaming, has this problem been tapered at all? And how has the "why" changed?

A factor that should not be ignored is the genres of music most likely to be stolen. There is an apparent pattern in that newer, less established genres are more often traded illicitly, and the prevailing reason is access. The issue of accessibility to upcoming and often controversial genres really came to light in the '50s and '60s with the popularity of national radio. The beginnings of what we now know as rock 'n' roll was known as "black music" and it was hard to come by. However, young people across the country demanded this music, and certain disc jockeys, most notably Alan Freed, went against the grain and played this music anyway. It was so rare and exciting for young people of all walks of life in America to experience this exclusive content together at only certain times a day. But as things constantly change, the acceptance that this was the only way to hear popular music did too.

Records and record players allowed the average person to enjoy their favorite music on demand. But still, consumers had to search stores and find certain distributors for highly-demanded and controversial rock 'n' roll. The first major breakthrough in solving this bottleneck was the tape recorder. The ability to record radio and records completely changed the scope of music distribution. And as music technology advanced in the '70s, compact recording devices became available to the general public in the form of the cassette tape recorder. Live music was all the rage and sneaking these small recording devices into rock shows was a badge of honor.

This was all lots of fun—but what about record companies? It's obvious they would not be fans of people ripping off their recordings to share and sell on their own. Recording devices were strictly prohibited at live shows and technically illegal for recorded albums as well. But in reality, was bootlegging so bad? The rarity and exclusivity attached to owning bootlegged content seems more like a crowdsourced marketing campaign for record labels and their artists. One band name is probably burning in your head during this discourse—the Grateful Dead. No other band treated fan-recorded music quite like they did. Instead of banning recording devices from their shows, they encouraged it, roping off areas to the side specifically for it. Live recordings became a crux of the Dead's fandom. Deadheads traded shows like baseball cards, with some more valuable than others. It was genius—there's nothing music fans love more than feeling like an insider.

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Another important genre to discuss is rap. As hip-hop culture swept the nation in the late '80s, owning recordings of certain DJ sets was like finding gold. Conversely, DJs hunted for and traded rare records amongst themselves to spin. Like fans of the Grateful Dead, fans of DJs and hip-hop built an entire culture around these live bootleg-recorded shows. In fact, this culture even built a sub-industry of bootleg labels, including Kiss the Stones, Great Dane and E Street. Kiss the Stones even worked out of Italy to avoid legality issues but was eventually shut down. A huge shortcoming of the bootleg phenomena was the limited reach due to physical copying and shipping, and eventually new music consumption mediums took precedence yet again.

The '90s were all about the CD. And here's where we see a huge shift in the motives behind bootlegging and when it started to look much more like piracy. Something extremely important to note is that the CD was the first medium in consumer history where music was stored in a digital, rather than analog format. Along with an improved quality of sound and changing taste in music, it brought a shift in preference to polished recorded albums. The pop industry was absolutely thriving, and music fans were too, because burning CDs was even easier and faster than recording cassette tapes. But CDs weren't about exclusivity or being a diehard fan—they were about easy access. They marked the beginning of this mass digital distribution of music, so anyone could get it. No matter how little copies of a recorded album were made, people could simply burn it and distribute it at will with impressive sound quality.

Perhaps the most significant influence of the CD was the bridge it created for MP3 compression and file sharing. Services like Napster that were popularized in the late 90s and early 2000s had almost no work to do—all they did was upload and rip music from CDs. This is where the music industry really lost control—something had to change, or they would continue to lose money and experience massive piracy on all releases. Gone were the days of an exclusive underground community of hardcore fans. This was easy access, all the time no matter what. Still, the most targeted genres were those of up-and-coming popularity: certain pop artists, and especially punk rock and hip hop. Profits stagnated as fans abandoned purchasing albums and opted for free digital versions. The future looked bleak.

Luckily, the development of aboveboard streaming services like iTunes and Spotify absolutely helped to taper the problem of piracy, but it did not stop it by any means. Its first iteration, the pay per song/album model, was massively successful, but technology was still not good enough to stop file sharing. Youtube-to-MP3 nearly felt legal because people did it so much. It was rampant and happening among just about everyone with access to a computer. It became difficult for the music industry to even market or promote albums because as soon as one person got their hands on it, everyone had it. Apple's status and connections helped it to make important partnerships with artists and labels and began to reintroduce the concept of exclusivity into music sharing. However, it still wasn't built to last.

Fast-forward, and Spotify's freemium subscription model was a huge game changer. Listen to music for free with ads, or opt for a paid subscription. It was a win-win, keeping music sharing both legal and affordable. We all know what happened next—other players followed suit, Apple Music and Tidal being the most notable. The content wars that these streaming services created, which targeted specific artists and releases, completely flipped the battle of access v. exclusivity in music distribution. Now, if you're ripping music online and opting out of paid services, you're more likely getting less content than you would if you were paying. Technology has gotten a lot better at restricting access, but it is still incredibly easy to steal music with only mild inconvenience.

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However, things are starting to come full circle, as diehard fans try much harder to gain access to restricted content than casual listeners. It seems as if people will do anything to get their hands on an album. So whether it's your extra-rare Grateful Dead cassette tape, or your shady Dropbox MP3 of /Lemonade/, we all find a way. Because at the end of the day, it's all about the music.

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