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After the Goldrush: The History of Popular Music Funding  
in Canada

Graduate Program in Cultural Studies. London Consortium,  
Birkbeck College, University of London, London, UK

December 2014

A thesis submitted to the London Consortium, Birkbeck  
College, University of London in partial fulfilment of the  
requirements of the degree of Doctor of Cultural Studies

Shain Shapiro

I declare this this work is entirely my own, subject to the rules and regulations of the London Consortium, Birkbeck College, University of London.

Signed,

A handwritten signature in black ink, consisting of several overlapping loops and a vertical stroke, appearing to read 'Shain Shapiro'.

Shain Shapiro  
1 December 2014  
London, UK

## **Abstract**

This dissertation is a cultural and historical analysis of the history of popular music funding in Canada, from 1949 to 2013. Canada has an extensive public subsidy system for popular music, deriving from the implementation of content quotas for publicly licensed airwaves and the need to supply these airwaves with appropriate content. This thesis evaluates and analyses the history that engendered these policies to reveal their impact on the concept of Canadian identity as a whole, and the impact of Canadian identity formation on the popular music industries. Through six decades of policy interventionism, Canada's popular music structure has grown into a set of structures within structures, combining direct federal subsidies, regionally specific support and private initiatives mandated by public policy. However, in this history, never has the total system been conceptually audited as a whole, nor has its underlying cultural and economic impact been analysed. Some see this support as a lifeline while others a tax, resulting in a set of structures framed on policy to simultaneously develop national cultural unity and economic prosperity. These policies have shifted from supporting Canadian cultural policy to more business driven, economic objectives, despite being mandated, legislated and ultimately beholden to Canadian cultural policies, nationalism and protectionism. By dissecting the history, this thesis aims to unravel an extensive and unique case study between the popular music industries and government as a whole.

## **Acknowledgments**

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This dissertation is dedicated to her.

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## **Acronyms Legend**

ADISQ – Association Québécoise de l'industrie du disque, du spectacle et de la vidéo)

BBG – Board of Broadcast Governors (ancestor of CRTC)

BMA – British Music Abroad Program

CAB – Canadian Association of Broadcasters

CANCON – Canadian Content

CAPAC – Composers, Authors and Publishers Association of Canada (now SOCAN)

CBC – Canadian Broadcasting Corporation

CCA – Canada Council for the Arts

CCD – Canadian Content Development (see CTD)

CCMIA – Canadian Council of Music Industry Organizations

CFDC – Canadian Film Development Council

CHUM – Canadian broadcaster. Owns MuchMusic.

CI - Collective Initiatives, FACTOR

CIMA – Canadian Independent Music Association (formerly CIRPA)

CIRPA – Canadian Independent Record Production Association

CMF – Canada Music Fund

CMRO - Canadian Manufacturing Recording Organisation

CMPA – Canadian Music Publishers Association

CPCC – Canadian Private Copying Collective

CRIA – Canadian Recording Industry Association (now called Music Canada)

CRTC – Canadian Radio-Television and Telecommunications Commission

CSRCO - Canadian Sound Recording Service Organization Contribution Program

CTD – Canadian Talent Development (renamed to CCD in 2006)

CTL – Canadian Talent Library, Standard Broadcasting (folded into FACTOR)

DBA – Direct Board Approval Program, FACTOR

DCMS – Department for Culture, Media and Sport (UK)

DOC – Department of Communications

FACTOR – Foundation to Assist Canadian Talent on Record

FACTOR/CTL – The official name of FACTOR between 1986-1987.

FICC - Fonds d'investissement de la culture et des communications, Quebec.

FIDEC - Financière des entreprises culturelles, Quebec.

MAPL – Music, Artist, Place of Production, Lyrics – the scale for measuring CANCON.

MDA – Music Development Association

MEC – Music Entrepreneurs Component (Canada Music Fund)

MEP – Music Entrepreneurs Program (changed to MEC in 2005)

MIA – Music Industry Organization

NMW – New Musical Works Program (Canada Music Fund)

NAB – National Advisory Board, FACTOR

NAFTA – North American Free Trade Agreement

NFB – National Film Board

PADISQ – Le Programme d'aide aux entreprises du disque et du spectacle de variétés (Early Quebec Funding Program)

PCH – Department of Canadian Heritage

PROCAN – Originally BMI Canada, now merged with CAPAC to form SOCAN.

PRS – Performing Rights Society, UK

RDA – Regional Development Association

REC – Regional Event Coordinators, FACTOR (now called NAB)

Re:Sound - Canada's Neighbouring Rights Collective

RPM – Records, Promotion, Music – Canadian Music Trade Magazine

RSF – Radio Starmaker Fund

SGCP - Société générale du cinéma du Québec (now SODEC)

SOCAN – Society of Composers, Authors and Music Publishers in Canada

SODEC - Société de développement des entreprises culturelles (Quebec)

SRDP – Sound Recording Development Program

UKTI – United Kingdom Trade and Investment



## **Introduction**

The Canadian music industry, no matter which way you look at it, has arrived at a sort of crossroads. The path of experience we have trodden has not always led us where we hoped it might go (Yorke 1971, 4).

This dissertation examines the history of popular music funding in Canada. The period that will be examined begins in 1949 and concludes at the beginning of 2013. These discussions began with the government publishing a report on arts intervention in 1949, leading to the legislating of a content quota for private television operators in 1962. Policies concerning popular music were influenced by these debates, leading to a quota system installed for musical works on Canadian commercial radio in 1971. This history is framed on a series of concepts surrounding what Canadian culture, in this case popular music culture in Canada, represents. As a whole, Canadian cultural identity and the concept of being Canadian is influenced by a series of realities, including the close proximity to the United States, sparse population density and promoting federalism in a country with two official languages (and multiple secondary languages) and myriad popular cultures. Defining what Canadian culture is, and subsequently how to protect, enrich and promote it is the core challenge in analysing this history. Popular music is often seen as operating outside of state intervention. In Canada, however, state involvement in popular music through policy and financial support is extensive and complex, and one that is looked at by other nations as a model in how to support their sectors. This thesis will aim to uncover, expand on and extrapolate this history, to reveal the complexities and structural challenges in combining national identity, economic development and state intervention.

There are a few key points to introduce to contextualize popular music funding in Canada. Firstly, this thesis is concerned with popular music. In this dissertation, I define this as music such as pop, rock, alternative and folk music, excluding music that is normally supported through Arts Council initiatives such as jazz, ballet, opera and classical. Secondly, the Canadian popular music funding structure, if taken as a whole, infiltrates every level of the Canadian music business, from a new band recording a demo to a major music conference recruiting international buyers. It is, to some extent, a musical welfare state, not unlike other subsidised sectors in

Canada including film and television, periodicals, agribusiness and energy.<sup>1</sup> In popular music, not only do artists receive funding, but also festivals, managers, publishers, merchandisers and promoters are eligible for grants and loans under an extensive set of programs administered by a number of national and regional public and private outfits. It is difficult to come across an artist or company who has not received support at some point in their career, including the most well known Canadian acts such as Nickelback, k.d. lang, Celine Dion, Avril Lavigne and Arcade Fire.

Thirdly, it is critical to define who I refer to when using the terms 'state' and 'government' in the context of popular music funding in Canada, as they differ considerably depending on each party described. Mainly, these terms describe Canada's federal government. Each of Canada's three main parties, the left-leaning Liberals, further-left New Democratic Party and right-leaning Conservatives, have governed at one point in the time period covered by this thesis, either nationally or provincially.<sup>2</sup> In Quebec, the separatist Parti Québécois has governed in this time period, in addition to the Liberals. It was the Liberal government in 1949 that contracted the Chancellor of the University of Toronto at the time, Vincent Massey, to produce *The Royal Commission on the National Development of the Arts, Letters and Sciences*, better known as *The Massey Commission*. This was the document that first argued for the introduction of the Canadian Council for the Arts and the state support of Canada's emerging film and television businesses, which can be regarded as a crucial turning point in the history of state intervention in the arts in Canada. In addition, Canada's Liberal Prime Minister Pierre Trudeau in the late 1960s and 1970s set up the Canadian Radio, Television and Telecommunications Commission (CRTC), the official regulatory agency for licensing airwaves that introduced Canadian Content regulations on publicly owned airwaves, now generally known as CANCON. When the Conservative party governed Canada in 1985 under Brian Mulroney, it introduced the first government-supported program specifically for sound recording, the Sound Recording Development Program (SRDP). While the NDP has never governed Canada federally, their regional policies in Nova Scotia and Saskatchewan, for example, have initiated funding programs for regional Music

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<sup>1</sup> For an in-depth analysis of film funding, see Dorland (1998) and Nash (1994). For periodicals, see Zwicker (1974).

<sup>2</sup> The NDP (New Democratic Party) has never governed Canada nationally.

Industry Associations (MIA), including SaskMusic and Music Nova Scotia.

In addition to the federal government, each province has operated independent funding mechanisms for popular music since the early 1980s. Quebec, British Columbia and Saskatchewan were first to introduce provincial music industry organisations, while Quebec and Ontario have operated crown corporation cultural business banks since the mid 1980s. For the purpose of this dissertation, Canada's provincial policies will focus on Quebec, as collectively the system is too extensive to outline in full, in terms of program availability. However, each province operates independent talent development and music business strategies, funded through public and private mechanisms. Furthermore, support in Canada is provided by private radio broadcasters through legislated requirements introduced alongside the policing of Canadian content regulations. In this case, this support will be referred to on occasion as public, even if it does not derive from Canada's government resources.

This dissertation analyses how the state, the music sector and Canada's broadcasters have interacted with each other to shape how Canada – both its businesses and government - supports, identifies and assesses popular music output. These questions go beyond the popular music sector to question the very concept of nationhood and the use of content quotas and funding to perpetuate a sense of collectivity and national heritage in this young, bilingual and multicultural nation. This dissertation is not intended to recommend policy change or amendment. Instead, it explores the history and structure of Canadian popular music funding – both in English and French Canada - by unravelling the history of intervention, how it emerged and who and how much of the industry these structures support. By doing so, it will reveal three limitations of the system: Firstly, if popular music is utilized as a tool to promote national identity, this cannot be effectively achieved through public funding initiatives. Secondly, by installing cultural policy aimed at increasing content production – in this case a quota – the economic ecosystem of the sector the quota is meant to protect, in this case popular music, is impacted. Thirdly, the measurement and definition of success in this interventionist model is, by its very design, inconclusive.

These three challenges have led to a growing separation between the reason the

system was first initiated and why it remains important and necessary to uphold to this present day, for both the funding bodies and their recipients. In Canada, popular culture defines and asserts fluctuating ideas of national culture. However, Canada's popular music funding history reveals that through quota regulations and subsequent actions taken in support of the quota, top-down policies have defined what popular culture is and consequently, how it fluctuates through state funding and regulation and how it impacts the concept of national identity, which I call being Canadian in this dissertation. Such realities, when compared to Canada's competitiveness in the global music market and how its system is viewed abroad, complicate the core objectives of why these policies exist.

To capture this history and highlight these three challenges, this dissertation will follow a framework based on the relationship between cultural and economic policy objectives in the context of Canada's popular music industries. Within this relationship the concept of Canadian national identity formation (culture) has produced complications throughout the history and development of Canada's popular music industries (economic). This is not to ignore nor downplay the development of Canadian cultural policy and, separately, Canada's popular music sector. By the end of 2013, Canada has a definable popular music sector, one that did not exist with the same capacity in 1971, with a number of internationally successful artists that have benefitted from public support, including those mentioned above. Furthermore, Canada has a definable, albeit fluctuating, national identity, even if this complex sense of identity is challenged internally by competing ideologies. Being Canadian, both within its borders and abroad, is an accepted, national identity. However, the concept and development of Canadian national identity, the internal and external influences on it and its impact on the development of Canada's popular music businesses, has produced fundamental challenges. The result is one of world's most publicly subsidized popular music sectors, for both better and worse, which began with the initiation of a requirement that a certain amount of content of Canadian radio be Canadian. This was called CANCON.

The quota and its four-decade old history is at the core of popular music funding in Canada, as its existence ultimately creates a need to support content development to meet the quota. Created in 1971 by Canada's Liberal government, it took from

previous rulings on television to state that a certain amount of music on publicly licensed airwaves must be Canadian. It was based on four parameters, the person or people who wrote the music, the artists' origin, place of production and the person or people who wrote the lyrics, two of whom must be Canadian for a track to qualify. This is called MAPL, an acronym of the four requirements developed by John Mills, executive director of PROCAN, the precursor to collection society SOCAN. Beginning at 25%, the quota has steadily increased; now it is 35% in English Canada and 65% for French-language content in Quebec. Yet, its impact on Canadian popular music has not been comprehensively analysed. Often, CANCON is seen in black and white, and most debates concerning it are based on whether it should be increased or decreased, rather than the theoretical and empirical questions that its history posits.

CANCON supposes that Canadian content is, in and of itself, a unique and independent product that can be defined and protected. While the CRTC employs a set of guidelines to assess CANCON, which will be analysed in chapter one, one must suppose that in order to protect Canadian content, one must understand what, exactly, comprises such content. Within popular music, this is a complex and contested debate. The domestic Canadian music industry, in its modern framework, emerged in the 1960s, at the same time as the 'British invasion'. At the time, British acts were hugely popular in Canada. As a result, developing Canadian music businesses began to sign and promote copycat acts that replicated foreign content at the time, such as The Beatles and The Kinks. From these beginnings, defining specific, national characteristics in Canadian music has been fraught with challenges. As Sutherland discusses in *Making Music Industry Policy*, attempts to do so by Canadian authors are few and far between. He mentions two studies, Elaine Keillor's *Music in Canada* (2006) and Michael Barclay, Ian A.D. Jack and Jason Schneider's *Have Not Been The Same* (2006). Both authors rely more on specific artists and songs, rather than positing a specific definition of Canadian music (Sutherland 2008, 9). This leads Sutherland to argue, "in musical terms there is no way, apart from the tune of 'O Canada' perhaps, of referring to the nation" (2008, 8). This is also referenced by Keillor in a 1995 UN survey that ranks Canada last in "terms of presentation and promotion of its own art" (2006, 4). Keillor, in her own argument, disagrees with this notion, offering two concepts to define Canadian music, as music relating directly with "landscape and rubbaboo." Landscape refers to referencing

Canadian terrain and specific locations in music and "rubbaboo" is a synonym of multiculturalism, derived from a First Nations word describing a blended soup (Keillor 2006, 11-12). Furthermore, when University of Toronto professor Patricia Shand surveyed a number of high school students, they defined Canadian music as referential to landscape and geography, music that is of high quality and diverse (Shand 2003). Such qualitative descriptions are prevalent in this debate. The CRTC, in its own definition of Canadian music, does not reference genre, style or specific musical form. Symbolic metaphors have emerged to define what 'Canadian' popular music is, for example by linking its output to the rural, the pastoral or a sense of the rugged such as the tracks "Wheat Kings" by The Tragically Hip or "Whale Music" by The Rheostatics.

Such perceptions began in the 1970s, when a sense of what Canadian music sounded like differentiated it from its American counterpart. The nascent sector argued, led by the Canadian Independent Record Production Association (CIRPA), the world's first independent music trade association, that this intangible stylistic difference required protection to be able to compete with foreign content. Therefore, any act permanently residing and composing in Canada could qualify, but that did not guarantee any support from disseminators, such as radio or record labels. This has to do with exporting as well as importing content, to facilitate competitiveness. Wright argues: "The truth of the matter is that even ardent CANCON supporters acknowledge that the main pre-occupation of the Canadian music industry is not one of protecting or enhancing 'Canadian culture' so much as it is that of finding and developing international markets" (1991, 311).

This quote is useful and provocative. Popular music in Canada is funded through two general frameworks. The first comprises content production, including demo, album and collective initiative programmes and is aimed at ensuring that archival or production requirements are met for quota purposes. The second is aimed at marketing and promoting the content, including touring, marketing and showcasing programmes. These are focused on positioning Canadian content for export, both outside the producer's domestic region in Canada and beyond Canada's borders. While one structure theoretically develops the other, this has not always been the case. This is not because of the programmes themselves, but more due to the policies that influenced the programmes.

To best understand these programs as they are analysed in this dissertation, it is important to reveal the theoretical framework that initiated the Canadian experiment in the first place, including CANCON and later, popular music funding programs. These theories are found in nationalism studies, including concepts and arguments relating to the concept and subjectivity of nationalism in general, as well as Canadian specific theories. It is best, at this stage, to present a literature review of these concepts, first focusing on more general studies of nationalism in scholarship and later, Canadian specific arguments. This will inform the rest of this dissertation and the focus on popular music funding and its relationship with identity formation and the concept of being Canadian.

### **Literature Review: Theories of Nationalism and Canada**

For the purpose of this dissertation, compiling and presenting a traditional literature review has produced challenges, as there is no scholarly history dedicated to Canada's popular music funding structure, nor much mention of its relationship to nationalism. CANCON studies are mostly quantitative or self referential and those of most value often ignore popular music, focusing more on CANCON as a singular topic. As a result, in the works cited list, I have separated the sources referenced in the work to four sources; government documents, published sources such as journals and books, personal interviews and unpublished sources, such as blogs. Personal interviews were the best tools to discover what occurred in this history, as most of the protagonists remain active in the industry. Otherwise, the majority of my sources derive from official state documents or those commissioned by the state but written by private contractors. Each of these carries its own objective, usually contained in the brief or tender agreed upon to write the document. With each successive government, from the publication of *The Massey Commission* to analysis of Canada's radio contributions in the late 2000s, each document sourced comes with its own agenda, differing from those that came before it depending on which government sponsored it and what the overarching objectives of the piece was. I have provided an in-depth analysis of interviewing procedures, questions of ethics and a discussion of my relationship with the material in the appendices, including outlining who refused to be interviewed, potential biases and related politics that impact the theoretical framework of this dissertation.

However, one must first look at discourses of nationalism, the concept of the nation

and its complications before analysing Canada as a specific case study. Nationhood and nationalism, as a concept, is inherently contradictory, according to Benedict Anderson's seminal study, *Imagined Communities* (2006).<sup>3</sup> For Anderson, "nation-ness is the most universally legitimate value in the political life of our time" (2006, 3). But, defining the concept is often fruitless as it is "taken to imply the regrettable outcome of a long, self-conscious search for theoretical clarity" (Anderson 2006, 3). Anderson argues that the definition of nationalism centres on three paradoxes. One is that nations are subject to "the objective modernity of the historian's eye," which creates "the formal universality as a socio-cultural concept" based on "the 'political' power of nationalisms vs. their philosophical poverty and even incoherence" (1991, 5). In other words, Anderson argues that nationhood is often at odds with historical fact, which develops a false singularity based on political interference rather than tested theories or what actually happened. For Canada, the concept of nationalism, in the case of popular music funding, was developed by the state. This is further elaborated on by Breton in his article, *The Economics of Nationalism*. He states that nationalism is defined by top-down procedures, often devised as "underhanded policies by nationalist governments to attain their objectives" (1964, 377). He elaborates: "We know that for collective goods it is in the interest of each individual taken independently not to signal his true preferences or to signal them incorrectly. For this reason it is difficult, if not impossible, for a government to know these preferences; it will consequently engage in various tactics to discover these preferences" (Breton 1964, 377).

For Breton, it is the process of the state reflecting or reimagining a concept of individuality that presupposes the concept of nationalism on their citizenry, even if the state – a plural – cannot feasibly define a singular, each person's individuality. Anderson expands on this, arguing that there is little reflection in such activities, a process he argues as a "self-conscious search" (2006, 3). This process avoids reflection, as it is the state that enacts the policy, rather than it emerging from elsewhere or someone independently. Yet, a national identity and supposing a way of defining oneself is inherently individual, even if it is created in the least individual manner possible. As a result, understanding such a paradox provides greater clarity to analyse how nationalism and the concept of 'being Canadian' have been constructed and manipulated, and how it relates to the history of popular music

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<sup>3</sup> This year is from a reprint. The original title was written in 1972.

funding in Canada.

While many Canadians – those who live within the accepted international borders of the country – define themselves as ‘Canadian’, other citizens, such as those residing in Quebec, often eschew the term ‘Canadian’ in favour of other definitions. Each ‘definition’, in and of itself carries complexities, as most are constituted externally as much as internally, as one has to be seen to be ‘Canadian’, for example, to believe that such a definition satisfies their objectives. As a result, there are many examples of Canadian identity formation theories and its inherent challenges in scholarship, including Berton (1987), Edwardson (2006 and 2008), Handler (1985), Cook (2005), Gwyn (1996), Grenier (1996) and Straw (2000, 2007 and 2012). Handler, in applying these theories to Canada, conceptualizes this concept of nationalism as “the nation as a collective individual and a collection of individuals” (1985, 39). He continues: “these conceptions of the nation and its members privilege boundedness, continuity and homogeneity as central to a healthy national existence. Yet, precisely because these metaphors draw the boundaries of national existence so sharply, they invite people to speculate about what is included in national life as well as what is not” (Handler 1985, 47).

This concept of assessing the concept of nationalism on “what is not” is one that has grown increasingly relevant in Canada. In *The Future of North America: Canada, The United States and Quebec Federalism*, Peter Alexis Gourevich argues that Canada is “an advanced industrial country with a serious chance of breaking apart” (1979, 237). This chance of “breaking apart”, focused primarily on the relationship between Canada and Quebec, relates to an assessment of nationalism on the basis of what “one is not”, as Handler suggests. This concept framed on what one is not supports Canada’s unique nationalistic framework. By asserting what one is not, what “one is” becomes a singular interest, separate from the collective national identity. The result is a nation that does not “break apart” (1979, 237).

Here, Canada’s cultural narrative is a structure that “come[s] into being as a system of cultural signification” (Bhabha 1994, 306). This, according to Bhabha in *Narrating the Nation*, is “the representation of social *life* rather than the discipline of social *polity*, which emphasizes instability of knowledge” (Bhabha 1994, 306). In other words, Bhabha argues that this instability, or defining oneself based on what one is not, is what best represents how Canada, in terms of its social identity, is posited.

This theory can be elaborated on by analysing Eric Hobsbawm's writings on the theories of nationalism. He states, in a lecture delivered in 1996, that "the concept of a single, exclusive, and unchanging ethnic or cultural or other identity is a dangerous piece of brainwashing" (1996, 1067). This cultural signification that Bhabha refers to can be seen by Hobsbawm as a didactic tactic by states to symbolize a certain set of specific parameters as representing a nation, ones that in totality, if approached as a singularity, is seen as brainwashing. Once again, the collective is deriving a singularity and not the other way around, which Hobsbawm argues as 'brainwashing'. He continues, in *Ethnicity and Nationalism in Europe Today*: "Nations without a past are contradictions in terms. What makes a nation is the past, what justifies one nation against others is the past, and historians are the people who produce it" (1992, 3). To Hobsbawm, it is this past that affirms nationhood, a past that is created by the state as singularities. In Canada, the lack of history, as Canada is less than 150 years old, has encouraged this instability of knowledge, leading to less well-defined social representations of 'Canadianness'. This has challenged the concept of nationhood in Canada, leading to theories that posit 'being Canadian' on non-absolutes, such as what one is not, rather than what one is.

Hobsbawm continues this analysis in his historical text, *Nations and Nationalism Since 1780*. He defines the term 'nation' and its extensions as subjective, because nationalism as a concept, "in its modern and basically political sense is historically very young" (1992, 18). Canada, in this context, is especially young, having become a nation less than 150 years ago. One such tool that Hobsbawm refers to is language. In using the modern French republic as an example, he argues that the requirement to speak French was mandatory and that "in a sense, acquiring French was one of the conditions of full French citizenship and therefore nationality" (1992, 19). Speaking the same language provided a pathway for organizing resources and finances under a collective banner, a trait Arthur Smith refers to as "bureaucratic incorporation", where "rational bureaucratic administration, aided by the development of merchant capital" developed the state, which "formed a matrix of the new population's unit format, the nation" (Smith 1994, 151). Hutchinson, in *Cultural Nationalism and Moral Regeneration*, simplifies this by separating nationalism into two camps, cultural and political. To him, "political nationalists may be driven to adopt ethnic-historical identities and in the process may become

ethnicized and 're-traditionalized'" (Hutchinson 1994, 123). Cultural nationalists, he argues in contrast, "perceive[s] the state as accidental...which is the product of its unique history, culture and geographical profile" (1994, 122). In the context of Canada, this can also be seen in opposition, as culture is utilized to shape nations. Therefore, in essence, nationalism can be argued as being two separate but conflicting concepts at once that attempt to meet in the middle. On one side, nationalism is perceived as intangible, but this intangibility is carefully and painstakingly crafted. As a result, the universality of nationalism, as Anderson notes, is far from universal. It is controlled through political discourses that are often contradictory, that assert the existence of two camps, one within the nation and one outside of it. Alongside, being part of a nation is prescribed as a universal right, or set of rights, forever enshrined in one who is born into this universality. To be 'Canadian', one has been born 'Canadian' and is therefore, in totality, a 'Canadian'; or one has earned it, through immigration and assimilation. Yet, ascribing a set of social constructs to a set geographical area is, by nature, didactic and not universal. These descriptions by Hobsbawm and Smith are based on political nationalism, as nation formation, in this argument, is a tool for organizing and controlling a territory.

Asserting one's national identity as a right to controlling territory and any resulting economic opportunities and resources is asserted by Pierre Berton, one of Canada's most revered historians. To him, being Canadian was a description one utilised in order to have access to geographic-specific resources, to assert dominance and claim ownership of them. This description follows the political construct Hutchinson outlines. "What we really wanted were well-to-do, right-thinking, English farmers," he argues in *Why We Act Like Canadians*. "Unfortunately," he continues, "these [English farmers] had no intention of leaving [England] so we settled for those Europeans who came to Canada to escape intolerable conditions at home; Canada was advertised not as the land of the brave and the home of the free but as a place to make money" (Berton 1987, 71).

Berton argues that the best reason to be Canadian is to profit off its natural resources. Edwardson, in *Canadian Content*, elaborates on this concept of Canadian national identity. Being Canadian, he states, is "adapting the national project to challenges and changes, particularly the rise of mass media, shifts in ethnic demographics, the threat of American imperialism, an increasingly politicized Québécois nationalism and an escalation in transnational economic and trade

engagements" (2008, 5). Edwardson argues that Canadian identity is solidified through a response to the threats challenging this perceived opportunity – making money.

These arguments relate to Handler's assertion that nationalism is a collusion of retaining personal individuality while ascribing to a collective individuality. For Handler, "nationalism is an ideology of individuated being...a living individual is one, precisely delineated with reference to a spatial and temporal environment (1988, 50). In other words, if one ascribes to this concept of being, it is most advantageous to accept being "bounded in space, continuous in time, and homogenous within those spatiotemporal boundaries" (Handler 1988, 51). By doing so, one can best access resources, as Berton argues. However, this acceptance, in terms of being Canadian, is equally framed on knowing what one was as much as what one was not. Handler wrote the above quote in describing Quebec nationalism, a construct even more bounded to logistical challenges and externalities as that of being Canadian.

Ramsay Cook, in *Regionalism Unmasked*, a review in Canadian journal *Acadiensis*, continues this argument by discussing regionalism. He states; "regionalism had always been the basic functioning unit of Canadian society (1983, 137). This, according to Cook, advanced the "argument that national unity had never been anything but a smokescreen for Canadian regionalism and domination of the rags and patches of Confederation" (1983, 138). For Cook, being Canadian, as a whole, is a construction used to patch together regions. Such amalgamation across such expansive territory was resource and profit driven, as a complete nation could better profit from such access to water, arable land and other natural resources. The nation, in this sense, was a capitalist construction. By developing political structures to administer greater access to resources for those involved, Canada became a nation, fuelled by what Anderson refers to as "the highwater marks of dynastic expansionism" (Anderson 2006, 95). This framework of Canadian identity further developed as it encountered threats to its proposed unification, threats impacting the concept of Canadian identity and its influence on how popular music was to be supported.

### **Literature Review: Canadian Cultural Funding Theories**

A few scholars have investigated the history of Canada's popular music funding structure, but few have considered this independently of other cultural sectors, such as film, television and broadcasting. Much has been done on the periphery of popular music, rather than focusing on popular music as a standalone topic. The most comprehensive analysis has come from Sutherland in his 2008 PhD study, *Making Music Industry Policy* (2008) and from Edwardson's books, *Canadian Content* (2008) and *Canuck Rock* (2009). Sutherland offers a concise argument revealing intensive government intervention in Canada's music businesses, but his study stops in 1998, only mentioning a series of significant developments that occurred from 2000 onwards. Edwardson offers a more historical analysis of content regulation across all cultural industries, but he limits his analysis of funding programmes within popular music, offering a broader debate on the cultural industries as a whole in *Canadian Content*. Although my research differs from these authors, as I focus exclusively on policy and funding rather than cultural policy or regulatory affairs, it is best to first look at film and television, as policies to regulate and support the audio-visual sector were utilized to influence popular music funding initiatives.

As outlined by Ted Magder in *The Cultural Industries in Canada* (1996) in his chapter, "Film and Video Production," since the establishment of the Canadian Film Development Corporation in 1968, "the Canadian government has been involved in financing private-sector film production" (1996, 148). Yet, Magder argues, while "the private sector film and video production in Canada has grown exponentially since the late 1960s, the Canadian film and video market is still inundated by Hollywood productions" (Magder 1996, 148). Dorland in his 1998 work, *So Close to the State(s)*, argues that while this support is well documented, it is poorly contextualised within cultural theory framework. In discussing Canadian film studies, he argues it "can be seen as an *attempted* conversation with the state in the form of a discourse between intellectual or scholarly forms of knowledge and those forms of knowledge of which state power is comprised" (1998, 19).<sup>4</sup> Canada's federal government in the late 1960s saw film as a tool to promote domestic narratives, even if there was a lack of agreement concerning what these narratives were. A narrative was constructed through the National Film Board (NFB), Canada's federally funded film promoter since 1938, but it was often in contrast with what consumers watched at the time. According to Dorland, the NFB had developed entirely "within a

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<sup>4</sup> Emphasis in original.

separate film production, distribution and exhibition economy of its own" (1998, 40). There was a focus on films that propagated themes that were "predominately rural," with NFB films mainly "aimed at educating schoolchildren, agriculturalists and American tourists" (Dorland 1998, 41). The NFB's work existed outside of mainstream film production, which differed from the activities of the Canadian Film Development Council (CFDC) upon its establishment in 1968, before any regulation appeared for the popular music industries. The CFDC, now renamed Telefilm, began supporting Canadian private film production in an attempt to compete with the dominance of Hollywood in Canada. This initiated a "dependency theory" within film in Canada (Dorland 1998, 25), which supported a sub-sector of businesses operating outside of Canada's free market, creating state-funded content to purport a series of narratives to be defined as Canadian, in order to construct a national identity. As Dorland argues, "nationalist expressions created more problems than they resolved, and in particular entailed additional explanations as to why "the nation" did not behave nationalistically. Thus, interpretive frameworks (within film) shifted to focus more specifically on the Canadian state itself and the role it played in reproducing the structures of dependency" (1998, 25). This is due to the relationship between the NFB and Canada's private filmmakers at the time. Funding was allocated to producing content that contained agreeable nationalist messages. This shifted the focus onto the state, rather than Canada's private businesses and their individual objectives. These developments that led to the support of film production took place before any Canadian government – federal or regional - became involved in popular music.

Furthermore, concepts of nationalism within Canada are inextricably bound to Canada's relationship with the United States. Being Canadian, especially English Canadian, is bound to the culture, politics and history of the United States, a country that is older, larger, speaks the same language (except native French speakers in Quebec and other parts of Canada) and is economically dominant in the region. This relationship, while not wholly responsible for the manner in which Canadian content production is intervened by the state, must be analysed as its own standalone case study. What one is not, in this case, is American.

### **Literature Review: The United States and Its Importance**

*Toronto Star* journalist Richard Gwyn, in his study *Nationalism Without Borders*,

refers to Canada bluntly as a “better America” (1997, 309), claiming that what defines Canadians is “their never ending commitment to trying to be ‘better’ – which may be read as trying, forever, to be different” (Gwyn 1997, 309). Although biased in favour of Canada, Gwyn’s pithy description can be taken seriously. Here, ‘better’ and ‘different’ are related directly to how Gwyn claims being Canadian is, compared to that of the United States. It is this theoretical framework that overarches and influences Canada’s cultural policy history, from establishing the Canadian Broadcasting Corporation (CBC) in 1932 to current decision making, which impacts modern Canadian music funding. The perceived and actual threat of American cultural and economic imperialism can be traced back and identified as one of the key justifications used to argue for popular music funding initiatives. This definition of a ‘different Canada’ as a ‘better America’ relates to Handler’s assertion of nationalism, purporting that Canadian cultural policy has to do equally with what is not Canadian as much as what is.

Gwyn continues: “To most Canadians, TV was American TV, films were American films and the same applied to books, magazines, music, entertainment, clothes, food, housing and technology” (Gwyn 1997, 49). He even describes a *MacLean’s Magazine* cover of the same year, titled “My Canada Includes Florida” (Gwyn 1997, 49), relating to the large number of retired Canadians living there during the winter. This assertion may be simplistic, but it has been applied to the concept of Canadian identity as a whole. Former Minister of Canadian Heritage Sheila Copps, who initiated both the Canada Music Fund and Canadian Television Fund, affirms her Canadian cultural beliefs on the geographic and cultural proximity of the United States. “When I was growing up in Hamilton, an hour from the border, we watched WBEN all the time, the Buffalo (New York) TV station. I grew up thinking if we, as Canadians, do not protect our identity; we become an offshoot of America. That was my initial motivation to be a Canadian nationalist, by definition” (pers comm).<sup>5</sup> Ramsay Cook, in *Canada, Quebec and the Issues of Nationalism*, affirms Copps’ reflection: “Canadian cultural nationalists want to preserve, or develop, a set of Canadian social or cultural values that will guarantee our distinctiveness from the United States. Once this is understood, it is not difficult to comprehend the cultural nationalist conviction that state intervention, direction, and even ownership must be

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<sup>5</sup> The reference “pers. comm” refers to a personal interview conducted with the specific individual. I have provided a list of interviewees in the appendix in this format (name, pers. comm).

seen as fundamental to the whole process of differentiating Canada from the United States" (1995, 24). This differentiation and subsequent policymaking to support it has been defined by these perceived threats. Whatever the term 'Canadian' means to the individual or group being identified, being Canadian is, at least in part, being not American. For Canada's media, this comparison is also prevalent. For example, on 1 July 2011, *MacLean's Magazine* published an article titled "Top Ten Reasons Why It's the Best Time to be a Canadian". The third reason was a comparative analysis with the United States, stating that Canada was a better country at fostering entrepreneurialism than its southern neighbour (*MacLean's Magazine* 2011). Furthermore, in an advertising campaign by Canadian beer brand *Molson Canadian*, titled "I am Canadian", an actor recited a monologue outlining what defined being Canadian, according to the firm. The actor proclaims he speaks "English and French, not American", and that Canada is "the best part of North America". While most Americans, it can be argued, would claim they also speak English, the tagline, "I am Canadian" marketed the brand from 1999-2006. This advertising campaign promoting the concept that one is not American as much as one is, in this case a type of beer, is Canadian.

Being Canadian, in this context, is not reliant on a series of shared values, or the subscribing to a certain structure of historically accepted value propositions, but the fact that one is not from the United States. The assertions argued by Gwyn and brands such as *Molson Canadian* simplify Canadian national identity to a basic comparative analysis. While there is probity to such assertions, such one-dimensional analysis does not effectively encapsulate the complexities of the concept of Canadian identity.

One perceived difference between Canada and the United States has been the prevalence of mass, cross-industrial state subsidization in Canada. Subsidy has historically been a tool deployed to assert Canada as a standalone nation state. This argument, that such a level of subsidization is inherent in Canadian national identity is evident in Berton's *Why We Act Like Canadians* (1987). The term 'Canadians', to Berton, is not defined; it is assumed as a given that is pre-defined. But, one aspect of Canadian culture that Berton reveals is worth quoting in full, in the book designed as a series of letters to an American friend:

*Subsidy.* That's a great Canadian word, Sam, but it's anathema to American businesses that want to compete in Canada. In this country we subsidize everything from Atlantic fisherman to prairie farmers, from book publishers to aircraft companies. The shape and nature of the country is that the strong prop up the weak...these are subsidies that allow Canadians to compete unfairly in the wage and salary market (1987, 9).

One core aspect of Canadian identity for Berton is Canada's history of mass subsidisation. To best analyse this, we must return to Anderson's paradoxes. By insuring that support is delivered from a centralised source – be it federal or provincial – such "subjective antiquity" is maintained to buttress a nationalist aesthetic, such as a country whose identity includes the belief that here, the "strong props up the weak". This implies that Canada, as a nation, deploys subsidy to engender a "formal universality as a socio-cultural concept" (1987, 47). Handler has described this as nationalism through "a negative vision", where "powers in opposition to which the nation has had to struggle maintain its identity" (1987, 47). In other words, this "negative vision" is manifested in the problems that economic and cultural threats from foreign imports bring, be they from the United States or elsewhere. Canadian identity is, in this sense, a response to combating such imports, and subsidisation is one of the key weapons in doing so. For Canadian cultural products, and in this case, popular music, this is significant.

This high rate of subsidisation that results from this perceived economic and cultural threat brings with it significant consequences. Marc Raboy, in *Missed Opportunities* (1990), an analysis of Canada's broadcasting sector, recalls a comment from Harold Innis in 1938 that is valuable in analysing the concept of being Canadian and its relation to foreign cultural and economic threat. Innis identified that Canada was subject to "the weakening of nationalism, the strengthening of regionalism and the stress of imperialism" (Raboy 1990, 339). Raboy, when analysing Innis' quote, adds: "The principal Canadian policy issue has always been how to deal with American cultural domination" (Raboy 1990, 339). Raboy argues that focusing entirely on these policies within Canadian broadcasting destabilised the sector rather than emboldened it, so that serving "Canada in the national interest actually serves American interests in the long run. Perhaps that's what Innis was getting at" (1990, 340). In other words, Raboy claims that by subverting American cultural

imperialism, Canadian policy is in fact, inadvertently, strengthening its influence domestically. This theory has emerged as an unwelcome consequence of using subsidisation to embolden Canadian identity under the threat of foreign imports and internal regional divisions. As a result, the three consequences Innis refers to – weak national identity, the strength of Canada’s regions and external pressures - can be incorporated, seven decades later, to unpack the complex history of popular music funding in Canada. Such support has been manipulated by whoever is constructing the policy. This, as Innis may have been inferring at the time, weakens the core structure of nationhood.

### **Introducing Popular Music Funding in Canada and Key Topics**

By taking into account discourses on nationalism, nationhood and the construction of Canadian identity, this dissertation analyses how policy has interacted with popular music in Canada for the supposed benefit of developing national culture and the creative industries, and what repercussions can be exhumed from this history. The perception and reality are often paradoxical. Sutherland argues that the analysis in Canada’s film production and fine art sectors is consistently more advanced than those in popular music, especially up to the late 1990s. Dorland’s (1998) and Magder’s (1996) work outlines the development of film funding in Canada from the late 1930s, while Raboy (1990) and Nash (1995) chronicle both public and private broadcasting. However, there is little analysis of the sector supplying the products that radio requires to function. While Grenier (1989, 1993), Straw (2000, 2007), Barclay, Jack and Schneider (2006) and Edwardson (2006, 2008) analyse Canada’s popular music industries, little analysis is dedicated to the sector’s relationship with policy and subsidization. As Sutherland comments, “the music industry did not make the same transition in terms of policy discourse” (Sutherland 2008, 17). It was an argument for parity with other cultural sectors, according to Sutherland, that directed this emerging debate. I agree with this, but a comparison of popular music to other Canadian cultural industries only reveals a portion of its specific complexities. In many countries, popular music is historically placed within market forces, such as in the United States or United Kingdom. The government tends not to intervene as a primary investor. In Canada, this has never been the case. It was incorporated from its beginnings as a sector within a series of fluctuating national narrative constructs. From its onset as an exportable cultural form, Canadian

popular music served as a definer of popular culture and developer of national characteristics. However, the music makers and their requisite businesses were only one of the three parties involved in this development, often with little understanding of the core Canadian cultural policies. The sector, comprising of both multinational and independent companies, had two conflicting investors; a number of government administrations focused on enhancing Canada's cultural narrative and Canada's private broadcasters, driven by market capitalism and supporting content that brought the largest listener base to their portfolios.

The first funding body in Canada to support popular music, minus a few singular initiatives, was Canada's private broadcasters, not the state. However, this development was driven by public policy, where the airwaves these companies licensed were publicly owned and managed in the public interest. The cultural argument posits that Canadian music, according to those arguing for subsidy, is a part of Canadian identity and, as such, warrants public protection. This is a nationalist argument that content protection can be systematised through bureaucratic administration. However, the economic argument – a need to subsidise for market parity or preference – has developed another set of outcomes that, when merged with Canada's history of cultural policy intervention, has created a confusing, decentralised and frustrating ecosystem.

On the surface, Canada is seen as a munificent and culturally active nation in terms of supporting its music makers and businesses. These descriptions are often given without extensive analysis. Often, this is misread as the Canadian government purchasing flights for bands, vans for touring and bankrolling recordings en-masse. At international conferences, Canada is lauded for this perceived munificence.<sup>6</sup> This is somewhat warranted – the amount distributed is substantial and supportive of Canadian businesses - but requires clarification, as Canada continues to be used as a global case study in how the state can intervene in popular music. The Canadian model has been discussed in the UK and Australia (Spalding 2008, 155), and in the last four years alone, music industry and government representatives from Bulgaria, Ireland, Scotland, Israel, France, South Africa, Switzerland and Denmark have approached Canadian policymakers and funding administrators to consult on new

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<sup>6</sup> This is from personal experience, having attended over 50 international conferences representing 'Canada' through the independent label body, CIMA.

policies (McKie, pers comm).<sup>7</sup>

Many of these misconceptions concerning the history of popular music funding in Canada have been justified by statistical evidence. But their use of data belies a series of challenges inherent within Canada's popular music funding structure and subsequent sub-structures. Often, it is not the data itself that is misleading, but how it is utilised. The same data is consistently and often blindly misrepresented, with most organisations lobbying for support with an interpretation of data that has not been accepted by other competing organisations. Until the late 1980s, little statistical data was compiled in Canada, concerning sales of domestic content and radio play for emerging music (Roman and Leblanc, pers. comm). Sales Charts were the main source of information and were not corroborated by publicly archived playlists or track placements.

In addition, the definition of the term 'emerging' and its impact on musicians and their business representatives was introduced in policy, to refocus CANCON onto the promotion of new Canadian music, rather than all Canadian music. But it was not clearly defined (and in most cases, it remains this way at time of writing), allowing each organisation to skew data into facts for its own requirements. This promotion of 'new' music in Canada to satisfy the content quota has been thoroughly debated since the quota was installed. There was no definition of what Canadian music was suitable for radio, and CRTC's emerging music policy, one that remains empirically tested, was only introduced in 2006. For Canada to bolster its national archive of popular music, a requirement of CANCON, enough new music must be produced to prove, quantitatively, that support structures assist in developing more content than there would be without such intervention. However, specific and nationalised opportunities to disseminate this new content, both in English and French Canada, has never been legislated, leaving the term 'emerging' to be defined differently by CAB, the CRTC and the music sector. To some, this has compromised the programming options available for Canadian content. This can be seen in early reports concerning the sound recording sector in Canada, as well as in the earliest annual reports from FACTOR.

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<sup>7</sup> I have personally consulted with Israeli, Bulgarian and South African policymakers and industry representatives on understanding Canada's system.

These challenges, as Sutherland states, “make it difficult to generate a unified account of this history” (2008, 25). The few cumulative histories published are either promotional, such as Leblanc’s *The FACTOR Story* (2007) or focused on qualitative artist development, including Edwardson’s *Canuck Rock* (2009) and Barclay, Jack and Schneider’s *Have Not Been the Same* (2006). Sutherland’s account of popular music policy ends in 1998 and focuses primarily on copyright, a topic I do not analyse, but do not want to minimize the importance of in this debate. This dissertation takes up from Sutherland’s analysis, but uses funding instead of policy as the main theoretical framework, although they are intrinsically tied. However, much has changed since 1998 in the history of Canadian popular music funding that reveals the challenges in both the origins of the structures and its current roles and responsibilities in the modern, global music industry.

One final relationship that this dissertation will include and requires introducing is between Canada’s independent labels and multinationals operating within Canada. The relationship is different to other industrialized music industries, such as the United States or United Kingdom, and impacts the history of popular music funding in Canada as a result. In English Canada, multinationals control the majority of distribution networks, often licensing their services to independents, either for a fixed fee or a recoupable marketing advance. All multinational imprints active in Canada, from Capitol EMI in the 1960s to Universal Music today, employed domestic, Canadian staff, but managed budgets allocated to them from offices outside of Canada. Canadian artists were signed by both America and Canadian managed multinational labels, often in competition with one another. Finally, multinationals, in some instances, were required to provide significant contributions to Canadian content development, as part of their own internal artist investments. Any purchaser of a multinational subsidiary in Canada was required to negotiate with Investment Canada, a separate government department, to ensure that Canadian jobs and interests were protected throughout the sale as per Canadian cultural protectionist policies. Investment Canada operated similar protectionist measures as the CRTC, which will be expanded on throughout this dissertation. This has resulted in a number of Canadian artists being signed to foreign-managed multinational outfits for release in Canada and abroad. Currently, very few Canadian branch offices sign Canadian talent, outside of those that are also signed for other markets. This is not only due to policy but global market economics.

## **Chapter Descriptions**

It is important to note at this stage that each chapter except chapter five will focus primarily on English Canada and the policies concerning its development; the cultural policies of Quebec and French Canada will be elaborated on mainly in chapter five, although reference will be made to Quebec throughout this dissertation.

### Chapter One

Chapter one analyses the early developments to support Canada's nascent music industry, from 1949. The most important of these is the establishment of CANCON in 1971, and this will be introduced through debates and committee hearings from 1962, when regulations were placed on Canadian commercial television broadcasters. In addition, influenced by the Massey Commission and an increasingly vocal music business lobby, a number of initiatives were tested in the late 1960s and early 1970s that combined structural support of Canadian content development and economic imperatives. These included The Maple Music System, a radio-syndication agreement and The Maple Music Junket, Canada's first showcasing music festival. These are the first initiatives that combined sector development with the promotion of Canadian cultural output, involving the state, Canada's private radio stations and Canada's independent labels. Furthermore, the growth of multinational record company branch offices in Canada in the 1960s impacted these early initiatives, as multinationals in English Canada operated in association and competition with independent producers and government regulation. By the early 1970s, CANCON was established on commercial radio, but other than a few sporadic initiatives, no collective funding structure was set up. The initial relationship involving cultural and economic imperatives, and the stances of each party – the music sector, the broadcasters and the state – was established by the time CANCON was introduced.

### Chapter Two

Chapter two begins in the mid 1970s with an analysis of the initial perceived and actual results of the CANCON quota, including its impact on programming opportunities, sales and the profitability of Canada's independent labels. By the late 1970s, the quota had laid bare a core belief of Canada's private broadcasters. This bore fruit in 1982, with the first mention of the popular music sector in a government

document, the *Applebaum-Hébert Report*. In the same year, the first national fund to support English Canadian content producers was established, the Foundation to Assist Canadian Talent on Record (FACTOR), financed by a levy on the private radio industry.

### Chapter Three

Chapter three will analyse the early difficulties and fluctuations affecting the partnership between FACTOR, Musicaction and the federal government. This includes further developments at FACTOR as budgets increased, and the regulations and objectives of SRDP and administrations from 1986 to 2000, when SRDP concluded and was replaced by a larger, more expansive set of programs titled the Canada Music Fund (CMF). In SRDP's fifteen-year history, the programme increased the amount available for FACTOR and Musicaction to disburse, creating the core popular music funding structure that remains active in 2013.

### Chapter Four

Chapter four analyses this new era in Canadian popular music history, one that ultimately favoured economic intervention over cultural identity formation. To start, the introduction of the Canada Music Fund (CMF) is analysed with a breakdown of its original eight streams. While SRDP primarily supported content production, CMF offered comprehensive funding opportunities for labels, content creators, festivals and distributors across record production, marketing, touring, video production, radio promotion and business development. Its introduction more than doubled the total amount of funding available, compared to the mid 1990s. The chapter analyses two further developments that contributed to such complexities, the introduction of the private Radio Starmaker Fund (RSF) and FondsRadiostar in Quebec and the subsequent commercial radio review of 2006, which enforced new guidelines on broadcasters as to how content development was to be financially supported in Canada.

Furthermore, the chapter details the cancellation of two international promotion programmes, Trade Routes and PromART. These programs were framed on promoting Canada's brand abroad, with those working in Trade Routes dubbed "Team Canada." Canadian labels and artists utilized both programs to subsidize international travel. However, the government dissolved the programs and curtailed

cultural spending at Canada's missions abroad. These decisions provoked protest from Canada's arts community. By 2010, funding popular music in Canada combined market interference and cultural obligations within a cumbersome and conflicted set of programs, ones on the cusp of revision at FACTOR. This chapter will analyse these challenges, as seen through the dissolving of Trade Routes and PromART, the renewal of CMF and the structural reform at FACTOR, one completed with a new set of programs, introduced on 1 April 2013.

## Chapter Five

Chapter five presents a case study on the history of popular music funding in Quebec, which differs on a number of levels to the history in English Canada. Quebec is culturally autonomous from the rest of Canada, both linguistically and in its music industry infrastructure. Quebec's distribution networks, performance outlets, record labels and retail chains are owned and operated by domestic firms. As a result, the manner in which firms are supported by both regional and federal governments, and the ecosystem Quebec labels and music businesses operate within differs greatly to the rest of Canada. This has brought with it successes and challenges. While Quebec is argued as having the most profitable and financially stable music sector in Canada, it does so through an increasing insularity, one buttressed through popular music funding initiatives.

## Chapter Six

Chapter six returns to Canada as a whole, arguing that a distinct shift has occurred in the history of popular music funding, through an increase in broadcast media consolidation. This shift has altered how CANCON interacts with Canada's popular music business. From an initial focus on supporting content production and impacting programming, Canadian content policy has grown less involved with the content itself, becoming a structure to further justify, reinforce and defend the subsidization of Canada's popular music sector. This sea change occurred when CAB members were permitted to consolidate. As consolidation increased, the music sector argued that fewer programming opportunities were made available, claiming station programmers satisfied the quota with a small number of multinational or RSF/FondsRadiostar supported content. As a result, the role of programming in CANCON regulations minimized as financial disbursement to the music sector increased.

## Conclusion

The conclusion will return to the general questions of identity and the concept of being Canadian to discuss how Canada is perceived internationally, and how these perceptions both affirm and conflict with the initial justification and current structure of how and why popular music is funded in Canada.

The quote with which I began this dissertation, taken from Richie Yorke's *Axes, Chops and Hot Licks*, was written in 1971 at a moment when the Canadian music industry was very small. For nearly a decade prior to this, Canada's music producers had been arguing that domestic market entry for local talent was hampered by foreign dominance of Canadian radio and the lack of promotional avenues. Forty years later, Yorke's quote remains salient. The issues concerning Canada's domestic music businesses then still impact companies at time of writing, albeit in a different context. In 1971, businesses argued for government intervention to protect their content. The same arguments persist, but the interventionism has become commonplace and part of the core business. On the other hand, forty years ago, a series of issues were not debated, including how such intervention would change business models and what comprised Canadian content, in terms of popular music and what that meant for the concept of being Canadian. The reasons that cultural protectionism was enacted in 1971 and the reasons such laws remain today are different. Where it has 'gone', as Yorke pondered in 1971, is the story I hope to reveal here.



## **Chapter 1**

### **1960s / 1970s – Forming and Framing Canadian Content Regulations**

#### **Introduction**

This chapter analyses the historical context that initiated the history of popular music funding in Canada. This began with *The Royal Commission on the Arts, Letters and Sciences* in 1951, better known as *The Massey Commission*. This document argued that a top-down approach to developing a concept of national culture be initiated by government to support a singular, definable and attributable concept of Canadian culture and identity, one initiated by the state, rather than the private sector. This was structured on 'high-art' concepts, mainly influenced by other national arts policies, such as the United Kingdom. This has had far-reaching implications on popular music, despite the art form not being mentioned in the report. The report established the core framework that Canadian interventionism is based upon, framed on an objective to support certain forms of domestic cultural production for the perceived benefit of Canadian creators and consumers. The document was not supported by all Canadians, fuelling a series of disagreements outlining the responsibility of public and private interests towards Canadian cultural production.

Such debates led to the establishment of a Canadian content quota on television and later radio called CANCON. Simultaneously, the Canadian recording music industry increased their activities, fuelled by a series of releases aimed at capturing a greater share of the market in the face of foreign imports. The need to ring fence this content and assert a perceived definition of its value to Canadians, influenced by those agreeing and refuting theories in *The Massey Commission*, developed the argument that Canada needed to subsidize music production. Two frameworks were posited; one to benefit Canada's cultural plurality and another focused on business development and industry support. The policies enacted to intervene treated these issues through these objectives: A desire to enhance Canada's national narrative and a need to support Canadian business. What developed, by the end of the 1970s, was a set of systems at odds with itself in terms of how best to support Canadian content producers, their businesses and the greater need to define and promote Canada in general. This began with the announcement of *The Massey Commission* in 1951 and continued with the installation of CANCON in 1971, developing the

beginnings of a system that would grow to involve Canadian independent labels, content creators, multinationals, private broadcasters and the state.

### **Early State Intervention and *The Massey Commission***

The first report produced by the Canadian government to analyse and measure Canadian cultural production and the state's responsibility began in 1949 with a series of symposiums led by then Chancellor of the University of Toronto, Vincent Massey. Commissioned a few years after the conclusion of the war, the objective was to "establish the rationale for many of the national cultural institutions that would play key roles in the subsequent half century" (Druick 2006). What followed, in 1951, was one of the most influential government reports written on the arts in Canada, the *Royal Commission on the National Development of the Arts, Letters and Sciences*, better known as *The Massey Commission* or *The Massey-Lévesque Report* (Edwardson 2008, 52). In its introduction, it argued:

It is desirable that the Canadian people should know as much as possible about their country, its history and traditions; and about their national life and common achievements; that it is in the national interest to give encouragement to institutions which express national feeling, promote common understanding and add to the variety and richness of Canadian life, rural as well as urban (Cloutier 1951, 3).

This was the first of many commissions evaluating domestic culture production in Canada in relation to state intervention. The report favoured so-called 'high-art', top-down cultural production and influence over what was deemed culturally beneficial for Canada. This is significant, as it labelled certain material more culturally valuable than others. Massey reveals these objectives in this autobiography: "We had to think of culture, using the term in its most popular sense; we were concerned with what we were doing in Canada to help our nation express itself" (452, 1963). In this case, 'popular' can be defined as a top-down, 'high art' approach. Raymond Williams, in "On High and Popular Culture" an article in *The New Republic*, wrote; "the two common positions (high art and popular culture) and the debate between them are intolerably confused by failures of definitions, and the social policies that follow from them largely ignore the realities of contemporary society" (Williams 1974). The approach that Williams warns against was used by Massey in his report. To Massey and his commission, Canada as a nation-state had

a definable, tangible and recognisable identity, and what lay within Canada's borders was distinct and definable. This identity, however, was reinforced with a series of prerequisites. If one could define culture, in this case high art, then one could propose policy reforms to protect or enhance it, as Massey theorised. To Massey, supporting Canadian culture was simple and a state responsibility, as it was his commission that defined what this Canadian culture was to be.

In researching the report, Massey staged 200 symposiums across Canada, querying the public on how the state could support or influence culture. By cataloguing and reporting on these symposiums, Massey and his commission constructed an argument of what is 'Canadian', and it is this argument that first shaped Canadian cultural policy, in both English and French circles. Wagman argues in *On the Policy Reflex in Canadian Studies* that *The Massey Commission* "provided the basis for state support of the arts and cultural industries—and did so in a language shot through with notions of high culture, anti-Americanism, latent magic bullet theories of media effects, and blatant cultural nationalism" (2010, 622). This definition, one that Williams' theory opposes, introduced a concept that was reinforced as absolute in Canadian cultural policy. This emphasised the support of 'high art' within the concept of Canadian identity, reinforcing it within "direct political and economic interests" (Williams 1974), interests that Williams' argued were instinctively tied together. Through the commission, the term 'Canadian' had, in its own right, a series of definable signifiers, which is the first time that a state report had concluded as such. Massey denoted what, in his – and the state's – eyes, Canadian popular culture should be. Over time, *The Massey Commission* has been seen as a defining report in Canadian cultural theory. This, to Wagman, produces complications. "A testament to the power of *The Massey Commission* report — and to the power of a policy reflex in the critical imagination", he argues, "is its appearance alongside other policy documents in the appendix of the recently published Canadian cultural studies reader" (2010, 623). Sutherland expands on this, arguing that the "discourse around culture (at the time) is one of humanism, invoking non-quantifiable terms such as character or civilization" (2008, 17). This was representative of the report's findings.

Here is an argument for a meaning of the term, 'Canadian' as expressed in the report:

CANADIANS, with their customary optimism, may think that the fate of their civilization is in their own hands. So it is. But this young nation, struggling to be itself, must shape its course with an eye to three conditions so familiar that their significance can too easily be ignored. Canada has a small and scattered population in a vast area; this population is clustered along the rim of another country many times more populous and of far greater economic strength; a majority of Canadians share their mother tongue with that neighbour, which leads to peculiarly close and intimate relations. One or two of these conditions will be found in many modern countries. But Canada alone possesses all three (Cloutier 1951, 11).

Massey split the notion of Canadian into three categories; geographic vastness, language and differentiating oneself as Canadian, if and when compared with other nations. Through these variables, the objectives of the report were to recommend policies to make Canada a "learned nation built on Canadian content of high standards" (Edwardson 2008, 59). This would better assert a concept of Canadian, with respect to the country's size, resources and bilingualism. Massey himself reveals:

We produced a report, presented simultaneously in both our national languages, of over 500 pages, divided between a stock taking of our cultural resources and recommendations for their nourishment...What we regarded as our most important recommendation was accepted pretty much as it stood. We felt strongly that there should be in Canada a body, adequately financed, that would be concerned with the promotion of endeavours in the field of letters, the arts and sciences (1963, 462-3).

The report stated that Canada needed a federally funded arts council to protect, in Massey's words, "Canada's cultural sovereignty" (Raboy 1990, 97). However, he never stated, in full, what 'Canadian' meant to him. This body became the Canada Council for the Arts.

As a whole, the recommendations of *The Massey Commission* created tension between the government, Canada's public broadcaster (CBC) and the Canadian Association of Broadcasters (CAB), the organisation that represents private radio licensees. Culture, in the context of state policy, needed to reflect positively on the image of the country, or at least construct an image of Canada that could be co-

opted and used in the national interest. However, it was at this stage, in the debates concerning the validity of the recommendations in *The Massey Commission*, that Canadian cultural policy began being utilized in an economic context. CAB members argued, "a certain form of private ownership was in the public interest", and "in any question between private or local interests and national interests, the national interest must prevail" (Raboy 1992, 97). In this case, the private interest of Canadian businesses, as stated in the report, was different to the national interest. This was the first of a series of disagreements to solidify in these debates, three-decades before any popular music funding structure was initiated.

While at the time there was no mention of popular music in the report and subsequent legislation, a duality was created that posited 'Canadian' on one side and 'not Canadian' on the other. This is conceptually dangerous, as it posited an inconclusive view of Canadian culture. As Johansen stated in 1973, while analysing *The Massey Commission* and the development of the Canadian Radio-Television and Telecommunications Commission (CRTC), such "policies did not rise, phoenix-like, from the ashes. They are, rather, an extension of a process as old as Canada itself - a response to the dilemma that arises in almost every sphere of Canadian life...the Canadian attempt to create an identity" (1973, 183-184). This need to create and embolden an identity was at the crux of *The Massey Commission*, but it was never succinctly positioned in the report. Instead, Liberal Prime Minister Louis St. Laurent, in his letter to Massey attached to the report, focused on how others would view Canada, asking Massey to develop "methods for the purpose of making available to the people of foreign countries adequate information concerning Canada" (Cloutier 1951, 1). In this argument, 'Canadian' was defined as whatever the outsider, be it investor, tourist or government, defined it to be. Once again, the concept of Canadian identity related back to what one was not, although in St. Laurent's letter this was left open to who interacted with Canada rather than those that lived within it.

The report also highlighted problems with how Canada's radio airwaves were managed. Both public and private broadcasters argued that they were beneficial to "cementing the unification of Canada", as a CAB memorandum stated in 1949 (Raboy 1990, 99). The final report favoured public broadcasting, although it was stated that public and private radio could be "Canadian in character" (Raboy 1990,

100). However, it was made clear that private broadcasters were criticized for not supporting Canadian artists. On page 32 of the report, the commission provided figures supporting his argument, stating that Toronto and Winnipeg radio performers produced figures comparing the amounts paid to live talent by the CBC and private stations. In Winnipeg, its Musician's Association in 1947 received \$94,357 from the CBC and \$1,950 from private stations; in 1948, it received \$80,609 from CBC and reporting no earnings from private stations. In Toronto, the figures from the American Federation of Musicians for 1949 amounted to \$382,000 from the CBC and approximately \$30,000 from the private stations (Royal Commission of the Arts, Letters and Sciences 1951, 32). This data is not corroborated elsewhere, nor was any published refuting of the data archived by the commission. In addition, these numbers are misleading. In 1949-1951, the CBC regulated all private broadcasters, minimizing CAB's impact on the market. This was to change in 1957, but was not alluded to in the report. The argument that public radio supported Canadian musicians more than private radio was evident in the report, asserting Massey's argument that private radio was most suited to providing "isolated areas of the country with programming...to encourage and develop local talent" (1951, 281). This argument was accepted in the final version of the report.

Most of the public forums conducted as research across Canada reflected this public support of state broadcasting and criticism of private broadcasters. Massey added:

Of the more than 170 voluntary organizations which discussed radio broadcasting in our public sessions the great majority expressed approval of the national system. A number of them hailed it with enthusiasm, as an important and distinctive national achievement, "our greatest asset culturally" and "the most outstanding broadcasting agency in North America. We observed indeed a certain alarm at any suggestion of change in the existing system on the ground that it has so far met with tolerable success in combating commercialization and excessive Americanization of Canadian programmes (Cloutier 1951, 29).

Popular music was not mentioned in the commission. In its overall tone, it recommended that protectionist policies support domestic Canadian culture, a culture built on top-down, hierarchical recommendations that supported a pre-defined, state-approved number of cultural producers, institutions and artists. By 1968, before popular music was ever mentioned in policy, the state impacted, and in

some manner controlled what was to be supported by the state in Canada. This was, as stated in *The Massey Commission*, bringing together a nation despite extreme geographic vastness, American cultural influence and cultural pluralism.

These findings were not unique to Canada. Vincent Massey referenced the development in 1949 of the Arts Council of Great Britain as an influence. Massey was Canada's High Commissioner in the United Kingdom from 1936-1945. Anna Upchurch of the University of Leeds argues, while referencing Paul Litt and his study, *The Muses, The Masses and The Massey Commission* that "the liberal humanists on that commission sought to entrench European artistic forms within Canadian life as a bulwark against mass culture and its effects" (1992, 241). This is prevalent on page 184 of the report. It states: "although it is true that most of the music broadcast or recorded is of a light or popular nature, it is equally true that there is readily available to any Canadian genuinely interested in more serious works as much good music as he has time to listen to" (Cloutier 1951, 184). This separation of "popular music" and "more serious works" (Cloutier 1951, 184) was positioned as policy, similarly to the forms of music supported by the Arts Council of Great Britain. For Massey, supporting popular music, similarly to his recommendations concerning the support for private radio, were not in Canadian's public interest.

Furthermore, in a chapter titled "The Projection of Canada Abroad", *The Massey Commission* introduced another structure that has grown to influence the history of popular music funding. It states:

It is not unnatural that Canada has been frequently called 'the unknown country'. Most striking of all is the ignorance of Canada among the people of our nearest neighbour, whose unfamiliarity with our affairs is equalled only by their friendliness. Most Americans probably know Canadians as persons, but few could pass an examination on Canadian institutions. It may be that the many features which the two countries have in common present a difficulty in themselves; similarities can be deceptive...The promotion abroad of a knowledge of Canada is not a luxury but an obligation, and a more generous policy in this field would have important results, both concrete and intangible (Cloutier 1951, 248-249).

The state believed that cultural export promoted national values – in their eyes – as much as economic development. What is deemed best to promote is the decision of

the exporter, a responsibility the report assumes on the state. Such recommendations grew increasingly influential, as the place of Canadian content in global markets, and the cultural value of such content, was to become increasingly entangled with public funding. Furthermore, this nationalistic promotion to encourage greater global understanding of a fluctuating set of Canada national characteristics was to heavily impact popular music, several decades later.

### **Nationalism, Broadcasting and the Early Music Industry**

After the publication of *The Massey Commission*, a series of national organizations were created as per the document's recommendations, including the Canada Council for the Arts (CCA) and National Archives of Canada. However, after an election victory by the Conservatives in 1957, their first victory since 1935, a number of recommendations supported by the Liberals were altered, including the role of the CBC as the regulator of publicly owned airwaves, through the *Report of the Royal Commission on Broadcasting*, or *The Fowler Commission* in 1955. The challenge of regulating private licenses was one of a few topics concerning the CBC in the hearings. The CBC, funded with a license fee on users, had their financing altered in 1953 when the license fee system was eliminated and replaced by a tax on the purchase of new television sets and a tax on advertising revenue (Vipond 2006, 297). This was trialed for five years, but altered once more through the recommendations of the report. In the end, *The Fowler Commission* recommended that the CBC financing "return to a set of parliamentary appropriations" (Vipond 2006, 297) and that a 55% content quota be placed on those who license television frequencies external of the CBC, because "Canadians want Canadian broadcasting" (Breton 1964, 385).

*The Fowler Commission* concluded; "overwhelming weight of the evidence submitted to us, reports that Canadians wish to have a Canadian broadcasting system that they want to keep some part of their broadcasting fare Canadian, and that they are willing, within reason, to pay for it" (Johansen 1973, 186). The commission recommended that "a new regulatory agency be established, The Board of Broadcast Governors (BBG), and that the CBC operate separately to private broadcasting" (McCormick 1959, 92). While Massey asserted the power of Canada's national broadcaster over all airwaves, *The Fowler Commission* removed this influence,

leading to the establishment of Canada's initial regulatory board for its nationalised airwaves. To CAB members, broadcasting was a form of publication and should be, as McCormick argued in 1959, self regulating (McCormick 1959, 93). This created further tension between *The Massey Commissions'* conclusions – further nationalisation and protectionism – and private interests put forward in *The Fowler Commission*. However, *The Fowler Commission* proved contradictory. While it led to the formation of the BBG, it also re-asserted a substantial amount of recommendations contained in *The Massey Commission*. In the end, a quota was introduced for film and television production in 1960, requiring private broadcasters air 40% Canadian content during off-peak hours, increasing to 55% during peak hours (Raboy 1990, 145). Radio quotas were first discussed two years later, in 1962, and promises were made by the BBG but never taken up by the Conservative committee with little explanation as to why (Sutherland 2008, 23).

The creation of the BBG was mandating through an amendment passed in 1958 after *The Fowler Commission*, titled *The Broadcasting Act*. This act would become the most important piece of legislation in Canada to define and assert Canadian cultural protectionist and promotional state policy. Influenced by recommendations of *The Massey Commission*, the law stated that the broadcasting system must be "basically Canadian in content and character" (Parliament of Canada 2003). This law, first passed in 1958, rewritten in 1968 and later in 1991, has become the definitive wording to contextualize and affirm the role of Canadian content production in the development of how the concept of Canadian would be promoted by government.

### **Nationalism, Broadcasting and the Early Music Industry**

By 1962, the Canadian music industry had a small number of domestic record companies releasing singles, along with multinational branch offices, such as RCA and Capitol EMI. While no Canadian sales charts existed until 1968, personal interviews from label owners at the time reveal a context in which Canadian popular music struggled to compete against foreign imports. This was detailed in Canada's first music business magazine, *RPM* (Records, Promotion, Music Magazine). In its first weekly chart, there is one Canadian in the top 50, Toronto act Kensington

Market (Collections Canada 2004).<sup>8</sup> According to their manager at the time Bernie Finklestein in his memoirs *True North*, “musicians and those working in the music business, both young and old, were starting to feel that no matter how hard they tried they weren’t going to get a fair shake on Canadian radio” (2012, 105). As a result, there were musicians and music makers but little collective industry structure to support them. Instead of focusing on who created it, the domestic industry was focused on selling “music in Canada rather than Canadian music” (Edwardson 2008, 7). Most record shops stocked chart singles, and most chart hits were foreign composed and recorded (Edwardson 2008, 45). Only a small amount of public support was bequeathed to classical, jazz, ballet and opera through the Canada Council for the Arts (CCA). Consequently, the nascent domestic popular music industry failed to compete for airplay on private radio. According to music journalist Jerry Ross, writing in the *Toronto Telegram* in 1964, Canada had “so many good records available from the States that there is really not much point in doing a great deal of recording up here” (Green 2004). This sentiment, albeit fatalistic and skewed, illustrated a point. A desire to record music existed in Canada, but there was little hope of a successful career. Most albums released in Canada at the time came through multinational subsidiaries, with EMI’s Capitol Records being the largest. In 1964, Lorne Greene’s “Ringo” is the only record by a Canadian artist to hit number one on *Rpm* single charts (RPM 1964), released via American subsidiary RCA<sup>9</sup>. Finklestein expands on this, qualifying the landscape; “there were no record companies in 1966 signing acts...and the only band I knew that had a record deal of any consequence was Mandala, with Decca Records in New York” (2011, 51).

*Rpm*, first published in 1964, was one of the first voices to actively call for a similar quota on Canadian radio, which had been initiated in 1962 for television. Its writers criticised CAB and its member stations for limiting Canadian content by not playing it on their stations. In the magazine, a ten-part series arguing for the quota was published, stating that Canadian content must be prioritised over advertising revenue (Edwardson 2008, 176). What that content was, other than it being Canadian, was not defined. This proved influential in rallying the nascent sector to collectively support the quota. Edwardson quotes an editorial piece from founder Walt Grealis

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<sup>8</sup> *RPM* was Canada’s first music industry trade magazine.

<sup>9</sup> *RPM* weekly charts and singles charts are different. The weekly charts were reserved for full-length albums, a product not measured by the magazine until 1968.

that presented *Rpm's* demands:

Airwaves are a publicly owned resource; regulations a sign of good corporate citizenship; a level playing field between the few stations that aired Canadian records and those that operated for maximum profit; the creation of a star system essential for attracting industry investment; opportunities for talent otherwise lured to the United States or England – these were just a few of the justifications for a legislated, minimum amount of airplay (Edwardson 2008, 143).<sup>10</sup>

CAB opposed *Rpm's* recommendations and calls for a quota, stating that the amount of Canadian music they played pre-quota was between 75% and 80%, although the industry estimated it to be between 4% and 7%, revealing the sizable rift in consensus between CAB and the early estimations (Edwardson 2008, 201). Both were estimates, and neither was ever proven, but both were used as arguments in parliamentary hearings, revealing a statistical disagreement in the debates concerning a need for a quota on Canadian radio. Both did not utilize any definition of what music was Canadian in their estimates and statistically, neither argument was corroborated.

By 1968, *RPM* had developed a canon to measure Canada's popular music output, in relation to domestic content production and foreign import dominance. Its analysis, in the form of editorial pieces and sales charts, initiated a lobby that began to actively call for radio to be subjected to the same quota structure in place for television. However, Canada's private broadcasters, now under the regulatory authority of the BBG, claimed that their ability to compete was reliant on airing content that encouraged the largest listenership. From a policy standpoint, the BBG had to coalesce a number of divergent arguments. The first, purported by *The Broadcasting Act* of 1958, stated that Canadian airwaves must be definably Canadian on content and character. This definition of Canadian was left to the committee members and Canada's nascent popular music sector had yet to become a priority for the regulators, compared to that of audio-visual broadcasting or periodicals, a sector that had its own independent commission. The committee, faced with regulating Canadian businesses, opted not to install a quota on Canadian airwaves. This was to change in the late 1960s, when Canada's Liberals returned to power.

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<sup>10</sup> The primary source of this quote no longer exists. I was unable to locate this issue of *RPM* and relied on personal interviews, including Mair, Roman and Rosen.

## **The 1968 Broadcasting Act and The Introduction of CANCON**

In early 1968, Canada held a federal election. As a result, the left-leaning Liberal party was awarded a majority, defeating the Conservatives. The new government, led by Prime Minister Pierre Trudeau, adopted a "new-left slogan, calling for a more participatory democracy in Canada" (Harris 1987, 102). Trudeau was against America's war in Vietnam, socially liberal and a staunch Francophone federalist. According to his manifesto, he wanted his administration to "give citizens a sense of full participation in the affairs of government" (Harris 1987, 102). In doing so, over his three terms as Prime Minister, Trudeau reconstructed state policy towards cultural support in Canada.

A few months after winning the election, his government rewrote *The Broadcasting Act*, replacing the BBG with the Canadian Radio-Television and Telecommunications Commission (CRTC). Taking influence from Massey, *The Broadcasting Act* amendments in 1968 add to what the term 'Canadian' is posited to mean, according to this administration. In subsection one, it asserts that broadcasting must "encourage the development of Canadian expression by providing a wide range of programming that reflects Canadian attitudes, opinions, ideas, values and artistic creativity, by displaying Canadian talent in entertainment programming and by offering information and analysis concerning Canada and other countries from a Canadian point of view" (Department of Justice 1991). This act officially regulated Massey-influenced rhetoric within broadcasting. However, it did not officially state what 'Canadian' was, instead leaving the term, like in *The Massey Commission*, loosely defined.

In the same year, Trudeau published a book, *Federalism and the French Canadians*. Quebec had recently elected a separatist government, one petitioning for an exit referendum. Trudeau, as a French Canadian, promoted Canada's bilingual federalism and he saw national, dualistic policy as a tool to do so. However, in his book, he presents complicated justifications for his early decision-making, ones that ultimately led to the enacting of Canadian content regulations. He states:

A truly democratic government cannot be 'nationalist', because it must pursue the

good of all its citizens, without prejudice of ethnic origin. The democratic government, then, stands for and encourages good citizenship, never nationalism...more than language or culture, more than history and geography, even more than force and power, the foundation of the nation is will (Trudeau 1967, 169).

This establishes the policy framework that Trudeau set forth, while revealing some of its contradictions. While promoting the idea that the nation was not singularly a linguistic or geographic construct, Trudeau ultimately calls for the establishment of the singular nation even if such singularity is inherently conflicted. This singular national identity is different to the three tenets Massey posits - geographic vastness, language and differentiation. Here, Trudeau states that a generalized, collective nationhood supersedes these three tenets. By pursuing the "good of all its citizens" (1967, 169), Trudeau considered linguistic and geographic requirements, often pandering to them to ensure that each Canadian lobby, be it provincial or cultural, was satisfied under his definition of the nation. But his beliefs were not based on separating these frameworks to define Canadian national identity. As a result, his definition relied on an acceptance of internal difference that, at the same time, fractured the very structure he aimed to develop. In essence, in terms of cultural policy, the framework stated the following; whilst everyone would be pacified in getting some of what they wanted, compromise for the sake of furthering the concept of national identity came first.

The CRTC was given the responsibility of policing *The Broadcasting Act*. Pierre Juneau, a French-speaking nationalist bureaucrat and former vice-chair of the BBG, was installed as its chairman. He was a staunch supporter of the Liberal government's proto-nationalist stance. By 1968, private broadcasters were made to show a "promise of performance", ultimately proving that they were supporting Canadian domestic music (Edwardson 2008, 200). This was followed in 1970 with a memorandum, "recommending a 25% Canadian quota to be placed on all daytime AM content in January 1971, later expanded to FM broadcasts" (Edwardson 2008, 199). This quota was not made law, but it led to a series of hearings. On 30 January 1972, a quota was finally approved by parliament at "30% and measured to be scheduled in a reasonable manner throughout the period 6:00am to midnight" (Fraser Institute 1999). There are no hearings or justification as to why the level

was increased from 25 to 30%, although the music lobby, whom Juneau and Trudeau were compassionate towards, argued for a higher quota. By 1972, Canada's radio content quota was implemented as law, one that private broadcasters had to comply with in order to renew their licenses. The quota was referred to as CANCON, short form of 'Canadian Content'.

The quota was not a simple 30% blanket rule. 30% is the mandate most of the time, but there were other circumstances. This is outlined clearly in *A Time for Action*, a significant sector analysis produced in 1996: "FM stations which play popular vocal music are required to meet the same 30% requirement, with lower Canadian content levels required of stations playing 35% or more instrumental music. Stations playing traditional or special interest music must play at least 10% Canadian music and ethnic music stations 7%. A lower Canadian content requirement — 25% of popular music selections — is expected of licensees between 6:00 a.m. and 7:00 p.m. Monday through Friday, and the CRTC also expects a reasonably even distribution of Canadian selections throughout the day and through the broadcast week" (Task Force on the Future of the Canadian Music Industry 1996, 11). For classical, jazz and blues, a 10% quota was initiated. This differentiates CANCON from the recommendations of *The Massey Commission*, revealing a shift in what was included, from a regulatory perspective, as Canadian content. The music sector that argued in favour of the quota consisted primarily of those releasing music labelled as 'rock and pop', as these genres were most susceptible to foreign competition. There was little discussion of classical, jazz and 'high art' genres in the initial wording of CANCON. In addition, the quota was only a requirement of AM stations at first, with FM being included in 1975 after the first review, as FM was first reserved for classical music.

This reveals the initial structure of the quota. It was, in its first instance, a compromise. The requirement was higher for popular music, a genre that suffered more from American and British imports and FM was exempt, despite it developing in popularity in the early 1970s as formats shifted from classical to more popular genres, including rock and pop. In addition, it was clearly biased, where music that offered more commercial incentive were more tightly controlled than niche genres, like jazz or traditional.

This was, as defined in its establishment, a populist strategy for the Liberal administration. The argument was that more Canadian content on the radio promoted both Canada's struggling sound recording sector while complimenting the state's federalist policies. This was assumed to create more opportunities for Canadian musicians (of certain genres) and, subsequently, their business representatives. The realities of such assumptions have proved complex. Private broadcasters saw impending quota legislation as a threat, so in a bid to avoid quota requirements after the rewriting of *The Broadcasting Act*, twenty-two radio stations across Canada formed the *Maple Music System*. This was an agreement between these radio stations to playlist an artist every few weeks across Canada. The stations "would have a conference call where they would agree on certain Canadian records and each of those stations would play the record for a minimum of eight weeks" (Jones 2008, 10). These records were taken from Canadian independent releases, focused mainly in rock and pop. One was chosen each week (Jones 2008, 10), although there are no documents outlining what was played, and there is no indication that conference calls were recorded. While the amount of Canadian music the *Maple Music System* cooperative played was insignificant, its existence was seen as a response by Canada's private broadcasters to support Canada's music industry at the time. In theory, it provided Canadian acts with more national airplay, as those Canadians that received airplay often did so in their local regions, rather than nationally. In addition, before the system, Canadian acts experienced difficulty in touring nationally, as music remained regionalised due to the size of the country and the cost of touring (Leblanc, pers. comm). "The booking agencies made a pact, including Bruce Allen Talent in Vancouver, Hungry Eye Agency in Winnipeg, Brimstone in Calgary, Concept 376 in Toronto and DKD in Montreal. They agreed that they would book each other's bands. This is significant, because for the first time, bands from Vancouver could get gigs in Toronto because radio could possibly support it. All of the sudden a band could tour, which before these policies was next to impossible" (Leblanc, pers. comm). This created Canada's first ever touring circuit. Leblanc remarked to Christopher T. Jones in *Canadian Publisher* magazine in 2008, "with these bookers working together for the first time, and with national airplay, you could finally take a band and tour coast to coast" (Jones 2008, 10). If a band could tour, then a greater reasoning existed to ensure that this was supported by national airplay.

The reconstituting of *The Broadcasting Act* further enshrined the importance of Canadian content in the development of the Canadian identity within state politics. It mandated that private broadcasters, when licensing airwaves, must support the production and promotion of Canadian content. While there was no direct state funding for the popular music industries, this requirement altered the context in which the industry was situated between 1967 and 1972. By 1972, a small touring circuit had been created and Canadian content and popular music was given regulatory protection. However, the quota was not widely accepted, nor rigorously administered, evaluated or examined. While the context had altered to provide Canadian music makers with more opportunities to be heard on private radio, this did not mean that such opportunities would materialize. The cultural imperatives of the legislation remained reliant on the economic realities of broadcasters, who opted to air content that reflected their business interests, Canadian and otherwise.

### **The Structure of CANCON and Arguments For and Against**

To be eligible for airplay under the quota, records were assessed through a four-part analysis called MAPL, created by Stan Klees, the co-editor of *RPM* and John Mills, the CEO of CAPAC, for Juneau in 1971. MAPL is an acronym for Music, Artist, Place of production and Lyrics.

Specifically, each is defined as follows:

**M** (music) -- the music is composed entirely by a Canadian.

**A** (artist) -- the music is, or the lyrics are, performed principally by a Canadian.

**P** (place of production) -- the musical selection consists of a live performance is (i) recorded wholly in Canada, or (ii) performed wholly in Canada and broadcast live in Canada.<sup>11</sup>

**L** (lyrics) -- the lyrics are written entirely by a Canadian.

(CRTC 2009b, 1).

In this definition, Canadian was defined by citizenship, not residency. Two of these

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<sup>11</sup> This requirement means that the performance on the record and where it was recorded needs to be in Canada. The second point was added in 1991 to include artists who debut material live in Canada. The term 'live performance' is confusing and refers, in this case, to music performed live in the studio, either through a series of dubbing or off the floor.

categories must be determined to be 'Canadian' for an album or single to qualify as CANCON. In the beginning only one category was required, but this was amended to two in 1972, a decision argued against by CAB, as this made it more difficult to work around CANCON. With one qualification, it was easier to qualify with co-writes and internationally produced albums under MAPL. In addition, Canadian singers recorded in American studios with American bands and producers, and this was seen to qualify. This made it difficult to protect Canada's domestic sector, as the regulations were easily manipulated by multinationals at first. As a result, of the four parameters, Place of production (also referred to as 'performance'), the third requirement, has been seen as the most controversial since its adoption, as it was developed with peculiar and misleading wording. Originally, Canadians recording abroad were able to qualify under this stipulation, as recording studios in the early 1970s were deemed inferior in Canada compared to those in the United States. This wording has been altered. Currently, Canadian acts must record in Canada to qualify under 'P'.

On 18 November 1972, *Billboard* reported that the Canadian branch offices of Polydor, Capitol and Columbia marketed content aimed at meeting quota requirements, from Capitol's Edward Bear to Polydor's Joey Gregorash. At first, CANCON was utilized primarily by multinationals to develop Canadian content, often utilizing American production structures to support it. The week the regulations were announced, there was one Canadian album in the top 20, The Band's self-titled album, released by Canada's largest multinational branch office, Capitol EMI Canada (Billboard 1970a).

At its inception the quota was both supported and heavily scrutinised. Peter W. Johansen, writing in the *Journal of Communication* in 1973, argued in favour of the quota. He stated, somewhat prosaically, "through a change in legislation by the CRTC, rock music became a viable economic entity...forming an effort to reduce American social-cultural impact in Canada" (35, 1973a). Other academics and policy makers disagreed, arguing that the quota bluntly and presumptively championed "nationalism, elitism and paternalism," raising questions as to what Canadian culture this quota was intended to influence (Handler 1985, 678). Much of the debate was structured on cultural imperialism, both perceived and real from the United States with arguments for and against the quota taken from a viewpoint to cull or ignore

American dominance of the airwaves. Like *The Massey Commission* before it, the quota mandated what was not Canadian as much as what was, prompting Handler to argue that the quota and subsequent reports reinforcing it “had a rhetorical finality that rests ultimately on notions of natural inevitability, implying that a Canadian ‘essence’ exists which inheres naturally in Canadians, and that only they can impart it to cultural products” (Handler 1985, 79). This comment is significant, as it illustrates these Canadian policy experiments, from *The Massey Commission* to CANCON, as being based on shaky foundations. However, these shaky foundations are attributed to a consistent one-way process from the state, when the concept of being Canadian is affirmed first in policy, rather than being a result of the content that is created within it.

This is further expanded on when reading discussions from Straw’s (2000), Edwardson’s (2008) and Sutherland’s (2008) analyses of Canada’s music industry policy. As Straw argues in *In and Around Canadian Music*, “the place of music within the discourses of national cultural identity remains vague and elusive” (2000, 176). Edwardson, in *Canuck Rock*, argues that the quota structure is part of a “myth-symbol complex for the citizenry to communally engage in a sense of what it means not only to be citizens of a country but members of a nation” (2009, 19). Sutherland agrees, stating, “even more singularly than a discourse of failure, what a history of Canadian music policy also lacks is the volume of discourse oriented around textual representation of identity” (2008, 15).

All three theorists are critical of Massey and the positioning of Canadian culture as an indefinable catchall. CANCON was initiated as a cultural policy, but its impact combined both cultural and economic objectives. Edwardson’s comments, ones that relate back to Anderson’s concepts of nationalism, argue that the quota is primarily a tool for nation-building, a tool that Sutherland purports is best utilized to support national identity formation. However, both theorists do not question the role of market economics in installing a quota to support content development. By developing a stronger and more unilateral manner to protect popular culture, the consumption of the content deemed ‘popular’ increases, further developing the businesses of those Canadians creating, marketing and airing the content. In a later quote, Sutherland expands on this, arguing that it is products that, in the end, make those involved better off. His comments are worth quoting in full:

The CRTC's Canadian content guidelines, which are as close as we get to any definition of a national musical identity in policy terms, make no reference to the actual content of the work, either lyrically or musically, concerning themselves with the nationality of the creators and the recording location. Nor do guidelines for federal government funding make any stipulations regarding the actual content. If Canadian music is meant to reflect Canadian identity (as it clearly is in these regulations), the precise means by which this happens are not specified. The lack of a clear sense of national identity in terms of Canadian music may be more marked than in other cultural forms. What is even more marked is the particular manner in which cultural nationalism is present in Canadian music industry policy. This reconfigures some of the debates that characterize discussions of Canadian cultural policy, with the result that some of the characteristic oppositions of these discussions recede in importance or disappear altogether (2008, 19).

When economics are considered in the context of both Canadian content regulations and the concept of Canadian identity, further complexities emerge. The more economically successful a record is, the more CANCON it satisfies, as it is played on the radio more frequently. Yet, keeping such proceeds in Canada is not straightforward. One act may satisfy CANCON regulations and be commercially successful to a point where it takes up an inordinate amount of CANCON on the radio because the music is more valuable to the broadcaster. However, no value propositions were proposed or mandated in the policy.

In its first few years, broadcasters received little guidance on what to play and were left to formulate their own definitions of suitable Canadian content, resulting in the airing of records that satisfied their business models. While *The Massey Commission* staged public symposiums before writing its report, the CRTC engaged with industry and business, but never with the public. As a result, the quota was not initiated as part of public demand and no research was conducted to quantify the level of Canadian content that was consumed on radio at the time, or what the public, when surveyed, desired. This was initiated, similarly to the recommendations in *The Massey Commission*, as a top-down exercise. However, with *The Massey Commission*, such recommendations were first tested with the public, an exercise not conducted by the CRTC. The supposed viewpoints of the broadcasters and the sound recording sector were well debated and documented in the late 1960s and

early 1970s, but little public engagement remains on record.

However, despite its challenges the quota did produce a temporary boom in Canadian content production. Paul White, then Capitol Records' A&R director for Canada, stated to *Billboard* on 28 Feb 1970, "these regulations will probably force some major companies, who have been reluctant to become actively involved in the Canadian music scene, to start producing some Canadian records" (*Billboard* 1970). In other words, White hinted at the possibility of more branch activity for foreign major labels in Canada, to sign and market Canadian content. On 2 October 1971, a total of twelve Canadian singles were represented on the *Billboard* Top 100 Chart, one more than were represented by British artists (*Billboard* 1971b, 62-64). However, a close reading of these illustrates the challenges embedded in the policy. One record, Joan Baez's "The Night They Drove Old Dixie Down" qualified for CANCON as it appeared on The Band's self-titled album and was composed by Canadians (and Levon Helm, an American and The Band's drummer). Of the seven representative singles, three were recorded in Canada (*Billboard* 1971b, 62-64). As a result, a demand arose to showcase new talent, resulting in the first Canadian popular music initiative to be funded by Canada's federal government. This event was titled The Maple Music Junket.

### **The Maple Music Junket**

In 1972, music journalist Richie Yorke curated an important event in the history of Canada's domestic music sector. In June, 92 European journalists were flown to Montreal and Toronto for the first Canadian music showcase. It was titled The Maple Music Junket and lasted four days. The cost of the project was \$120,000, and of that, \$30,000 was delivered through government grants to subsidise the attendance of foreign journalists at the festival (*Billboard* 1972b). This was split across three agencies, the Department of the Secretary of State's Arts and Culture Branch, the Canada Council for the Arts and the Department of Industry. While publicly funding one quarter of an industry-led showcase is commonplace now, it was novel in 1972. In fact, it was "unique in that it represented the first time any national government in the world had officially recognized the popular music industry" (Yorke 1971, 5). These comments must be taken in context, as Yorke himself organised and promoted the event, but it received public money and was the first of its kind in

Canada to do so.

While it was not the first event in which popular music and public policy interacted in Canada, it was the first music event to be publicly financed in Canada outside the realms of jazz, classical, ballet and opera. This event, however small when placed within this history, is significant in explaining how and why the Canadian government has created a structure for implementing itself as a principle investor in the popular music industry.

Yorke convinced the policymakers at the time that to develop suitable content for the quota a showcase event should be held to raise domestic profiles. Yorke, a journalist for *Billboard*, testified at CRTC hearings in favour of the quota and often complained of the marginality of Canada's homegrown talent on its radio stations. The festival was a tactical move on his part. It was staged at a time when the quota needed reinforcement through support structures that were beneficial for Canadian recording artists. In addition, at the time, multinational major labels were investing heavily in Canada, setting up bricks and mortar offices to not only distribute international talent within Canada but also to sign and develop local talent. This started as early as 1963 and continued throughout the 1960s, when Capitol Canada (subsidiary of EMI) released a host of British acts, including The Beatles, Dave Clark Five, the Yardbirds, Gerry and the Pacemakers, Freddie and the Dreamers, the Swinging Blue Jeans, Billy J. Kramer and the Dakotas, the Hollies and Manfred Mann. This produced what Edwardson refers to as a fringe benefit, where "profits from imports were being used to support an anaemic domestic music industry" (Edwardson 2008, 176).

There is little literature and analysis on The Maple Music Junket other than a series of articles in *Billboard*, local broadsheet reviews and mentions in the Canadian industry newsletter *Rpm* in the early 1970s. Nevertheless, in these accounts, it is shown to have developed a heightened amount of attention for Canadian popular music at the time, but through a critical lens. For example, on 6 June 1972, the *Montreal Gazette* wrote that most of the journalists were as concerned with drinking as they were with the music (Kapica 1972). Those that performed, included The Stampeders, Andre Gagnon and Anne Murray, were, according to the journalist, "par for the course" (Kapica 1972).

There were more positive reviews in trade magazines. On 10 June 1972, *Billboard* published a Canadian Music Report, the first of its kind. Under the title *The Maple Music Junket Lets Canada Put It Best Foot Forward*, its language is promotional and hyperbolic, albeit slightly patronising. It is labelled as “quite clearly the biggest thing that has ever happened to the Canadian music industry” and in later paragraphs, “one of the most important events in the global pop industry” (Billboard 1972c). The report, ten pages long, mentions the challenges amidst which The Maple Music Junket was staged and those that it was responding to. Quota or not, Canada still had little domestic music industry of its own. An advertisement in the magazine even stated: “Canadian music is happening in Canada.” This was paid for by GRT Records, a foreign-owned major-affiliated label (Billboard 1972b). A year later, *Billboard* wrote, “it is hard to find anyone in the global pop industry who isn’t faintly aware of The Maple Music Junket” (Billboard 1973). There was even a review of the event in Germany’s *Der Spiegel* on 19 June 1972 (Der Spiegel 1972). It remains difficult to ascertain the overall impact that it had on the acts that performed. Some achieved mass success within Canada, such as Crowbar and Chilliwack, while others have been largely ignored. In the end, the event was not repeated in Canada nor were similar events held elsewhere.

There was no discussion on how and if Canadian national identity was portrayed at the festival, either for the bands or to the visiting journalists. However, a sense of national responsibility and its accompanying challenges can be ascertained concerning the manner in which the event was filmed for broadcast. In *The Ottawa Journal* on 8 January 1973, Arnold Gosewich of Capitol EMI Canada, along with Yorke, formed Maple Music Inc., described as a “non-for-profit organization formed to promote Canadian talent” (*Ottawa Journal* 1973). The organization helped broker the license to air the special, with artists forgoing copyright revenues in exchange for promotion on CBC. However, due to scheduling, the CBC was forced to restrict the program to 60 minutes from its agreed upon 90, cutting performances from Bruce Cockburn, among others (*Ottawa Journal* 1973). It is revealing that an executive from a multinational branch office in Canada, along with an Australian-born journalist, created an organization to promote Canadian content, but ran into difficulties in negotiating its dissemination with Canada’s public broadcaster. Yorke and Gosewich called the CBC’s actions “the ultimate snub” (*Ottawa Journal* 1973).

While The Maple Music Junket proved to be the largest showcase of Canadian music ever produced, its impact on the value of the music, both culturally and economically, proved inconclusive. However, it reveals an increased set of activities that emerged to support or justify the quota on behalf of Canada's music sector, both through its independent labels and multinational branch offices. The festival, along with the earlier *Maple Music System*, RPM's ten-part analysis of the benefits of a content quota and the eventual installation of CANCON established a need for an industry where one had not existed.

### **The Early Lessons of Canadian Content Regulation**

Hobsbawm writes, in *The Nation as Invented Tradition*, that one of the methods modern France deployed to bolster nationalism was "the invention of public ceremonies" (1994, 76). In discussing Bastille Day and its creation in 1880, he states, "while it left scope for, and could hardly avoid, popular manifestations, its general tendency was to transform the heritage of the revolution into a combined expression of state pomp and power and the citizens' pleasure" (1994, 77-78). To Hobsbawm, one of the core structures that develop nationalistic tendencies is the collective acceptance of events – in this case a national holiday. Bastille Day, as a construct, brought the French nation together by state decree, as it included all those under the French republic and produced a "combined expression" of state power and popular will (1994, 78). In Canada, while such holidays exist such as Canada Day on 1 July, state legislated quota regulations attempted to perform the same task that Hobsbawm describes. Essentially, what Massey, the reconstitution of *Broadcasting Act* and the creation of CANCON did was transform the concept of Canada's national heritage by creating a need to develop it. They addressed a supposed and actual cultural threat – American and other foreign imports – in the process of ensuring that a certain amount (of a certain type) of Canadian content was created to develop a "Canadian story", where one might not have been before, ultimately developing the need for a business that previously worked in Canada's cultural fringes, its popular music sector. The policy developed Canadian content by regulating a need for it, but did not define what this need could be most satisfied with.

These policies began to combine the promotion of popular culture with the

development of national narratives. The concept of Canadian cultural identity, while rigidly mandated in terms of a need to protect it, remained open-ended. However, this did not pluralize content dissemination. Canada's private broadcasters were no more inclined to support Canadian music beyond the requisite selection of a few tracks to fill the quota. The reporting structure was non-existent, ultimately raising questions about the power of this invented tradition that was policed by the CRTC. Such questions concerning Canada's national identity formation and the impact of CANCON, as well as its relationship with cultural and social development and market economics, remained unanswered in the early results of this new policy.

Clifford Geertz states, in discussing cultural policy, that "between the stream of events that make up political life and the web of beliefs that comprises a culture it is difficult to find a middle term. On the one hand, everything looks like a clutter of schemes and surprises; on the other, like a vast geometry of settled judgments" (2000, 311). Such settled judgments, as they emerged in Canada, failed to address how the "middle term", according to Geertz, was not met at the time. For example, British historian Goldwin Smith posed such challenges in 1891 in his polemic, *Canada and the Canadian Question*. Canada, at the time, was "a mere illusion, produced by the vague use of a common name for things which have nothing in common" (2006, 240). The concept of Canadian identity remained vague, often expressed through assertions of what one was not – American, a separatist etc. - rather than what one was. For the music sector, the quota did not state what type of Canadian music must be supported. This was left to private interests, resulting in the airing of music that was sonically and stylistically similar to foreign imports. Much of the popular music being created in Canada was borrowed in style and substance from earlier British and American influences – minus Québécois chanson, for example - and noting a definable "Canadian" style was subjective, rather than objective. Often, the most "Canadian" artists had an association with America at the time. This can be argued to offer a number of positive implications. For example, The Band featured an American drummer, and most of their lyrics were influenced by American themes, such as the Civil War or rural Americana. Moreover, Neil Young and Joni Mitchell relocated to Los Angeles to build their careers. However, these artists were known as being Canadian.

The sound recording sector, frustrated with a lack of access to private airwaves and

marginalised by multinational competitors, rallied against the broadcasters to play more of their music on the radio; the broadcasters argued that Canadian music, whatever it was, was worth less than imports. This dichotomy was to become further entrenched and continue as Canadian content regulations further developed in CRTC policy. However, the impact of the policy on those who were required to follow it differed from the goals of the regulator itself. To the CRTC, this was a geographical and residency issue, old themes borrowed and reconfigured from *The Massey Commission*. Most of the variables used to define it taken from external structures, like not being American, for example. By 1972, Canada had enacted a series of culturally protectionist policies to protect, promote and enrich Canadian content on both television and radio. It was these policies that would grow to become known as Canadian, independent of the culture they were initiated to protect.

## **Conclusion**

By the mid 1970s, Canada had a set of policies initiated to protect and support Canadian content development, through *The Broadcasting Act* and CANCON. In addition, a number of experiments were conducted to support a growing industry's ability to provide the best content possible within the quota regulations, such as *The Maple Music System* and later on, *The Maple Music Junket*. These policies posited a belief that Canadian content can be assessed and compartmentalized as a singular concept. This is simple to accomplish economically, but less so culturally. However, the events, reports and commissions that informed this legislation, and the theories that can be extrapolated to provide a framework for such activity, had yet to assess such impending challenges in singularly regulating Canadian cultural and economic objectives. Furthermore, when music was regulated, questions concerning the cultural and economic value of the music under the quota, how it was to be implemented, what checks and balances would be in place and how it would be audited were inadequately discussed and formalised. The quota itself, an arbitrary percentage in and of itself, did not produce definitive conclusions such as a clear increase in the consumption of Canadian music or a healthier, more prosperous popular music sector.

The construction of national identity signifiers in Canada, and its relation to these

policies created further uncertainty, as CANCON became a fixture in Canada's music spectrum. The wide range of theories pertaining to the construction of Canadian nationalism, and their impact on these policies, was not assessed by regulators, despite such concepts of nationalism informing how the development of Canadian cultural identity was to feature in this legislation.

While CANCON did assist Canadian musical creators, such assistance was wide ranging and complex. By the end of the 1970s, Canada had been through a decade of popular music policy, but no direct state support, minus the grant given to The Maple Music Junket, was provided to assist content creators in making music suitable for radio. The same questions that Massey asked as he travelled across Canada were approached by Trudeau and his administration. Neither party provided a complete set of answers. In the end, Trudeau and Juneau utilized a recommendation in *The Massey Commission* to 'Canadianize' content en-masse, but in this case it was popular music that was to benefit. This had yet to be fully analysed, but would resurface in debates as CANCON evolved throughout the 1970s. How this was to impact Canada's popular music industry moving forward was significant.

It was becoming clear that support was needed to produce more suitable Canadian content, music that could satisfy all parties involved – the music businesses, broadcasters and the state. In 1982, these debates would create Canada's first set of programmes to fund content development, marketing and promotion. This fund, FACTOR, would have significant implications for the history of popular music funding in Canada.

## **Chapter 2**

### **1980s – The Introduction and Development of FACTOR and Other Administration**

#### **Introduction**

This chapter explores the issues raised in the development of CANCON throughout the late 1970s and early 1980s, leading to the establishment of Canada's first national funding structure, the Foundation to Assist Canadian Talent on Record (FACTOR), in 1982. FACTOR began after a long period of negotiation, lobbying and interaction between the music sector, private broadcasters and the state. Once again, policies aimed at developing and fostering Canadian national characteristics impacted the activities of Canadian businesses, both for those creating the content and those responsible for disseminating it. Furthermore, as popular music became more prevalent on FM formats, the value of the type of music protected by the quota became important, with an ever-increasing focus on new music as the more suitable form of Canadian content in this context. The end result, a national organization to subsidize the creation and development of new musical works, emerged from these debates and the hearings, reports and structures. Once again, the influence of *The Massey Commission* returned with the publishing of another commission on culture, *The Applebaum-Hébert Report* in 1982. These activities both supported and challenged how CANCON and its cultural requirements impacted Canada's business community, its ability to compete nationally and internationally and the impact of these policies on Canadian national identity formation.

It is best to first state how the Canadian record industry, in the mid-to-late 1970s and 1980s, functioned on an international level, with multinationals and independents working both individually and collectively, depending on the content. Canada's distribution warehouses were mainly controlled by multinationals and each operated branch offices in Toronto, providing independent releases with distribution and marketing services at a cost (Mair, pers. comm). However, independents also financed and produced their own content. As a result, a bias developed, influenced by the activities of the sector, that CANCON should be most utilized to support new Canadian music, often released by independents. This definition of new music, and the one that is prevalent in this chapter, is music that overwhelmingly featured on

CIRPA members release schedules. This music incorporated rock, pop and alternative genres and its focus was placed equally on the content itself as much as its ability to compete with foreign content. This can be traced back to the Canadian artists influenced by the 'British Invasion' in Canada, including the music that showcased at The Maple Music Junket.

In 1982, for the first time, financial support was made available for Canada's music makers. The decisions that were made to introduce the support failed to adequately analyse the changes that were taking place at the time, such as the increasing role of multinationals in English Canada's music industry, a continued lack of quantitative analysis to measure the impact of the quota and the continued combining of cultural and economic objectives in Canadian cultural policy. To address this, I begin with an analysis of the policy amendments and cross-industry debates in the mid-to-late 1970s and early 1980s, before returning to address how nationalism and attempts in policy to develop a Canadian national narrative have been influenced by and have impacted the history of popular music funding in Canada, up to this point. By establishing a nationally recognized program to support the creation of new Canadian content, the process of developing new Canadian talent became impacted as much by the system that was created to support it. In some ways, it is this system that grew to be seen as Canadian as much as the music that it supported. In terms of supporting new Canadian popular music, a sense of Canadianness began to develop not through the styles and genres offered, but through the creation and defence of subsidization.

### **CANCON in the mid-to-late 1970s**

By the mid 1970s, CANCON did not appear to have the impact that Canada's music makers and recording businesses had hoped. The regulation did encourage broadcasters to play more Canadian music, but the selections remained constrained, predominantly limited to previously tested and commercially successful acts, rather than developing artists. No structure to support new Canadian music in CANCON was created, allowing broadcasters to feature the content that best suited their needs. While more suitable music for Canada's broadcasters satisfied their economic requirements, this content often bypassed the needs of Canada's fledgling domestic music industry. By supporting new content, broadcasters were not guaranteed an

economic return compared to tried and tested commercial content. For example, commercially successful acts like Nazareth (an American act covering a Joni Mitchell song) and Bachman Turner Overdrive featured heavily in the charts, both supported by multinationals with Toronto branch offices (*Records, Promotion, Music* 1975, 1). For the broadcasters, this was justified as they claimed they were responding to audience tastes and market demands, claiming that Canada, in the mid 1970s, did not have a strong enough developing music scene. It was in the interest of both sides to change this. More recordings would diversify label catalogues, and if these were of high enough quality, it would ease broadcasters complaints that there was an unsatisfactory selection of CANCON.

In late 1973, the CRTC held its first commercial radio review. In the hearings, the commission stated that Canadian music was worth 25% of a \$125m sector (Sutherland 2008, 122-3) and there were fewer objections to support Canadian content than compared to those aired in the quota negotiations. In 1975, when the review was published, CANCON regulations were extended to FM formats, as the format overtook AM in popularity (Leblanc 2007, 4). For FM, different requirements were assigned to those in AM, including a new series of 'promise of performance' guidelines attached to license renewals (Canadian Radio-Television and Telecommunications Commission 1990a). The concept of 'promise of performance' was part of the license renewal, where the CRTC asked broadcasters to defend the actions they had taken to support developing Canadian music as part of the 'promise of performance' construct (Leblanc, pers. comm). If the broadcaster could outline that they had adequately supported Canadian music, this would support their renewal process. However, this process was not structured or quantified in CRTC regulations. It was optional for each licensee, though politically encouraged. Therefore, one can attribute a number CAB member stations donating a small percentage of revenue to Canada's music businesses, but not in any organised fashion (Roman, pers. comm).

Effectively, this allocated 'promise of performance' funding was mainly spent on talent shows, school band seminars and other individual activities (Roman, pers. comm). One broadcaster, Moffat Communications, for example, supported the development and performance of marching bands at Canadian fairs and military

events (Roman pers. comm).<sup>12</sup> This 'promise of performance' support negotiated in these early license renewals reveals complications in how the CRTC monitored compliance. In *The CRTC's Enforcement of Canada's Broadcasting Legislation*, M.L. Auer argued that the CRTC uses "informal sanctions, rather than the penalties set out in Canadian broadcast legislation" to monitor license holders (Auer 1992, 114), relying often on "strong sounding, but legally meaningless, terminology to sanction non-compliance" (Auer 1992, 128). As a result, only 28 stations were denied renewals between 1968 and 1981 of over 250 applicants per year and of those, only three were due to breaches of "maintaining minimum standards of performance" (Romanow and Romanow 1982, 70). The majority of refusals involved transfers of ownership (Romanow and Romanow 1982, 71). Each specific 'promise of performance', whether it was a higher percentage of CANCON or financial divestment to content creators, was not recorded in hearings, developing a compliance system framed on informal promises as much as legislated requirements.

One must return to the objectives of the CRTC that were outlined when it replaced the BBG in 1968, as measured through its initial license review process in 1975 to measure its impact on the changing music sector. While the law required broadcasters to comply with both the quota and a 'promise of performance' creed, they continued to challenge the CRTC over how the quota was legislated, even though the quota remained popular within the recording sector. There were even claims at the time "that the industry was simply spawned by the regulations" (Sutherland 2008, 91), which in some cases was true. This argument is significant, further expanding on the cultural and economic implications of the regulations in its first five years. The results were inconclusive. While the Canadian music industry further expanded between the end of 1960s and early 1970s, this cannot be attributed exclusively to Canadian content regulations. Globally, new forms of rock, pop and alternative music became increasingly popular and foreign imports, both from the United States and United Kingdom, impacted Canadian listenership and playlists as much as new forms of Canadian music. While record labels continued to invest in English Canadian artists, the opportunities provided to them through

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<sup>12</sup> There are no records outlining where and how the broadcasters allocated 'promise of performance' in the 1970s and early 1980s, as such detail was not included in their annual reports or CRTC hearings. As a result, detailing the usage of the support at the time is based on personal interviews and recollections. It is difficult to present a bipartisan view of this, as the decisions on who to support fell to the broadcasters and I am relying on their collective memories.

commercial radio remained inconclusive, with 'promise of performance' requirements remaining a quid-pro-quo structure with the regulator. Furthermore, the economic development of the sector could not be effectively correlated with the increase in Canadian music as a tangible, cultural identifier, one that enhanced and developed Canadians' access to domestic content. Instead, one must measure this separately at the time. Canada's music industry had burgeoned and one variable responsible was Canada's cultural protectionist policies. However, beneath such policies lay global forces investing in acts and labels to expand the content commercially, rather than culturally.

In the debates to regulate the quota, Canadian consumers were visibly absent from CRTC commissions. In February 1974, there were 300 public interventions tabled by the CRTC (Romanow and Romanow 1982, 73), but none questioned if Canadians were satisfied with the quota; instead, the focus was on the level this content should be mandated at. In addition, the hearings focused on the perceived value of community radio, multiculturalism and rural broadcasting, with little measurement dedicated to how Canadians consumed popular culture. This lack of perspective would further differentiate the arguments tabled by the music industry and broadcasters at the time, with each claiming they were providing what the public wanted.

For the broadcasters, the position focused on chart analysis and measuring, qualitatively at the time, Canadian consumption patterns to ascertain the true economic value of Canadian content. "I feel our position was legitimate", recalls CHUM director, former CAB spokesperson and co-founder of FACTOR Duff Roman. "Financially, one could understand our situation, but culturally and politically, we were a little late to understand the requirements. But given our market share, we were pushing for a compromise" (pers. comm). In retrospect, Roman believes that there was a cultural need for the quota, although CAB did not share this opinion at the time. This was most sensitive in border markets with the United States. In these markets, Canadian stations were struggling to compete with American competitors (Roman, pers. comm), and at the time, owning more than one station in the same band per market was restricted by the CRTC. As a result, CAB members claimed that they were forced into supporting unprofitable content that, so they said, impacted their ability to turn a profit as private companies.

In addition, broadcasters at times attempted to subvert the quota by becoming labels, releasing content for the sake of airing it on their stations. This is most evident in CHUM Records, a label that first employed Roman and former President of CIRPA, Brian Chater. This decision by CHUM initiated the first meeting in a hotel in Toronto that led to the creation of CIRPA, according to attendee Al Mair (pers. comm). In order to lobby both the state and the CRTC for the benefit of the independent music sector, and to rally against CHUM's activities in setting up their label, a trade association was set up. Here, the independent music sector was defined as Canadian owned and operated labels, ones operating outside of multinational branch offices. With a board of ten, the Canadian Independent Record Producers Association (CIRPA) was founded.<sup>13</sup> Although it was established in 1970, CIRPA did not become a standalone organisation with its own staff until 1975. Its primary role was negotiating with CAB, various government departments, other industry organisations and the CRTC. As True North Records founder and Kensington Market manager Bernie Finklestein recalls in his memoirs, the labels believed that "it is one thing to play music that you own. But when you add that to the threat of boycotting everyone else's records, that was a problem" (2012, 148).

CIRPA's first task was to challenge CHUM. On 19 December 1970, *Billboard* reported that the organisation believed that "its members were not being allowed free and open access to the airwaves" (Yorke 1970a). They argued that along with the problem of stations starting record labels, the Canadian Manufacturing Recording Organisation (CMRO) was dominated by multinationals and CHUM had too much influence on the distribution chains. On 30 January 1971, *Billboard* reported that CIRPA accused CHUM of "moving into record production and programming their own content" and of "unfair competition and questionable practices", a claim refuted by then CHUM President, Allan Waters (*Billboard* 1971a). Regardless of wrongdoing on either side, CIRPA convinced CHUM to abandon its sound recording division, replacing the business by financing certain master recordings for CIRPA members, including Aquarius Records (Mair, pers. comm). This ended the broadcasters' production of sound recordings for commercial purposes.

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<sup>13</sup> The word 'Producers' was changed to 'Production' in the early 1980s. Presently the organisation is called CIMA, the Canadian Independent Music Association (Rosen, pers. comm).

In the same year that CIRPA was registered, editor of Canadian Composer Magazine, Richard Flohil, published an editorial, coupled with a radio interview on CBC claiming that CANCON regulations had “gone incredibly well” (Canadian Broadcasting Corporation 1975), stating that unlike 1970, “Canada now had a viable pop music industry” (Canadian Broadcasting Corporation 1975). This comment is significant, as Flohil signals out Canada’s pop music sector as benefitting the most from the quota, with artists like Gordon Lightfoot and Anne Murray referenced in the piece. In this case, the success of CANCON was evaluated on the economic success of popular music, above other indicators. For Flohil and the CBC, this popular music industry represented Canada’s new music makers, and it was their content that benefitted the most.

The same argument was posited by the independent music sector, led by CIRPA and CAPAC, as they began actively lobbying Canada’s Department for the Secretary of State, then responsible for music, for more financial support. By 1976, the department began actively engaging in sound recording policy research and annotation, led by film analyst Dinah Hoyle and sound recording analyst Marla Waltman-Dashko. As a result, the department hired CIRPA President John Watt as a sound recording consultant in late 1978. “To me, we were taking a big risk. My job was a risk”, recalls Waltman-Dashko (pers. comm). “It was seen within the department as an area that was more about sex, drugs and rock and roll. John was seen as an outsider. But he wasn't a bureaucrat and this was an advantage for all of us” (Waltman-Dashko, pers. comm). Then executive director of CIRPA, Earl Rosen recalls; “in the fall of 1979, we had a meeting with Dinah Hoyle, who was in charge of the film certification programme. Pierre Juneau recommended the meeting, as he was the deputy of the department at the time” (Rosen, pers. comm), having moved from the CRTC in 1976.

While CIRPA’s increased lobbying and Watt’s internal consulting produced results by 1986, initially his actions did not result in anything concrete. As these discussions continued in 1979, Canada’s recording output shrunk, according to official state-published statistics. *Canada’s Cultural Industries: Vital Links*, a Department of Communications report from 1985 presents information that suggests that domestic recordings declined by 15% in quantity from 1978-1984 (Spalding 2008, 142). The

report also stated:

The Canadian marketplace is abnormal in comparison to that of other major industrialized countries. First, the vast majority of books, films, and records available to Canadians are produced elsewhere. Second and more ominous, the revenues from the distribution of those goods accrue not to Canadians, who are inclined to help finance the development of Canadian talent and Canadian industries, but instead largely flow out of Canada to finance production industries elsewhere (Audley 1994, 10).

There is an interesting linking of cultural and economic imperatives in Audley's comments pertaining to CANCON. Much of the financial benefit of CANCON, according to *Canada's Cultural Industries: Vital Links*, ended up with multinationals with branch offices in Canada, and this, according to the writers, was "ominous" (Audley 1994, 10). Regardless of CANCON, by 1979 "the Canadian sound recording industry was dominated by six multinational firms" that "captured 80% to 90% of the Canadian market" (Task Force on the Future of the Canadian Music Industry 1996, 14). This is similar to many other countries around the world; however, in Canada such data was used to argue for state intervention by the independents, on the basis of supporting Canadian content and a need to diversify and support quota requirements.

However, these statistics contradict the argument that they are positioned to defend. Direct major label investment in Canada did increase CANCON production, but it was argued that revenues ended up at major label headquarters in the United States. This is reflected in *Canada's Cultural Industries: Vital Links*, a report that clearly sides with the independents. In actuality, this 80%-90% of the market is much more complex than the simple assertion that most revenues are accrued externally. With the majors controlling distribution channels, it was their infrastructure that was most utilised by independent releases at the time, in both English and French Canada, but these were for-profit infrastructures, usually accessed through a recoupable advance on sales, rather than an investment (Mair, pers. comm). However, quantifying such domestic return remained a challenge for the independent sound recording sector. CANCON did not resolve this. More music did not necessarily mean more domestic revenue and consequent tax revenue for the government, nor did it lead to more financially successful Canadian-owned record labels. It only meant more music,

which was potentially culturally beneficial but economically unquantifiable, shifting the focus from quality to quantity. Once again, the cultural objectives of CANCON differed from the businesses' economic interests who operated within the legislation. As a result, CIRPA argued for more intervention from government to ameliorate such circumstances as those outlined in *Canada's Cultural Industries: Vital Links*. While the federal government was sympathetic, they remained determined, at the time, to keep any funding a private matter.

By 1981, broadcasters CHUM, Moffat and Rogers – represented by CAB - along with CIRPA, CAPAC and the CMPA continued to negotiate, at the behest of the Department of Communications (formerly Department for the Secretary of State), for better uses of 'promise of performance' contributions. While the CANCON legislation was nearly a decade old, there remained no tangible link between 'promise of performance' and the production of CANCON, as each station independently administered the voluntary amounts that they wished to contribute for the benefit of easier license renewals. Watt and CAPAC President John Mills spearheaded the negotiations for CIRPA, with Roman leading the delegation for CAB. Roman explains that, in addition to the fact that there were few worthwhile places to contribute the mandated funds, "as broadcasters, you were making compromises because you simply had to play what was available" (Spalding 2008, 141). "I knew John well", Roman continues. "We knew we needed to find a way to work together, but both sides had talking points and it was clear the divisions were difficult to solve" (Roman pers. comm). "I remember the broadcasters still saying there wasn't enough music in 1979 for their needs, so it became logical that we cooperate on a strategy to make better records so they would play better records", adds Donna Murphy, then secretary to Earl Rosen and now Vice President of Operations for CIMA (pers. comm). Eventually, a compromise was struck in 1980. This was formalised and announced in 1982, becoming the first privately run grant and loan agency for popular music in Canada.

### **The Creation of the Foundation to Assist Canadian Talent on Record**

The Foundation to Assist Canadian Talent on Record (FACTOR) was established in 1982, with a budget of \$200,000 from the three founding broadcasters (Spalding 2008, 142). This money was welcomed by the Department of Communications and

the CRTC but provided voluntarily outside of license renewal requirements. Moffat contributed \$100,000, CHUM \$60,000 and Rogers the final \$40,000 (Roman pers. comm). It was, according to Spalding, "good public relations at least within the industry" (2008, 142), but it was not nationally known or publicized at the time. "The broader public, including music fans, was not aware of FACTOR in its early years, as it did not receive much publicity at its inception" (2008, 142). In its first year, FACTOR employed one administrator and a board of directors made up equally of music industry representatives and broadcasters. Headquartered in CIRPA's Toronto office, it approved 50 applications of loan funding in its first year, each contributing to recording costs, including a sound recording loan for Martha and the Muffins (FACTOR 1983). Each loan was repayable through a \$1 recoupment on each CD sale, with unpaid amounts written off after two years of release. FACTOR funded up-to 50% of costs, a rule borrowed from the Canadian Film Development Council (CDFC). The process of allocating support to artists was juried in person at CIRPA's offices in Toronto. The system, in its earliest stages, was simple; the jury as a whole assessed each application. If the majority approved of its request, the applicant was supported (Rosen, pers. comm).

There is no documentation explaining why the recoupment process was initiated. It could be argued that such bylaws were politically motivated. By limiting recoupment, the program remained open to all content creators, regardless of one's business development. However, by creating a loan, rather than a grant structure, economic indicators were assigned to the support, measured through sales. This attempted to satisfy both CANCON in general – the production of more Canadian content – with those of the principle investors – the need to produce commercially successful content for radio. By 1984, the funding increased to \$314,000 (Spalding 2008, 142), consisting entirely of private investment encouraged at arms length by government. The Department of Communications was provided with progress reports on the fund in order to lobby for their involvement (Rosen, pers. comm).

CIRPA newsletters reveal its members initial response to the fund. In July 1982, the organisation stated that they "have almost reached the 100 application mark and so far distributed \$132,400 for 13 projects on the basis of seven juries" (Canadian Independent Record Production Association 1982). In February/March 1983, "19 CIRPA members received FACTOR funding totalling \$180,000. It also specifies the

allocations, stating that the average contribution was \$6800, while 35% went to pop/rock, 29% to adult contemporary and 41 out of 50 approved projects came from Ontario" (Canadian Independent Record Production Association 1983). Furthermore, it states: "The test of FACTOR's impact on the broadcast industry has yet to be calculated. For the projects that have been completed and released, it is too early to tell what kind of response they have received from radio" (Canadian Independent Record Production Association 1983). This analysis was not conducted at first, so the contribution that the funding made to the creation of more music for private radio was assumed, rather than quantified.

While the establishment of FACTOR was intended to build as much publicity as possible to lobby for match funding from the state, its early intervention did not change the market share of domestic content. Canadian artists had enjoyed three of the top ten places on Canada's album charts on 10 April 1982, six of the top thirty qualified with MAPL (*Records, Promotion, Music* 1982). This is an improvement, but it must be taken in account under the circumstances at the time. After a decade of CANCON requirements, Canada's domestic music sector had grown substantially since the early 1970s. Of the three acts in the top ten, two were signed to major labels and both were coordinated through American offices, rather than Canadian. Therefore, analysing these chart placements under CANCON produces mixed results (*Records, Promotion, Music* 1982). While the quota may not have initiated a more diversified amount of Canadian content on the radio, its existence continued to support multinational investment in Canadian content, which increased overall production. If one analyses the single charts on the same date, 10 April 1982, the first Canadian listing is at number 22, with Aldo Nova on Epic Records. In this case, it was Epic's management team in the United States that signed and managed Aldo Nova (*Records, Promotion, Music* 1982).

However, 1982 was a successful year for Canadian artists, regardless of their business affiliations. According to *The FACTOR Story* (2007), a qualitative public relations document commissioned by the organisation and written by *Billboard* journalist Larry Leblanc, "1982 was co-incidentally the year an unprecedented number of Canadian pop artists jumped onto U.S. radio charts and radio play lists. 'Beaver takes a Bite out of Uncle Sam' read a headline in the *Toronto Star* [10 April 1982]" (Leblanc 2007). Seventeen Canadian acts made it onto *Billboard's* Top 200

album chart in the year, the most ever recorded at the time, including Rush, Loverboy, Saga, Aldo Nova, April Wine, Chilliwack, Triumph, Eddie Schwartz, and Bob and Doug McKenzie (Leblanc 2007).

This quote is revealing. Leblanc writes that the success of Canadian artists in 1982 was coincidental. On close reading, such coincidence can be questioned. Leblanc does not detail the management and label structures of the artists. As a result, this can be read as a cultural success – that more Canadians were in the charts – rather than an economic one, as deconstructing their business structures was not completed. In that year, six of the nine artists - Rush, Saga, April Wine, Chilliwack, Triumph and Bob and Doug McKenzie - were signed to Canadian independents and all, at one stage in their career, utilized early FACTOR support (Mair and Leblanc, pers. comm).<sup>14</sup> Therefore, this success reveals that this coincidence was guided by a more active, prosperous and strong independent sector. FACTOR, in 1982, contributed to that.

Another event occurred in 1982 in addition to the creation of FACTOR. This was the publication of the next national policy document to measure arts and cultural policy in Canada since *The Massey Commission*, titled *The Federal Cultural Policy Review* or *The Applebaum-Hébert Report*. This document revisited the question of furthering understanding of the concept of Canadian national identity. Taking up from the recommendations of *The Massey Commission*, *The Federal Cultural Policy Review* further expanded on how Canadian culture was to be approached by the state, in terms of representation, financial support and promotion. In addition, this was the first official government report to include the sound recording industry, providing a precursor to eventual government involvement in FACTOR in 1986.

### **Sound Recording Policy – The Applebaum-Hébert Report**

Like FACTOR, the development of *The Federal Culture Policy Review* began in a series of debates between the government and private businesses a few years previous. Between 1980 and 1982, the Canadian government had confronted a series of political challenges, including a failed secession referendum in Quebec by

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<sup>14</sup> This is corroborated by personal interviews (Mair and Leblanc, pers. comm), independent research and FACTOR's annual reports in 1983, 1984 and 1985.

the separatist Bloc Québécois government in 1980 and the formal independence from the United Kingdom via the Canadian Charter of Human Rights and Constitutions, signed into law by Trudeau in 1982. Trudeau, having lost the 1979 federal election to Conservative Joe Clark, tabled a non-confidence motion in 1980 that led to a snap election and his re-election for a third tenure until 1984. Upon winning re-election, his government continued his nationalistic stance by commissioning an extensive national cultural policy review, made up of eighteen commissioners and two co-chairs. This report, released in the same year that FACTOR was created, is an important policy document for Canada's popular music industries, as it was the first policy document to mention and qualify Canada's sound recording business. It also reaffirmed many of the initial recommendations suggested by Massey, furthering the concept of Canadian identity within policy.

Commissioned by the Department of Communications, *The Federal Cultural Policy Review* was chaired by classical composer, Stratford festival musical director and one-time CAPAC employee Louis Applebaum and writer Jacques Hébert. Known by the last names of the chairs, this report was the first cultural policy document commissioned since *The Massey Commission*, and its core findings represent a similar ideology to that expressed in 1951, including "protecting high art and articulating a cultural policy consistent with a highly centralized state" (Jackson and Davies 1983, 460). This focus is odd, as it did not align with the objectives of FACTOR, where popular music was prioritized over the once dominant, Massey-influenced focus on promotion Canadian culture and 'high art' as one and the same. According to Sut Jhally in *Art for Art's Sake*, "the report attempted to use the mediation of the market to resolve the problems of national expression by setting up the government in the role of regulator" (1983, 139). This regulation prioritized cultural expression deemed valuable to government at the time, which remained tied to *The Massey Commission's* recommendations. Promoting Canadian culture as 'high art' remained a priority for the state.

The report produced three publications: *Speaking of our Culture*, in 1981, *A Guide for Submissions; Summary of Briefs and Hearings*, and its final report in 1982, containing 101 recommendations (Berland 2011). While some of these recommendations were based on *The Lambert Report*, a previous document commissioned in 1979 that "proposed rationalizing fiscal and administrative

procedures of state" (Berland 2011), this was the first federal policy document that dedicated a section to the sound recording industry (Spalding 2008, 144). Dinah Hoyle, previously in charge of film certification for the Department of Communications and one of the first government representatives to work with Watt and CIRPA, wrote the sound recording section. The end recommendations concerning the sound recording industry were that Canada's music businesses required public support in order to meet the CANCON quota with products that were suitable for private radio and greater Canadian cultural output.

The report itself was contradictory and in the end, ineffectual for Canada's popular music industry. Despite three decades of interventionism that combined Canadian popular culture with national identity development, the report focused on the promotion of so-called 'high-art', similar to Massey, which differentiated from the activities of the music sector and CAB at the time. The impact of the report was not in its content, but in the contextual inclusion of sound recording. For the first time, it was a debatable and recognized sector in Canadian cultural policy.

Of the 300-page report, sound recording was given 14 pages. This is best examined by Wagman in his study on music video programming, where he argues, "to provide justification for additional support of the sound recording industry, the authors of *The Applebaum-Hébert Report* utilized a combination of imagery and rhetoric that closely aligned the sound recording industry with other cultural industry sectors that had garnered government support" (Wagman 2001, 44). Included in its recommendations, according to Berland, was "government assistance to Canadian-owned companies to distribute and market recordings of pop music and specialized materials recorded by Canadian artists" (Berland 2011), as well as subsidies to support "international marketing, specialist record production and support drawn from a levy on blank cassettes" (Berland 2011). In 1982, cassette duplication was seen to minimize copyright royalties due to composers. A levy on the producer of blank cassettes, returning to copyright holders, was posited as a compromise. The recommendations were not taken up when the report was published in 1982, and Earl Rosen, then Executive Director of CIRPA explains that what was written in the report was, in practice, not important. What was significant, according to Earl Rosen, was "the fact that sound recording, as an industry, was mentioned in a government document" (Rosen, pers. comm). Those working within the department

also saw this inclusion as a milestone. “The department took a risk,” adds Marla Waltman-Dashko. “We took these milestones very seriously” (pers. comm).

There is no documentation to show that *The Applebaum-Hébert Report* had any effect on FACTOR, either by influencing the broadcasters, CIRPA and its allies. Its publication in the same year as the creation of FACTOR was coincidental. The inclusion of the section on sound recording, however, was not. It detailed a growing relationship between the government and the industry, centred on a series of lobbying exercises by CIRPA to the Department of the Secretary of State (and later the Department of Communications) as well as Watt’s involvement as a paid government consultant. In effect, the report became a sort of public relations exercise for CIRPA, SOCAN and its members for defending the impact of their lobbying efforts.

However, the report was significant in reasserting the manner in which the state approached national identity formation. In its introduction, the report states: “We believe in particular that no cultural policies aimed at promoting contemporary creation can possibly succeed unless they are firmly rooted in a respect for our artistic and intellectual heritage” (Department of Communications 1982, 3). This artistic and intellectual heritage was heavily promoted in the report, despite never been singularly quantified. Instead, the report argued that while artistic activities must be separated from state involvement, the state has a responsibility to support this creation. “When we speak of the removal of political constraints,” the report states, “we mean that artistic activities must be sheltered as much as possible from the imperatives of government. This idea has clear implications for the effects of public policy on cultural life; above all, that policy should facilitate self-expression, rather than control or organize it” (Department of Communications 1982, 5). Therefore, being Canadian, in this sense, was defined through a reimagining of how one intervenes in the arts. State involvement was lobbied for, but not at the expense of leaving this cultural output free from definition.

The report continues; “however desirable it may be, state support of the arts can have a liberating effect on creative energies only if such support is allocated through arms-length mechanisms” (Department of Communications 1982, 7). This arms-length approach, such as FACTOR, would better support Canada’s national narrative

by enabling the production of more content. Yet, the report still promoted a top-down approach, where policy was used to encourage artistic expression, regardless how passive these policies were meant to be. If there were more support available, then more content would be created. However, it would be created because there's more support available, potentially leading to a reliance on funding.

The recommendations in the report to expand support mechanisms were not taken up by the state immediately, but they continued to influence departmental hearings, eventually leading to the Department of Communications becoming involved with FACTOR. Until then, FACTOR remained a private organization, reliant on broadcaster funds. As a result, another Canadian broadcaster, Standard Radio, decided to merge an initiative it had launched in 1965 called the Canadian Talent Library (CTL) in FACTOR. This set of circumstances that occurred between 1984 and 1986 changed FACTOR once more as it edged closer to signing an agreement with the state, ultimately becoming Canada's first public/private partnership to support content development.

### **Standard Broadcasting and the Canadian Talent Library**

Standard Radio's Canadian Talent Library is one of the least discussed, yet one of the most influential initiatives in the history of popular music funding. Its existence influenced not only FACTOR, but also the recommendations in *The Applebaum-Hébert Report* and conceptually, CANCON and the quota structure as a whole. In 1961 when the Board of Broadcast Governors (BBG) initially discussed regulating Canadian content on radio, one of the broadcasters interviewed was J. Lyman Potts, then programme manager for Montreal-based Standard Radio. According to his official biography on the CAB website, Potts

Convinced the Board of Broadcast Governors (BBG), which had taken over the regulation of programming from the CBC, that a station's support of Canadian talent should be assessed on the amount used in its programmes, and that money expended by a station to produce Canadian music programming, whether, live or recorded, should be credited by the BBG in analysing a station's performance. He told the Board that the future of Canadian content was dependent on a large and continuing supply of records by Canadian artists (of which there were few), and that radio station owners, themselves, would have to take the initiative to fund their

making (McCreath 1996).

Potts' early initiatives, ones that predate CANCON, altered the manner in which Canadian content was programmed on commercial radio. To support his programming, Potts contracted Canadian musicians to record material to broadcast on his stations. Originally aired in Montreal and Toronto, these compositions were amalgamated into a format called the Canadian Talent Library, and by 1962, a structure to market and distribute Canadian talent was created, as Standard Radio licensed this material through a subscription fee, which was cost dependent on the size of the station that was requesting the music. While CIRPA rallied against CHUM in 1971, they did not bother with CTL, as the music was not in direct competition with Canada's independent recording sector at the time. This is due to the genres that CTL operated within, compared to the majority of CIRPA members. While CIRPA members traded in rock, pop and alternative, music that was classified as 'new' at the time, CTL focused on easy listening and adult contemporary, attracting a different listenership. Much of the material was comprised of cover versions of foreign-owned material, but Canadian musicians were hired to perform the tracks. According to CAB in describing his actions, Potts' "set-up CTL as a non-profit trust, inviting any and all stations to join with them in expanding CTL as a service to the industry" (McCreath 1996), and "by 1965, CTL had invested \$200,000 alone in developing new Canadian records" (Morgan 1965).

In June 2013, Potts, then 97, gave an interview to the *CBC*, who credited him as "leading the way to have more Canadian music on the radio" (Wilson 2013). In August 2013, Joan Little of *The Hamilton Spectator* chronicled Potts. In developing CTL, he remarked; "Remember, those were the days of "live" programming — no tapes or CDs. They played hardly any Canadian records because there were so few. He explained that an organist, for example, might charge \$25 for a half-hour. CBC could pay that because it had a network. If 25 stations were on that network, it cost a dollar per station, but private broadcasters were cash-strapped to pay a live entertainer for a single show" (Little 2013). In 1963, they produced 10 master recordings, prompting involvement from RCA Records, who offered basic distribution for the produced albums (Little 2013 and Murray 2003). In the end, 268 records were produced in total.

Potts' initiative was the first of its kind to support Canadian content on private radio. Pierre Juneau cites CTL as an early advocate of Canadian talent, an initiative he noticed when sitting on the BBG. Furthermore, Canadian broadcaster Dave LeBlanc in the *Toronto Star* argues "musicians and music fans of all tastes owe a debt to J. Lyman Potts and his Canadian Talent Library" as it was "the single most important vehicle for Canadian music production ever created" (Leblanc 2008). Potts' initiative, ten years before CANCON, is significant. However, such commendation reveals only one opinion that can be inferred from this complex intervention. While CTL did support Canadian content creators, the manner in which this support was coordinated posed challenges and engendered criticism, leading to its eventual demise and folding into FACTOR. This reveals not only an admiration to support local content creators, but also one structured as for-profit initiative. Standard Radio developed the system to profit off of its content. Its cultural value increased if Standard Radio's other stations' licensed the material.

In the mid 1960s, CTL provided a consistent pool of Canadian recorded music to draw on, but the music was not Canadian as it is defined by CANCON now, as the MAPL definitions did not exist at the time. Instead, the content was deemed Canadian by Standard Radio themselves, often as a result of Canadian musicians performing on the tracks. Most content, including tracks from Moe Kaufman and Peter Appleyard (Little 2013) were cover versions, rather than Canadian compositions. Instead of utilizing Canadian composers, those who would have benefitted from copyright royalties of their tracks, CTL hired musicians for a flat fee to record the tracks, paying each for their services but offering no royalties, as Canada did not have a neighbouring rights collective at the time. Furthermore, RCA published the compositions, benefitting from the royalties (Leblanc, pers. comm). However, no data is available to cross-reference such publishing income. Despite RCA's involvement, the commerciality of CTL records proved inconclusive. Only one CTL produced album, Hagood Hardy's album *Homecoming*, was certified gold (Little 2013) and overall, CTL was "not concerned with forming a basis of recorded music for consumers" (Sutherland 2008, 113).

After the commercial radio review in 1975, regulations concerning FM were loosened, allowing more broadcasters to switch to rock, pop and alternative formats that had a larger listener base. As a result, the commercial value of the content produced by

CTL and its ability to license to other stations depreciated. In the mid-1960s, most radio formats aired 'easy listening' content, providing a host of broadcasting options for the music created by CTL. As heavier rock and disco gained popularity throughout the 1970s, much of the music created by CTL was made redundant and non-suitable for new FM station formats.

With its waning influence in the late 1970s, the license fee system grew more expensive, as less content was introduced to support its business needs. In the end, Standard Radio was sold, renamed Standard Broadcasting and its chair, Gary Slaight merged its catalogue and administration with FACTOR in 1985 on the advice of then FACTOR chairman Roman among others. As Earl Rosen, then Executive Director of FACTOR, describes, "CTL was both a negative and a positive influence on us at the time. It was founded by one radio company and focused on one specific genre of music - easy listening. We were ambivalent as far as I can recall, as there wasn't a lot of retail sales in that area to begin with so we did not care" (Rosen, pers. comm). CTL's merging with FACTOR, however, was good business, according to Rosen. FACTOR lobbied Standard Broadcasting and Slaight to administer the fund, as it would have significantly increased its budget. The amount collected, as part of the license fees, was combined with FACTOR's annual revenues, with a certain percentage allocated to the production of records classified as 'easy listening'. This, to FACTOR, expanded their ability to support their applicants. "We sort of wore Gary down", explains Roman. In 1985, the merger accounted for an increase of \$224,304 in FACTOR's loan programmes (FACTOR/CTL 1987). As a result, between 1985 and 1987, FACTOR officially changed its name to FACTOR/CTL.

There were other industry voices that did not view CTL positively. Some questioned its motives, especially after the introduction of CANCON. "When CTL came along, they were releasing music because they had to", argues *Billboard* contributor Leblanc (pers. comm). "To be honest, CTL was a giant slush fund for Lyman and his friends and cohorts. There were not five of the recordings you would want to own that they did" (Leblanc, pers. comm). This comment, however impassioned, reveals the conflicting objectives CTL satisfied at the time. If one approaches their activities from a cultural standpoint, one similar to the wording in *The Broadcasting Act* of 1968, the perceived quality of the content may not be seen to enrich and promote Canadian content development. In addition, the content was produced for a profit

and the artists, while paid for their contributions, were not given royalties. Standard Radio was able to supply their stations with content deemed suitable to them at the time, but as this content lost popularity, its perceived value within CANCON waned. However, the initiative pre-dated and influenced CANCON and when merged into FACTOR, provided \$100,000 more to the organization's budget. As Leblanc argues, radio changed, and CTL did not. However, the content that was produced featured Canadian performers, providing a precursor and case study to the development of CANCON in 1971. What was left, when CTL stopped trading, was a substantial pool of money for FACTOR and the inclusion of another broadcaster in FACTOR's investment portfolio, Standard Broadcasting.

### **The Founding of Musicaction**

FACTOR continued to send progress reports to the Department of Communications to summarize its activities. One requirement to lobby the state into investing was that FACTOR must also support French-language Canadian content. At the time, FACTOR only supported English language content, ultimately breaching Canada's official language minority legislation, in which each policy needed to be bilingual. In 1985, on the recommendation of *The Applebaum-Hébert Report* and later working committee documents, the Department of Communications established a Music Action Group. The committee argued that if FACTOR were to receive government funding, it would require a French language equivalent. Coincidentally, both Roman and Rosen began traveling to Montreal, meeting members of the French language CIRPA equivalent Association Québécoise de l'industrie du disque, du spectacle et de la vidéo (ADISQ) and Francophone broadcasters, including Malcolm Scott of CKOI in Montreal (Spalding 2008, 149). While there had been access to low interest financing and tax rebates for cultural industries production companies in Quebec from the early 1980s (Sutherland 2008, 196),<sup>15</sup> no FACTOR-type programme existed at the time that specifically administered support for music makers and businesses. The conclusion of the Music Action Group was that the broadcasters and music businesses establish a Francophone FACTOR, administered in Montreal and funded by French-language broadcasters. This would then lead, as CIRPA and ADISQ argued, to the state matching the investment. "One of the things we realised early

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<sup>15</sup> These programs are discussed in chapter 5.

was that FACTOR was exclusively Anglophone”, adds Rosen, “so a number of us went down and met with ADISQ in 1984-5. A number of broadcasters including Duff joined me. We hoped it would be just a national programme called FACTOR but it didn’t end up that way. We did provide funding to set up there, such as to hire lawyers and pay staff for the first year” (Rosen, pers. comm).

In 1985, Musicaction, the French equivalent to FACTOR, was formed. CHUM funded the first two years, with FACTOR providing administrative support from Toronto. From the beginning, Musicaction was administered independently for Francophone acts, both from Quebec and other provinces. In 1985, Musicaction was part-funded by FACTOR and created through its influence, both from CIRPA and the broadcasters. \$26,527 was distributed by FACTOR to Musicaction in 1986 (FACTOR 1987). By assisting a French-language counterpart, FACTOR had satisfied one integral requirement to convince the state to support its programmes, ensuring that funding was available to both English and French artists and businesses. In addition, when dealing with the government, the two organisations established a holding company, FMC Canada (FACTOR/Musicaction).

### **The Creation of Other Programs at FACTOR**

Alongside the creation of Musicaction, the incorporation of support via CTL substantially increased the amount of support available to FACTOR to distribute. In the fiscal year ending in mid-1983, FACTOR distributed \$327,000 (Canadian Independent Record Production Association 1983), jumping to \$604,330 in 1986 (FACTOR 1987). Its 1986-1987 annual report presents the loan structures available at the time. These include the FACTOR Loan Programme, evaluated by a jury and capped at \$60,000, \$35,000 more than the original total in 1982 (FACTOR 1987). In addition, a Direct Board Approval (DBA) scheme was implemented in 1985-1986, enabling labels with notable track records and sales histories to apply directly to the board of directors, skipping the juried process and associated paperwork. With DBA, FACTOR created a new evaluative process, one less rigorous than its juried processes. Rosen, who left CIRPA directorship before the implementation of DBA explains the rationale at the time:

DBA was a very simple concept. The jury system was working well but it was hugely

time consuming and labour intensive. We wanted to not second-guess record labels so we decided that if they have a reasonable track record, we could bypass the A&R side of juries and allow them funding based on their history. At the time the funding was the same as everyone else's, so all we did was simplify the availability (Rosen, pers. comm).

DBA remains within FACTOR today, although the program titled DBA was abolished in 2013 and replaced with a similar 'track record' type of program called Comprehensive.<sup>16</sup> Its existence created controversy and contention, due to the manner in which it has been enhanced, and in select cases, exploited. Some labels produce hits one year and failures the next, so many have argued that each project be juried independently, or labels be assessed for the program each fiscal year. Gary Muth, the executive director of FACTOR in 1984-85, disagreed with the DBA implementation at FACTOR in 1985. He and others saw the loan structure as a way for CIRPA members, the labels with noticeable track records, to siphon off more funding for themselves. While label owners controlled half the board of directors at first, it was these members who submitted most DBA applications, prompting calls that DBA created a conflict of interest. Muth, then a concert promoter, saw DBA as "a good idea in theory, but one that could be co-opted unnecessarily. I didn't want to have any part in it" (Muth pers. comm). In the first instance, the amount of support that one could apply directly to the board of directors was similar to that of a juried loan. Both offered 50% of support, with loans recouped on a percentage of sales and the outstanding amount written off after two years. But this process provided easier access to FACTOR funding, proving contentious, particularly as FACTOR's budget increased.

FACTOR also operated a radio syndication programme, making up to \$25,000 available for the production of a programme series, \$5,000 for a single feature and \$2,000 for a pilot (FACTOR 1987), while offering 25% or up to \$25,000 of recoupable expenses for international touring, when the act was touring in support of a new album. In 1986, only one tour was supported, as the structure was created within the fiscal year, The Mercy Brothers tour of the Netherlands, which received \$1,438 (FACTOR 1987). This was to increase as FACTOR developed more

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<sup>16</sup> DBA was abolished on 1 April 2013, replaced by a program titled 'Comprehensive' with similar guidelines.

substantive international and later, domestic touring programs.

### **The Introduction of VideoFACT – More State Funding in Canada**

In addition to FACTOR and its set of programs, one other funding administration was established in the mid-1980s. Titled VideoFACT, this initiative was set-up in 1985, separate to FACTOR, Musicaction and its negotiations at the time with the Department of Communications. It provided funding for Canadian music video production. Like the inception of FACTOR, VideoFACT is a direct result of CANCON requirements, but this time in relation to the licensing of Canadian television frequencies.

While MTV was first broadcast in America in 1981, CRTC did not grant a license to a Canadian company to set up an equivalent until 1984, when CHUM won the license to establish a station called MuchMusic. This process lasted four years, culminating in a series of applications, committee hearings and reports. One challenge to CHUM was its ability to compete with MTV, which was prevalent in Canada. There were fewer Canadian videos at the time compared to ones by American and British artists, prompting CHUM to argue that CANCON should be minimised in their programming. Producing music videos was a required promotional activity at the time, but the cost to do so professionally was extensive. "Videos became a required fact for any act that had the chance for mainstream success, and this came out of marketing budgets," remarks Al Mair (pers. comm). In 1984, there were only 100 high-quality Canadian music videos in circulation, according to then Vice President of Promotions at A&M, Larry Chappell (Wagman 2001, 55). Rosen argued, in a CRTC hearing that "without videos, we (Canadian independent labels) are precluded from international markets" and "no record company, major or independent, can afford to invest in music videos in Canada" (Wagman 2001, 54).

Wagman, in "Rock The Nation: MuchMusic, Cultural Policy and the Development of English Canadian Music Video Programming - 1979-1984", presents a thorough history of MuchMusic's inception and these debates in CRTC committee hearings. Citing a series statements from Rosen, Chappell and Brian Robertson, then head of CRIA (Canadian Recording Industry Association and representatives of the major labels in Canada), the industry was in favour of a music video station, but only one

that would support Canadian promotional material under a CANCON-style quota. Alongside the independent labels, Canadian-operated major branch offices supported a quota for MuchMusic, as it provided more opportunities to sign domestic content, rather than having it controlled by their foreign parent companies. MTV only aired content from Canadian acts with international commercial appeal, and it operated freely, with no quota requirements as a foreign import. Wagman states:

The "social" elements of the Canadian cultural system were almost completely marginalized by the Department of Communication's position, which held that the role of cultural policy was for the development of cultural industries. This transformation would have major ramifications, affecting the ways government was to conceive of and administer to the cultural sector in the years that followed. As a result of the particular orientation expressed by *The Applebaum-Hébert Report*, the CHUM/Citytv application was now the only serious contender for the national music video license, as it possessed the marketing prowess, commitment to Canadian music promotion, and solid fiscal footing needed to placate the various interested parties that stood to benefit from MuchMusic's influential national reach (2001, 58).

Wagman argues that the Department of Communications' focus was on the development of Canada's cultural businesses, and that cultural policy, in this case, would be best implemented with clear economic benefits. The cultural imperatives in the debate, that Canadians have access to a certain percentage of Canadian video content on television, was coerced to collude with market economics, arguing CHUM and Canada's content creators would profit from such a station's existence. As a result, the development of the station, according to Wagman, became more important than regulating the content that was going to be aired on it. Yet, the CRTC's position differed from the Department of Communications, requiring that Canadian content be actively supported in station programming, similar to pre-existing television and radio quotas. While CHUM was one of 41 companies competing for the initial license, it convinced the CRTC that the programming would best support Canadian content. When the license for MuchMusic was approved, the CRTC required 10% of all content to be Canadian, increasing to 20% three years later (Wagman 2001, 57). This percentage was raised under the presumption that more videos would be produced in three years' time, as long as Canadians were provided with the means and support to do so. This expectation was supported with a mandatory 'promise of performance clause', the first for the CRTC, where "2.4% of

its gross revenues (to a minimum of \$100,000) would be allocated to a video-production fund administered by an independent advisory board composed of representatives from MuchMusic, CIRPA and other members of the Canadian music industries" (Wagman 2001, 57).

FACTOR, at the time, had its own video production programme, and CHUM's head Moses Znaimer did not want this new support to be combined with pre-existing programmes. As a result, in 1984, the contribution was allocated to create a new organisation, led by CIRPA executive Bernie Finklestein. "We wanted a completely independent organization that would have only one responsibility and that was to fund videos only", states Finklestein (pers. comm). This established the first national grant structure outside of FACTOR's control. In its first year it was administered by CIRPA before moving into its own offices and hiring its own administration. This was enhanced in 1986 when MuchMusic's French language equivalent, Musique Plus was created, providing funding for French language videos.

The decision to administer the fund independently as VideoFACT highlights the complexities impacting FACTOR at the time. Similar to the way that CRTC mandated content development money, CHUM was allowed to disperse its funding how it saw appropriate, which was outside of FACTOR's control. This introduced a level of competition to fund what was one of the more expensive investments, the promotional music video. Structuring a separate music video funding program was mainly a time sensitive concern for the sector. In the late 1980s, music videos were a core publicity vehicle for emerging talent, but remained prohibitively expensive to produce for most. However, the inception of VideoFACT raises further questions that were not answered at the time, despite the consistent growth of total funding available. The quota was set at 10% and initially, the station only aired six hours of independent content a day, raising to 20% by 1989 (Worsfold 2007). But MuchMusic's importance at the time, and the introduction of VideoFACT added another structure of funding in Canada. This would further develop alongside FACTOR, as FACTOR moved closer to establishing a new organization with the state, combining public and private support.

### **Assessing FACTOR's First Five Years**

By the end of 1986, FACTOR and Musicaction did not receive state support. The following year, however, under a Conservative administration, this was to change. The impact of a decade of lobbying had initiated a review within the Department of Communications, leading the ministry to begin to design a programme to support FACTOR. Before this is discussed, it is best to analyse the first few years of FACTOR and its impact on the music producers and broadcasters. FACTOR, as a standalone organisation, is a solution to a number of different problems perceived to exist by Canada's music businesses and broadcasters. These include addressing a lack of domestic competitiveness in chart placement and radio play, a perceived devaluing of Canadian content en-masse and a need to satisfy a quota that is framed on the protection and promotion of Canada's cultural identity. How such challenges were addressed is revealing and can help further examine the first five years of FACTOR and its role in the history of popular music funding in Canada.

While FACTOR provided a new model to assess the impact of broadcaster support, its early results were inconclusive. It remained a support structure limited to independent companies, multinational outfits retained a significant share of the domestic market, both in their signing of Canadian content and the releasing of foreign acts. As it was not yet reliant on satisfying any government mandates, its business-focused approach prioritized economic support over a need to diversify and support a wider range of Canadian content. However, its existence is a by-product of CANCON regulations. Therefore, the more Canadian content that succeeded in the market, the more beneficial FACTOR was. However, 14 foreign owned companies operated in Canada in the late 1980s, controlling 43% of all Canadian-content sales by 1991 (Cliche 2006). The support did not minimise the independents' reliance on multinational distribution chains, nor was there any report commissioned to quantify if the funding that was provided was benefitting radio playlists, which is questionable given the centrality of radio in establishing FACTOR. Larry Leblanc, the author of the only published history of FACTOR and the writer critical of CTL, sees the challenges at the time to be tied up with the perceived expectations of the alignment of FACTOR and CANCON, even if their mandates were separate. "FACTOR started by providing a need for radio. This was a need to get more recordings. Everybody thought that with CANCON coming in 1971, there would be this big boom, but there wasn't. There wasn't an industry here and radio was giving lip service to most Canadian music" (Leblanc, pers. comm). Muth agrees:

"I knew a lot of radio people and I remember when CANCON first came along. When stations had a top 30 they would literally play 30 records. These would be 22 hits and 8 stiffs, and the stiffs were the CANCON, the 30%" (Muth pers. comm). "CANCON certainly created opportunities, but it is a double edged sword," adds Leblanc. "It picks winners and it picks losers" (Leblanc pers. comm).

The production of more music in Canada, by 1982, did not increase Canada's independent music sector's market share. Therefore, FACTOR was set up to address this lack of competitiveness, particularly on radio. FACTOR, according to Spalding in his study of the fund's first five years, "had to consider the economic repercussions of its decisions" (Spalding 2008, 151-152). However, the regulations that led to FACTOR were initiated for cultural reasons. CANCON, a nationalistic tool to develop content to foster a national narrative, is what led to initiation of FACTOR. Without a quota to uphold, the importance of Canadian content on Canada's radio stations would be different. However, FACTOR, in its support of musicians, is not associated with these concepts of nationalism. It is focused on supporting Canadian artists to provide greater access to opportunities for their business to develop. FACTOR, in its mandate, was an organization supporting potentially successful talent. This was reflected by the sector's complex relationship with multinationals and their investments in the sector. As a result, a number of frameworks evolved together, creating an organization that was faced with a number of disparate objectives, including a need to support a collective set of characteristics defined as Canadian; the developing of commercially successful talent and providing suitable content for radio. This was to be further complex when the Department of Communications opted to initiate a new organization with FACTOR and Musicaction, titled FACTOR Musicaction Canada. Popular music, from then on in, was to be funded by the state.

### **A Public/Private Partnership Born: FACTOR and the Federal Government**

The partnership between the federal government and FACTOR began under Brian Mulroney's Conservative government in 1984. The party's early mandate was to reduce the size of government employees through spending cuts and devolution of public services. Marcel Masse, then minister of communications, wanted to shrink government involvement in private matters, valuing "reduced public spending, expanded private development and a greater role for provincial governments and

agencies” (Spalding 2008, 150). This view is different to that of the recommendations in *The Applebaum-Hébert Report*, in its section on sound recording, but what emerged from Masse’s policies was consistent with the cultural interventionism of the report. FACTOR, as a private enterprise, was seen as desirable to the state, as little internal administration would be needed, in essence, to monitor its investment. This would all be done by FACTOR. In actuality, the introduction of federal funding into the popular music sector was as nationalistic and collectivising as the recommendations of the report, two years before. However, it emerged through an era of uncertainty for the cultural industries. One of the first policies Masse announced was a substantial cutting of CBC’s budget, ultimately worrying music trade associations like CIRPA and ADISQ. As a result, the sector increased its lobbying efforts, resulting in a cross-sector study by a new committee called Music Working Group, titled “a Discussion Paper on the Initiatives for the Radio and Sound Recording Industries” at the end of 1984 (Sutherland 2008, 198), which was different to the earlier Music Action Group. The paper reaffirmed and argued for an increased interventionist structure, stating that the “attainment of Canadian content requirements is directly tied to the availability of sufficient quantities of Canadian recordings” (Sutherland 2008, 198). Eleven recommendations in the working paper were relevant to the sound recording industry, and five were previously mentioned in *The Applebaum-Hébert Report*. These included support for recordings, international business missions and sector development associations, including CIRPA and ADISQ (Sutherland 2008, 199). There was no budget provided to assess or argue for these proposals. After the publishing of the discussion paper, the Music Working Group dissolved, but the conversations between the department and the sector remained active.

By 1986, CIRPA had been lobbying the federal government for nearly a decade and what had emerged was a privately funded initiative to fund Canadian content. The federal government, aside from money for the Canada Council for the Arts or occasional events such as The Maple Music Junket, had yet to financially support the sound recording industry. Moreover, a series of CANCON initiatives administered by the CRTC convinced some industry representatives that any state funding would therefore allow broadcasters to minimise their commitment to comply with CANCON regulations. As a result, not all labels were in favour of the support, as it was thought it would be used to limit CANCON, not support it. CAB members

consistently challenged the CRTC to reduce CANCON, and as a compromise, one theory posed in committee hearings was an increase in private funding should be coupled with a reduced CANCON requirement. CFNY in Toronto and CHUM in Windsor, along with a few other border stations successfully lobbied to have their CANCON requirements reduced, prompting fears in the music sector that any funding increase would decimate CANCON (Sutherland 2008, 205). Both stations, as a compromise to a lessening of their quota requirements, increased their contributions to FACTOR/CTL and were treated favourably by the CRTC, a decision CIRPA argued against. Both “made its FACTOR/CTL contributions part of its promise of performance, allowing CHUM’s Windsor station to use the same rationale in lowering its Canadian content, resulting in a situation where the foundation, rather than strengthening Canadian content, was undermining the policy” (Sutherland 2008, 197). FACTOR became further entangled in CANCON via license renewal hearings, as support for it was used as a bargaining tool to reduce CANCON, an argument that held sway within the CRTC for stations with high American competition, such as in Toronto or Windsor. In 1985, the CRTC allowed three stations to lower their CANCON quota from 30% to 25%, angering the sound recording sector and publishing representatives (Sutherland 2008, 146). It was decided “in all cases the CRTC agreed with the applicants in their assertions that they had difficulty in finding sufficient Canadian material in their formats” (Sutherland 2008, 147). This prompted CIRPA to appeal these decisions to the federal cabinet. CIRPA lost the appeal, increasing the disagreements and challenges faced by the CRTC at the time. While both sides supported FACTOR/CTL and its set of programmes, they did so from contrasting motives. Muth states; “you have to look at what everybody wanted from FACTOR at the time. The broadcasters and CIRPA formed FACTOR/CTL but had very different reasons for doing so. CIRPA wanted money for their projects and the broadcasters looked at it as a license fee. It was basically to fulfil their promise of performance and to me, was essentially a tax” (Muth, pers. comm).

Negotiations went back and forth between Masse, FACTOR/CTL, CIRPA, SOCAN, CRIA and the broadcasters, leading in early 1985 to an agreement that the Department of Communications would deliver \$5 million per year in support, split 60/40 between FACTOR/CTL and Musicaction, with the funding renewable for five years, totalling \$25 million. This support began a new era in Canada, where the state directly funded the production and marketing of popular music. While CIRPA

argued for an investment of \$7.5 million per year, they accepted the compromise (Rosen, pers. comm). The funding was split as follows:

Record Production	\$2,600,000
Radio Syndication Programming	\$200,000
Music Video Production	\$500,000
Foreign Tour Support	\$450,000
Foreign Marketing Support	\$350,000
Business Development	\$500,000
Classical Music Production and Distribution	\$400,000
<b>TOTAL \$5,000,000</b>	

(Sutherland 2008, 206).

No funding was allocated to domestic touring and marketing, while 8% of the budget, \$400,000 was provided to classical music production. More than half the fund was allocated to sound recordings, a direct influence of CANCON requirements. The categories of support were contradictory. In one case, the support followed traditional models of Canadian cultural policy, from Vincent Massey to Louis Applebaum and Jacques Hébert through the support of classical music. On the other hand, international marketing and touring was favoured over domestic market expansion, focusing state policy, for the first time in the music sector, on export.

While the agreement was signed in late 1985, Flora McDonald, the new communications minister, announced the fund quietly on 9 April 1986. At the time, according to Billboard, the department wanted to keep the announcement quiet, as "some executives had objections to conditions attached to the dispersal" of the funds (LaPointe 1986b). While Rosen was quoted as being "very, very happy" (LaPointe 1986d), CHUM, the broadcaster that administered the VideoFACT program, had yet to agree to administer the "Music Video Production" money, leading to confusion as to which administration would be responsible for SRDP distribution (LaPointe 1986d). This allocation ended up with FACTOR.

Canada's independent labels overwhelmingly welcomed the support. However, little explanation was given to if and how the fund would affect CANCON, license renewals and debates concerning increasing or decreasing the quota. Only in December 1986 were all the rules announced through an information guide published by the

department. Some of the rules were economically focused, like FACTOR. For international marketing, record companies must be in existence for two years and have produced three albums, while publishers must own twenty-five copyrights. Managers, for example, must represent two acts full-time to qualify (LaPointe 1986b). The contribution agreement stated that it aimed for:

- i. The improvement of Canadians' access to sound recordings with Canadian content and the influence of Canadian artists and musical products abroad through increased availability, quality, and distribution of sound recordings with Canadian content in Canada and abroad; and
- ii. The development and strengthening of the Canadian sound recording industry. (Spalding 2008, 151).

In its first year, a total of \$1,649,999 was allocated to FACTOR (FACTOR 1987). Sound recording was posited as the most important sector to fund. The other sectors – live, publishing, video production, merchandising – were not directly represented in SRDP, as the fund focused on the production of sound recordings, products that can be archived and validated as satisfying Canada's content regulations. There were few economic objectives listed. This was left to FACTOR to administer, if it deemed such objectives suitable.

By 1987, a number of structures that remain in place today had been created. The first and most important is FACTOR, not only as a public/private partnership but also as the de-facto administrative agent for federal money in Canada for popular music. While still relatively unknown in Canada as a whole, FACTOR had become one of the organisations at the heart of the Canada's domestic music industry, with most nationally and internationally successful acts benefiting from it, both before government involvement and after. Also, the government required all recipients to put the FACTOR and Government of Canada logo on supported sound recordings, ultimately solidifying the partnership to support bands. Before the government's contribution, FACTOR/CTL did not allow acts to put its logo on sound recordings, to try and distance its support from those that acquired it. Now, all support was publicised, as per the government's request, to promote the creation of Canadian content and its development and to promote the government's involvement in the scheme. At the same time, CANCON requirements continued to be challenged by the broadcasters, as their main problem – not enough Canadian talent to air on

private radio – had not changed in their eyes. The funding structures had enlarged and now the state was directly involved, but the core challenges that began in the 1960s remained untouched in the late 1980s.

## **Conclusion**

The history of popular music funding in Canada had changed markedly by the end of the 1980s. In less than a decade, FACTOR was an established, growing administration to fund music makers and labels, the state contributed \$5m per year to a variety of sound recording-influenced initiatives and Canada had a dedicated support structure to fund music videos. In addition, each structure was replicated in Quebec, creating a bilingual, dualistic structure to satisfy language and diversity laws.

However, no conclusive analysis had been produced to measure FACTOR's first five years, nor the impact of these structures, both independently and collectively, on their applicants. The sector continued to develop, with healthier sales figures being reported through Statistics Canada. The total "sales value of sound recordings in Canada increased from \$222m in 1982 to \$531m in 1991-1992" (Cliche 2006). However, when one deconstructs this data, the combined impact on Canadian companies and copyright holders is inconclusive. Most of this increase is attributed to foreign-operated major labels and their distribution of both Canadian and foreign content. Over four-fifths of all sales in 1989 were through multinational outfits and less than half of all Canadian content was sold through a foreign multinational (Cliché 2005). The total value of Canadian content, both culturally and economically, had increased. More Canadian music was being played on the radio and purchased from retail outlets, regardless of the outfit behind its release. Yet, such arguments, one posited by the sector associations, focused on qualitative assessments or uncorroborated statistics, not once referring to the regulations of *The Broadcasting Act* and its role in this development. The consumption of Canadian music and its role in the promotion of Canadian national characteristics was separated from the debates within the sound recording sector, as no matter how the music was brought to market, its cultural value was deemed to satisfy requirements, even if no Canadian company was behind the marketing of the artist. This was to become further complicated as FACTOR, now a public/private partnership, included both broadcaster and state guidelines in its mandate.

Furthermore, while policymakers continued to encourage Canada's sound recording businesses to produce more content, the broadcasters remained consistent in their belief that there was little demand for the content, so inserting it into their business models would adversely affect their bottom line. In 1984, for example, CAB noted that 40% of its member stations lost money and half of radio operators were "in the red" (LaPointe 1985). CAB members had successfully lobbied the CRTC to reduce their requirements in border stations, prompting *Billboard* to write, in the mid-1980s, that "the issue of Canadian content still seems out-of-reach in the new era of looser regulations" (LaPointe 1985). As a result, most of FACTOR's early programmes had little to do with CANCON, other than qualifying under MAPL as one of the application criteria.

By the end of the 1980s, FACTOR and Musicaction were part state, part private sector supported administrations, allocating ten times more support than they did when they were first created. SRDP, installed for five years was due for its initial assessment as renewal proceedings began in 1990. At the same time, Canada's music sector continued to evolve, in line with its international contemporaries as access to new technologies and distribution structures improved. The perceived and actual value of Canadian music remained inconclusive, with a different justification being argued depending on those asked. The formation of Canadian national identity characteristics and the development of nationalism continued to influence the manner in which popular music was supported by the state, but little analysis was conducted to measure and assess such impact. By the end of 1980s, a set of structures were in place that were to expand substantially, for a number of different reasons, as the sector continued to develop into the 1990s. In addition, Canada held another election in 1993, one that would alter the relationship between the state and the creative industries as a whole. This would lead to more support for content creators, through SRDP, FACTOR and other initiatives. The following chapter will chart these regulations, funding structures and implications of both federal and private decision making in the 1990s, leading to the conclusion of SRDP in 1999 and the creation of a new more expansive set of federal programs to support the popular music industries from 2000 onwards.

## **Chapter 3**

### **1990s – The Years of Plenty**

#### **Introduction**

This chapter examines the history of popular music funding from the late 1980s, beginning after the introduction of the Sound Recording Development Program (SRDP), to its eventual conclusion in 2000. A number of changes and advancements occurred throughout the administration of SRDP. This includes a change in government in 1993 returning the Liberals to power, a result that ended in a substantial increase in public funding for Canada's creative industries. These changes began in 1994 with the establishing of the Department of Canadian Heritage (PCH), a new ministry set-up to replace the Department of Communications. The name of the new department evolved the state's nationalist narrative, asserting an argument that there was a heritage to govern and protect. In its first years, cultural funding was audited and increased, leading to a doubling of support available through SRDP and ultimately, FACTOR and Musicaction. Alongside, the next commercial radio review began its committee hearings, leading to an extensive commission report in 1998. The guidelines introduced by the review would significantly impact the music and broadcasting sectors, introducing further financial support for music businesses alongside new regulations to mandate Canadian content. This chapter will conclude with the dissolving of SRDP in 1999, leading to the introduction of a new cultural industries fund titled *Tomorrow Starts Today*, one that included a set of programs for music titled the Canada Music Fund. These advancements would further impact the development of popular music funding as a tool to promote a national narrative, as funding and policy was enhanced to satisfy the wording in *The Broadcasting Act*, which was ratified once more in 1991.

While a number of state-specific initiatives began in the 1990s that influenced the history of popular music funding in Canada, the music sector was equally influenced by the global music market, which was enjoying record profits in the early-to-mid 1990s. "Between 1986 and 1996, retail sales value in current prices rose at a compound rate of just over 10 per cent per annum, or around 7 per cent per annum in real terms" (Throsby 2002, 3). This influenced the activities of multinationals in Canada, both through their American outfits and Canadian branch offices, resulting

in these administrations signing a number of Canadian artists, including Our Lady Peace, Barenaked Ladies and Shania Twain. Such growth slowed in the late 1990s, as the arrival of illegal downloading impacted Canada, a trend that was not thoroughly measured at the time by the sector or Canada's policymakers.

While the state increased cultural funding, even renaming the department responsible with the term 'heritage', to denote that there is one to defend and support, the music sector remained tied to multinationals, with significant investments made to support CANCON by multinational outfits. This supported a number of objectives, but did so in a complex manner. With more Canadian artists achieving national and international acclaim through the support of major labels, both American run and Canadian managed, a set of national characteristics developed to define Canada's popular music output, but it was mediated through sales and economic success. The percentage of CANCON on radio remained stationary until 1998, increasing after the review announced its findings. However, this rise was completed as a compromise with the music sector, which permitted broadcasters to consolidate ownership across Canada, a trait that would significantly impact opportunities for a diverse array of Canadian content on commercial radio. By 2000, the relationship between Canada's popular music sector and Canadian content regulations, in terms of how one supports the other, had changed. This impacted the narrative surrounding Canadian identity formation, and how popular music culture fitted in to the construction of Canadian national identity. In the end, more money became available for Canadian musicians and labels, a trait that was to increase in the new millennium, but this came with complications, ones that began surfacing in the early-to-mid 1990s. This will be analysed chronologically by deconstructing SRDP, FACTOR's growth through the period and the changing policies of the state, leading to the commercial radio review in 1998, the conclusion of SRDP and the introduction of new cultural policies, titled *Tomorrow Starts Today* and the Canada Music Fund.

### **The State, CRTC, FACTOR and Early Complications**

In 1991, a number of changes occurred with both SRDP and the CRTC. For the first time, SRDP was up for renewal through the Department of Communications. At the same time, the CRTC coordinated its radio review, leading to the publishing of a new

commission document, titled *An FM Policy for the Nineties*. This document required all stations operating in FM in English Canada to adhere to the 30% quota requirement, which was previously malleable in certain circumstances (Goff 2007, 71). These are:

Group I (Softer music, ranging from instrumental to middle-of-the-road and soft rock) — 20% Canadian content when more vocal than instrumental music was played, otherwise 10%;

Group II (Rock, hard rock and harder popular music) — 30% Canadian content;

Group III (Country music) — 30% Canadian content;

Group IV (Other kinds of popular music, such as folk-oriented and jazz-oriented) — varying between 20% and 30% Canadian content, depending on the mix (Task Force on the Future of the Canadian Music Industry 1996, 46).

This grouping system was eliminated, establishing the same content requirements on FM stations, now the dominant format, that existed on AM since 1971.

The perception of genres in *An FM Policy for the Nineties* produces a number of questions concerning how Canadian content regulations attributed certain genres to be more representative of national characteristics than others. The review states predictably, "The *Broadcasting Act* stipulates that programming provided by each broadcaster should make use of predominantly Canadian creative and other resources" (Canadian Radio-Television and Telecommunications Commission 1990a).

The following paragraph, outlining the policy objectives, is telling:

While diversity among commercial pop and rock stations is a desirable objective, the private sector is limited in this regard. At a certain point, programming becomes so specialized that audience levels become too low to generate the revenues that commercial stations need to survive. Almost all commercial FM stations concentrate on the presentation of popular music. This approach enables them to appeal to the broad general audiences they must attract to generate adequate advertising revenues. However, with the convergence of pop and rock music styles over the years, it has become increasingly difficult to retain the distinctions between stations basing their programming on pop and rock music. The Commission believes that a level of diversity will result as stations differentiate themselves in order to serve

different audiences. At the same time there is still a necessity to ensure that a wide range of all types of musical and spoken word programming is available in the broadcasting system (Canadian Radio-Television and Telecommunications Commission 1990a).

In the past, CANCON was most represented with music that received greater airplay. This is explained in the quote above, with those genres challenged most by foreign imports given higher quota requirements with other genres such as easy listening, jazz or classical, less represented in the quota. However, by eliminating these guidelines, the commission was caught in an unresolvable context. It admits that popular music is less representative of national diversity, in its forms, musical styles and accompanying genres. However, at the same time a theory is posited that popular music remains part of Canadian content requirements. This produces both theoretical and practical challenges. The Canadian content most represented was that of most value to the broadcasters. The commission recognizes this. However, it also refutes this market reality, as its mandate through *The Broadcasting Act* necessitates a greater diversity on airwaves than supposed 'popular music'.

Interestingly, the first content to satisfy Canadian content objectives, before the quota was established on radio, was J. Lyman Potts' Canadian Talent Library productions, content that was labelled 'easy listening'. This content, no longer market dominant on FM, was deprioritised in CANCON legislation throughout the 1970s compared to emerging popular music genres such as rock and pop. By 1990, the system was simplified to include all music – minus a few specific instances involving border stations, ethnic and classical music – as a catchall under the quota. Easy listening was increased to 30%, even though CAB campaigned against this, arguing that a previous 20% requirement was too high (Canadian Radio-Television and Telecommunications Commission 1990b). This revaluing of genre in CANCON ultimately gave more autonomy to radio stations to alter their formats to air content that satisfied the most suitable CANCON to them to maximize economic benefit. As a result, this commission did not fully assign a defined concept of what Canadian content the quota was aimed at protecting.

In addition, the CRTC required that stations prove that they were spreading their Canadian content throughout the day in an attempt to address claims that many

commercial format stations aired their CANCON at off-peak times, as the practice was unregulated. Both requirements were published as part of a new radio policy, implemented on 14 February 1991 (Canadian Radio-Television and Telecommunications Commission 1992). Based on the previous *An FM Policy for the Nineties*, it asserted that broadcasters must adhere to *The Broadcasting Act*, upholding Canadian content as a top priority (Canadian Radio-Television and Telecommunications Commission 1990b). It stated:

The maturation of the Canadian music industry over the past two decades has made it practical to increase the Canadian broadcasting system's reliance on Canadian talent. Programming must give pride of place to Canadian performers and address matters of Canadian concern. Accordingly, increased emphasis on Canadian musical and other creative resources is the primary thrust of the new policy (Canadian Radio-Television and Telecommunications Commission 1990b).

This shift in CRTC policy outlines its changing nature of why cultural protectionism is deployed to support Canada's music industry. While the initial justification was to support this 'immature' industry, its current justification focuses on supporting a 'mature' set of businesses. CANCON, in this sense, can be seen less as a structure to facilitate content development, and more to enable greater distribution and economic opportunities, as a 'mature' industry is producing the content independently, rather than relying on federal mandates to encourage its production.

This reference in policy as being mature emboldened the sector to lobby the Department of Communications to extend SRDP for five more years. As a result, the department commissioned a cultural industry statistics document in 1988, followed by a short summative evaluation of SRDP in 1990, a report aimed at assessing the value of the programme in its first five years. Yet, while the report lists the number of applications, approvals and amounts, it does not quantify the value of the support in terms of greater radio penetration, domestic market share or master tape revenue. This lack of summative evaluation at the time is significant for two distinct reasons. First, it placed the discussions concerning renewal within a cultural, rather than an economic framework. While the federal government committed to the programme, it did so hesitantly in 1991. This was not unique to SRDP, however, as between 1986 and 1991, the total amount invested in Canada's sound recording sector, including the Canada Council for the Arts, decreased by 27% (Cultural

Human Resources Council 2002, 10). Instead of five years, SRDP was extended only for three years, with a review set up to analyse and audit the programme in 1994 rather than in 1996.

The support, nevertheless, influenced FACTOR, as the introduction of SRDP prompted more munificence from CAB members at the time. For the broadcasters, it was argued that increasing one's contribution to FACTOR resulted in favourable agreements under which CRTC could reduce a station's CANCON requirements. As CAB lobbied against the CANCON restrictions outlined in *An FM Policy for the Nineties*, this was seen as a worthwhile compromise to lobby for favourable licensing conditions. While this did not end up being the case, FACTOR enlarged its programmes and support availability through both state and private broadcaster funding, to include radio syndication, marketing and touring programmes.

At the time of renewal in 1991, FACTOR programmes were significantly larger than in 1987. FACTOR offered juried demo and song-writing awards, studio support and publishing grants, in addition to expanding DBA. In 1991, juries had been conducted in five cities, and 69 applications were accepted out of 525 for sound recording loans, while FACTOR supported 14 international tours, including those by Anvil, Blue Rodeo and k.d. lang (FACTOR 1992), acts marketed within pop, rock and alternative markets, all deemed 'new' by radio formats. The following year, 37 tours were approved for 32 artists from of a total of 66 applications, one of the highest success rates ever, but one that did not measure the level of acts that were deemed unsuccessful, in terms of their career development, label affiliations and genres (FACTOR 1993). The successful applicants were primarily artists categorized within popular music genres, including the Tragically Hip, Sarah McLachlan, k.d. lang and the Cowboy Junkies.

This lack of data analysis is reflected in FACTOR's annual reports in the early 1990s. Most highlighted statements of support by FACTOR recipients, but little evidence was provided to assert FACTOR's success in providing more CANCON for radio broadcasters. On paper, the reports stated that FACTOR supported artists to produce a greater number of sound recordings. Off paper, questionable trends emerged, challenged by two evolving problems. First, some acts and companies began to rely on FACTOR, especially those with DBA status (their success rate was

substantially higher than juried applications but so was their repayment rate). Second, as the popularity of FACTOR increased within the industry, its role in satisfying both CANCON and sector needs at the same time became further complex. The more commercially successful acts became, the more their content featured on Canadian radio and in Canadian popular culture. It was these acts and their representative labels that more often qualified for DBA, receiving more substantive and frequent support. This had little to do with fostering Canadian content development or the wording of *The Broadcasting Act* for two reasons. The first is that major-label content is exempt in this debate – as it does not qualify for FACTOR and second, the definition of success, in the case of FACTOR, is determined by both the artist and its label. If a label qualifies for DBA, then it can support yet-to-be successful artists in its catalogue. At the same time, FACTOR was satisfying CANCON and sector needs, but the results favoured artists that the market supported most at the same time. While this is one of the objectives of DBA – to assist labels with a proven track record – it began to foster complications between the administration and some of its applicants, mainly the ones who did not qualify for these levels of support.

These issues continued to remain prevalent as FACTOR grew and SRDP moved into its second five-year phase, from 1991 onwards. As funding increased, the objectives behind the policies evolved alongside, placing new pressures on the funding administrators in terms of how the support was allocated to the music sector. This directs our attention to the second SRDP renewal, Canada's election in 1993 and the eventual abolishment of the Department of Communications and the establishment, post election, of the new Department of Canadian Heritage (PCH).

### **The Doubling of State Support: Funding and Policy From 1994 to 1997**

While significant to the sector, state funding for music production and distribution through FACTOR and Musicaction remained miniscule compared to the support that was given to film, literature and other cultural sectors. In 1993-4, government spending on film and video amounted to \$240.4m, and \$167.5m was provided for literary arts, compared to \$5m for music outside of the Canada Council for the Arts (Sutherland 2008, 210). While CIRPA, CRIA and other music trade associations lobbied for more support in the second phase of SRDP, the amount provided

fluctuated slightly between 1991 and 1993. In 1993, funding was reduced from \$5m to \$4.3m, before it was raised to \$4.45m in 1994 (Task Force on the Future of the Canadian Music Industry 1996, 17). If one incorporates inflation, which was at 5.6% in 1991, 1.4% in 1992 and 1.9% in 1993 (Statistics Canada 2013), the support provided to the sector reduced between 1991 and 1994 in SRDP's renewal. However, this was to increase after 1994, as Canada's left-leaning Liberal government committed to supporting the cultural industries in its election manifesto. This section will chart the developments that occurred, leading to such an increase and the impact that it had on state policy, the music sector, Canada's private broadcasters and Canada's cultural identity as a whole.

This shift is not limited to Canada, as a number of other governments elected left-leaning administrations in the mid 1990s, altering their support structures for the arts. Canada was part of a global shift, rather than a nation that acted independently. In the United Kingdom, with the election of New Labour in 1997 under Prime Minister Tony Blair, the government moved from "benign indifference towards promoting pop as a business" (Cloonan 2007, 39). Under Secretary of State for Culture, Chris Smith, a new department was created – the Department of Culture, Media and Sport (DCMS) – to "take the British creative industries and market them in the most favourable way possible" (Cloonan 2007, 40). A *Music Industry Forum* was created in 1997, leading to a number of changes between the state and the sector, all seen favourably compared to what occurred previously in the United Kingdom. These included the creation of the *Live Music Forum*, a policy think tank to measure the impact of live music in the United Kingdom, and the funding of a number of local initiatives, such as Generator, a music development agency in Newcastle. A number of popular music initiatives have emerged as a result of these early interventions, including *British Music Abroad* (BMA) and most recently, *Momentum Music Fund* (MMF) and a *Music Export Growth Fund* (MEGS). In France, a blank tape levy and a tax on concert tickets provided 16m Francs for popular music initiatives in 1994 (Laing 1999) and the state established a *Bureau Export*, to market French music abroad.

From 1988 to 1991, Canadian Talent Development (CTD) spending through broadcasters 'promise of performance' requirements increased by 69%, a statistic researched and published by the Radio Action Plan Consultation Group, the

government committee that had been set-up for negotiations between CAB and the music businesses (Filion 1996, 134). This statistic was not corroborated by the CRTC or the independent music sector, as CTD support remained discretionary, so broadcasters were able to use the funding as they wished. However, most was delivered to FACTOR and specific one-off initiatives such as talent shows and educational projects, such as *Startrack*, a talent competition in Canada's maritime provinces.<sup>17</sup> In this instance, 11 stations allocated their resources into staging a competition to find and promote one group, as voted by listeners. In 1990, the competition was won by an act called The Trees (FACTOR 1991, 12). Due to these regulations, CAB members argued they were being doubly penalised by CANCON, both in terms of their freedom to programme the content they wished and by the requirement, however discretionary, to provide support to funding initiatives in exchange for favourable licensing arrangements.

As a result, the CRTC held its CTD review in 1995. CTD, until then, was voluntary. It was not necessary for a broadcaster to allocate any of its revenues to support Canadian talent, but such support often factored into quid-pro-quo agreements with the CRTC to ease license renewals. These revenues provided the largest amount of funding for FACTOR. CAB members wanted these payments either standardized or reduced and after a series of public consultations, the CRTC published its review on 21 April 1995. This hearing changed how Canada's private broadcasters supported developing Canadian content. It first presented its initial policy, outlined *An FM Policy Review for the Nineties*. "At the time of license renewal, all licensees of private commercial radio stations are asked to make financial or other commitments to Canadian talent development. Since 1992, however, unprofitable stations have generally been granted relief from financial commitments until profitability has been re-established" (Canadian Radio-Television and Telecommunications Commission 1995, 1). The report continues:

Annual direct cost contributions by private radio broadcasters to Canadian talent development projects total approximately \$11m. This amount includes commitments of some \$7m made in license renewal applications, while the remaining \$4m represents commitments made in the context of applications for new licenses and for transfers of ownership. Approximately \$1.8m of the \$7m offered as

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<sup>17</sup> The maritime provinces of Canada are: Nova Scotia, New Brunswick, Prince Edward Island, Newfoundland.

commitments in license renewal applications consists of payments to third parties, such as the Foundation to Assist Canadian Talent on Record (FACTOR) and Musicaction, as well as national and provincial musical organizations, cultural organizations, performing arts groups, schools and scholarship recipients (Canadian Radio-Television and Telecommunications Commission 1995, 2).

The Commission's intention was to address CAB's request to eliminate the requirement of voluntary CTD for license renewal or transfer, which, in reality, was hardly voluntary. In the end, Director General Allan J. Darling suggested, "at license renewal, all private commercial radio stations would make annual direct cash commitments totalling not less than \$1.8 million" (Canadian Radio-Television and Telecommunications Commission 1995, 5). This meant that the \$11m would remain consistent, and at least \$1.8m of the extra \$7m that was contributed through CTD would be required to go to FACTOR and Musicaction. This decision, upheld in 1996, reduced mandatory CTD payments. This re-asserted the relationship between CAB and FACTOR/Musicaction by ensuring that each received a certain amount of investment, rather than only the voluntary contributions from CAB members. In fact, both organisations received substantially more than \$1.8m, as part of the \$11m was allocated to them already. In effect, what this ruling did, by publishing this eventual compromise, was provide FACTOR and Musicaction with greater security in these private contributions. CAB wrote that they "believe that the Commission's CTD policy is working as evidenced by the fact that radio broadcasters have exceeded the minimum \$1.8 million direct contribution" (Canadian Association of Broadcasters 2000), while FACTOR reported a 37% increase in voluntary contributions in its annual report in 1996 (FACTOR 1997, 1). The Commission succeeded in ensuring a better distribution of CTD money and in increasing publicity for future development. While contributions were still voluntary (this was to change a decade later), the 1995 CRTC commission instituted a 'mandatory volunteerism' to CTD support.

In real terms, this was a victory for CAB and the broadcasters. While their contributions to FACTOR and Musicaction in CTD increased by 14.5% in 1991, contribution agreements to both organisations revealed that from 1992-1995 there was a 28.3% decrease, from \$1,493,463 to \$1,109,996 (Task Force on the Future of the Canadian Music Industry 1996, 43). As a result of the cap, regardless of the size of the station, a blanket requirement of \$27,000 was all that some profitable stations would pay. This data was compiled and announced in 1996, by the cross-

parliamentary body that had been set up in 1992, titled the "Canadian Music Task Force". Administered by the Department of Communications and later PCH, it published *A Time For Action: Report on the Task Force of the Canadian Music Industry* (herein referred to as *A Time for Action*), a significant study in the history of popular music funding. This came at an important moment, as the following year, the new Liberal government would install a new Minister of Canadian Heritage, Sheila Copps. It was the argument over CTD, the findings and analysis of the reports and the willingness of Copps to act for the benefit of Canadian content that further strengthened the music industry lobby, as the new minister began her tenure.

### **A Time For Action**

*A Time for Action* represented, for the first time since the installation of CANCON, a document representing a relatively united Canadian music sector. Until the document was published, there had been no collective, mutually agreeable stance to promote, assert and defend Canada's domestic music businesses at the time, and this document was an attempt to do so. This was achieved by outlining the problems associated with domestic marketing opportunities and assessing them in relation to both cultural and economic threats from abroad and in many aspects, was one of the more complete documents in assessing the complications between how state policy impacts cultural and economic objectives. The report was constructed to make the reader aware of such threats, revealing many of the challenges that had emerged alongside Canada's music funding initiatives. In its executive summary, the authors state that most Canadian independent labels are "financially vulnerable...weaker than in the past and are now relatively stagnant" (Task Force on the Future of the Canadian Music Industry 1996, 8). This language is affirmed as the report separates its analysis into cultural and economic chapters, which is different to the manner the policy had been approached before. For the first time, a clear dividing line had been postulated by the sector, as in *A Time for Action* the writers separated the economic and cultural requirements of the policies set down by the state. This separation was coalesced with an argument aimed at defending the funding that had already been established, as well as arguing for stronger copyright reform and more concessions from broadcasters. In its cultural section, the argument mirrors Williams' definition of culture:

For most other industrialized countries, including Canada, cultural products are not viewed as merchandise: they have a language and a unique national character, they bear witness to human experience, convey values, alter our perceptions and influence the way we live. In short, they are essential tools for affirming national identity and sovereignty (Task Force on the Future of the Canadian Music Industry 1996, 8).

However, this argument ignored economic objectives, even if its thesis is unable to do so. The authors claim that cultural products “affirm national identity and sovereignty,” without explaining how this process of “bearing witness of human experience” is constructed. Canadian culture, according to the passage above, is its own industry, separate from market economics. However, for culture to industrialize and develop financial and intangible value, it is influenced by market economics. As cultural value further solidified as an argument for the music sector to argue for increased subsidization, it became further tied to economic indicators. At FACTOR, for example, the artists with the most supposed cultural value were those that succeeded most in the market. Cultural value, in this sense, cannot be easily separated from economics, as *A Time for Action* attempted to assert.

The argument in the economic section is equally provocative, as the authors accuse Investment Canada of undermining Canadian labels in favour of multinationals, at the expense of CANCON. This accusation is worth quoting in full:

Two policy goals have been reflected in decisions. Applicants have been expected either to offer commitments, technically referred to as "undertakings," to record and release the work of Canadian artists, or to distribute the recordings of Canadian artists released by independent labels. In some cases commitments of both types have been sought. Typically such commitments expire after five years.

Over the past decade the transactions that have occurred have involved most of the major multinational record companies. In general the emphasis has been on requiring that the new owners expand their involvement in releasing the work of Canadian artists. Since there was no specification that the Canadian artists involved should be new ones, there is a perception among the independent labels — which were already financially vulnerable — that the Investment Canada requirements were the direct cause of the independent labels losing a number of successful Canadian acts they had developed, and that they now faced overwhelming competition in

signing the most promising new acts (Task Force on the Future of the Canadian Music Industry 14).

The economic objective in *A Time for Action* argued that CANCON be used as a tool to foster and develop new talent. By claiming that broadcasters support their quota requirement with catalogue content, an accusation that was lobbied in the mid 1970s as well, the music sector claimed that despite the regulations and financial support, there were few opportunities for their content on radio. In 1996, radio remained the dominant form of consumption for Canadians, as online streaming and satellite radio had yet to be introduced. To the music sector and the authors of the report, new music had worth attached to it, and that worth should be represented in CANCON. However, the domestic music sector argued that Investment Canada's own guidelines for supporting the quota were, in effect, favouring foreign businesses to market more established Canadian and, in some cases, international artists. Canada's independent labels argued that developing acts was a self-defeating process, as for their businesses, a glass ceiling existed that upon achieving a level of commercial success, artists would be courted by major labels. This is not unique to Canada, as it is prevalent throughout the global music sector and its dominance by multinationals.

However, in Canada, the role of Investment Canada in this is unique. This is due to how free trade was legislated by the Canadian government in the mid 1990s. Since 1993, when the North American Free Trade Agreement was negotiated with the United States, Canada has operated a "cultural industries exemption", retaining a number of cultural sovereignty measures outside of the free trade agreement, including CANCON (Atkey 1999, 177). This is outlined in a document prepared by the United States, titled *Foreign Trade Barriers*. It lists twenty barriers to conducting business in Canada, with half of them focused on cultural industries (Atkey 1999, 178). It included the sale of foreign magazines and regulation of Canada's broadcasting sector, but did not mention the music sector. However, the impact of these regulations enforced by Investment Canada informed the arguments in *A Time for Action*. Multinationals were given more market access to Canada if they signed domestic talent, prompting a wave of Canadian signings in the mid 1990s, including Shania Twain, Alanis Morissette and Our Lady Peace (Mair, pers. comm). Therefore, in an effort to remove the trade barriers, multinationals continued to invest in Canadian content, often by selecting artists that had been developed by

independents. While this practice exists in other music markets, it was done with the assistance of Canadian cultural policy, argued the authors of *A Time for Action*. The economic objectives of the sector and its independent, nationally identifiable cultural values once again conflicted, and multinationals benefitted most from the artists deemed most culturally valuable.

This argument began with the establishment of CANCON in 1972. With FACTOR and other funding administrations established to support Canadian talent development, and mandates placed on broadcasters to oversee that this content be aired regularly on publicly licensed airwaves, CANCON as a whole was intended to foster a more competitive market. Yet, by focusing on cultural policy as a guide through *The Broadcasting Act*, Canada's domestic businesses were, in some manner, compromised by the conditions of the quota. Independent labels argued that the development of Canadian content, which showed no indication of substantially increasing market viability by 1996, profited major labels as well as independents, once this content had reached a certain commercial level. While multinationals – in English Canada - controlled distribution channels, this was inevitable to some extent. Yet, *A Time For Action* argued that these “national tools for affirming our cultural identity and sovereignty”, in their case, inadvertently, were to the benefit of foreign, rather than Canadian businesses. This brought the cultural justification for CANCON back into conflict with the economic realities of the market. While Canadian labels benefitted from the success of their products, this success was often stunted by multinational encroachment.

In chapter five of *A Time for Action*, the task force outlines its recommendations. It states that Canada's recording industry, as a whole, is underfunded, comparing it with film where “at the federal level the film and video industry receives 44 times as much support as sound recording and 21 times as much at the provincial level” (Task Force on the Future of the Canadian Music Industry 1996, 81). It argued:

In the music industry there is also an obvious historical neglect that should be remedied. Doing so might look impossible, were it not that so much can be accomplished with such limited resources. The music industry does not need resources comparable to those committed to the publishing, film or broadcasting industries. If the resources committed to the music industry could be increased from the current level of just over \$5 million annually to between \$15 million and \$20

million the strategic deployment of these resources would begin a fundamental transformation (1996, 101).

Music, as argued in *A Time for Action*, is less supported by the state than other cultural industries, an argument that was aired in lobbying for CANCON in the late 1960s. For example, they argued, it took a decade for the state to establish similar quotas for music broadcasters as existed for television stations. A belief remained within the sector that music, to outside constituents, was considered to require less support than other sectors. The businesses producing the content argued otherwise.

Sheila Copps and her new ministry were sympathetic to these demands. The report was tabled and released at the right moment to promote her government's policy direction towards culture, and as a result, *A Time For Action* had impact. In the same year, the budget allocated for SRDP increased threefold. For the first time, the collective Canadian music industry had presented a united voice to the state outside of lobbying against the broadcasting sector. While still significantly less money was provided compared to film funding, these changes transformed how popular music was funded in Canada.

### **The First Years of PCH and the Commercial Radio Review**

Developing Canada's national narrative and asserting Canada's cultural value as a whole was evident in PCH's policies. Sheila Copps was a staunch supporter of CANCON regulations across the creative industries. This was evidenced in her message in a CRTC review in 2002, where she stated that it is "our culture...what defines us as a society and it is what we are referring to when we talk about our Canadian identity" (Canadian Radio-Television and Telecommunications Commission 2002, 1). However, Copps never defines this culture she speaks of, whether referring to its general output or within popular music specifically. This culture, to Copps, remained open-ended, which benefitted the policies set up to support its development. They were inclusive enough to mould policy to suit them, but exclusive at the same time, so the state could fashion policies to best suit their objectives. Copps accepted many of the reforms that were requested in *A Time for Action* and introduced a series of measures from 1996-1998, most in opposition to CAB and in support of Canadian music makers and Canadian content producers. This began in November 1996 with the announcement of a three-year, \$15 million

increase to SRDP. In total, FACTOR received an extra \$5.14 million per annum from 1997-1999 (Government of Canada 2000, 3:3). The main beneficiaries, according to FACTOR's own documents, were touring and sound recording programs (FACTOR 2000, 6-10).

Also in 1997, the CRTC began its license renewal process for commercial broadcasters, seven years after its previous review, and for the first time in the history of PCH. The 215-page report, tabled by CRTC Secretary General Laura Talbot-Allen, outlined a series of reforms stating what firms would have to comply with in order to be granted renewals. These adhered to CANCON more stringently than any prior legislation. The negotiations, hearings and preliminary reports were rife with disagreement between the music businesses and the broadcasters. The music businesses, campaigning on the recommendations listed in *A Time for Action*, argued that CANCON be increased, while the CAB claimed the 30% quota and CTD contributions were too high. In truth, CTD contributions had been reduced in 1995, primarily benefitting the more profitable broadcasters that were still only required to provide \$27,000 per station, regardless of its net value. CAB disagreed with these assertions, arguing that the music should only be one requirement for judging CANCON.

In assessing the predominant use of Canadian creative and other resources in the creation and presentation of programming, the administrative, technical and creative infrastructure should also be taken into account. It contended that these factors, coupled with Canadian music requirements, are sufficient to ensure that radio is predominantly Canadian" (Canadian Radio-Television and Telecommunications Commission 1998, 181).

CIRPA, CRIA, SOCAN and the music lobby argued that this did not qualify as Canadian content, and the amount of Canadian content used to fulfil the CANCON quota was insufficient. This same overall disagreement was aired in the hearing:

In their comments, broadcasters generally agreed that the requirement for Canadian content should be maintained at the existing level, but noted that it is sometimes difficult to fulfil the existing quota without playing some material that is of lower quality, or without keeping some selections on the playlist for longer periods. The CAB contended that no increase in the required level of Canadian content should be

implemented until sales of Canadian recordings, as a percentage of total recordings sold, exceed 15%. The CAB further suggested that the requirement for Canadian music would then be set at a level that is two times the retail sales of Canadian music, as a percentage of all record sales in Canada. The percentage would be averaged over three-year period to remove the impact of year-to-year fluctuations (Canadian Radio-Television and Telecommunications Commission 1998, 88).

On the other hand, several representatives of the recording industry argued that the level should be increased immediately to levels that, they suggested, should range from 35% to 40%. Others recommended further increases, to be introduced over time until a 50% level is achieved. Those advocating increases argued that these are necessary to achieve the objectives of the act. They also considered that the current level of new releases, plus the extensive catalogue of Canadian recordings that has accumulated since Canadian content requirements were first implemented, is assurance that sufficient material will be available to fulfil a higher requirement (Canadian Radio-Television and Telecommunications Commission 1998, 89)

Once again, the statistics of how much Canadian content was consumed in Canada differed depending on who was asked. CAB stated that 15% was an appropriate number, while the music businesses disagreed. More reliable statistics existed concerning Canadian content sold domestically than did for the previous review, but the variance of the content was not tracked, nor were listening habits of consumers or radio playlists. This disagreement remained unresolved and upon the publication of the review, CANCON was increased from 30% to 35% in English Canada, on both AM and FM bands. Of this, the prior 25% CANCON that was required to air between 6AM and 6PM was increased to 35%. From 1998, CAB members were required to abide by the higher quota, aside from a few specific instances such as CKLW in Windsor, because of its close proximity to the United States. Once again, the argument centred on the supply and perceived demand of Canadian music.

For the independent labels and producers, a higher CANCON quota was seen as necessary for improving business prospects, even though no assessment had been conducted to verify this. The simplicity of such an argument, however, ignores the inherent complications in CANCON policy from 1972-1997. Nonetheless, as the CRTC announced its findings in 1998, the Canadian popular music funding system

had become larger, and the state was more responsive to ensuring that Canadian content, whatever that was deemed to be was protected and supported.

In addition to CANCON and station license renewals, the review in 1998 debated another issue with private broadcasters. At present, the CRTC did not permit broadcasters to own more than one station in each band per market. Multiple station ownership was seen to further lower the range of music used for CANCON (as stations would copy formats). CAB lobbied to ease the restrictions, arguing their stations would not be able to compete with American stations. In its review, the CRTC noted, "strong Canadian radio and recording industries are essential if citizens are to have access to a variety of Canadian services providing high quality Canadian music and other programming that reflects both their communities and their country in this more competitive environment" (Canadian Radio-Television and Telecommunications Commission 1997a, 3). This music of 'high quality' is undefined, unrelated to its origin or newness and most often, subject to individual programming structures. In *The Massey Commission*, 'high quality' was synonymous with 'high art' forms of music, such as classical or opera. At the time Massey conducted his review, rock and roll music had yet to emerge and contemporary classical music was considered 'popular'. This had changed and by 1998, 'high quality' was not synonymous with 'high art' in CRTC's comments; yet, the institution did not establish any qualitative markers on this, instead leaving 'high quality' as an indefinable marker. To the broadcasters, 'high quality' meant popular. For the sector, it was inconclusive, as each label deemed their content as high quality. In the wording of *The Broadcasting Act*, reaffirmed in policy in 1991, Canadian content was not assessed through the concept of high quality. It was a catchall, for the supposed benefit of all Canadians. However, such a benefit, in terms of nationalism, must contain some discursive traits for it to purport to strengthen the Canadian narrative. For the CRTC in its review, such 'high quality' was left for the sectors involved to determine. This tactic was reliant on economic indicators as much as cultural, as music that was most popular, most active in the public sphere and most consumed by Canadians, often best contributed to national narrative characteristics. This content may not have been deemed 'high quality' by all assessors, such as Canada's independent labels.

This is another example where the usage of cultural policy to impact Canadian

businesses is fraught with complications, ones that were not addressed by the CRTC at the time. CANCON was not separated in 'high quality' and otherwise, nor should it be, as it would go against the core mandate posited in 1958 and legislated in *The Broadcasting Act*. However, for Canada's private broadcasters, ones licensing publicly owned airwaves for the purpose of commercial profit, this cannot align. To maintain this polemic, the CRTC sought further compromises with those it governed.

CAB claimed that its stations were losing money, an argument the music lobby refuted strongly in *A Time For Action*. The music businesses and campus radio associations rallied against CAB, claiming that consolidation would ultimately homogenise CANCON, as stations would recycle playlists, similarly to formats that existed for commercial radio in the United States. In some manner, this consolidation was a tactic to compete with foreign commercial outfits, particularly American stations with a listener base in Canada. In a hearing proposing the permitting of multiple station ownership, director of the National Campus and Community Association (NACA) Christine Cote stated; "a further concentration of radio station ownership would only exacerbate this situation. Instead of two stations - one AM, one FM - sharing news, technical, and programming staff, we can imagine four stations doing so, with a resulting loss of variety and choice" (Cote 1997). This was echoed by CIRPA, who argued multiple station ownership was a veiled attempt at minimising CANCON requirements. Along with ADISQ, CIRPA stated that "if the Commission does permit multiple station ownership, the benefits policy should be maintained, and support for Canadian music, including financial contributions to Canadian talent development, should increase" (Canadian Radio-Television and Telecommunications Commission 1998, 43).

In the end, the CRTC deregulated its ownership rules, allowing CAB members to consolidate with up-to four stations per market, or two per band. This new policy, as decided on 30 April 1998, was outlined as follows:

In markets with less than eight commercial stations operating in a given language, a person may be permitted to own or control as many as three stations operating in that language, with a maximum of two stations in any one-frequency band. In markets with eight commercial stations or more operating in a given language, a person may be permitted to own or control as many as two AM and two FM stations

in that language (Canadian Radio-Television and Telecommunications Commission 1998, 7).

This was a boon to CAB members, who could distribute resources across a greater number of stations, minimising cost and increasing profit. However, this decision was seen as anathema to the music sector, with this perceived to limit emerging, or new Canadian content on radio, particularly those signed to independents. Over time, both parties were correct; furthermore, while intended as a compromise, CAB members were provided with a new structure for conducting business that would significantly increase their profitability from 1998 onwards. As a result, to allay concern from the music sector, the CRTC initiated a tax on any merger, station transfer or acquisition to occur under these new regulations, exchanging favourable economic conditions for the loosening of cultural obligations. The tax, tabled at 6% of the value of the transaction (although CAB argued for 3%), would be split across three streams. 33.3% would go to FACTOR, 16.6% would be discretionary and the final 50% would be used to set up a new fund, entirely broadcaster administered and coordinated. It was named Radio Starmaker Fund (RSF) in English Canada and FondsRadiostar in Quebec, a name referencing quantitative market success, rather than qualitative cultural promotion. The CRTC outlined this on page 70 of the review:

In consideration of the above, the Commission has decided to modify its benefits policy in respect of all transfers of ownership and control of radio undertakings. Specifically, the Commission has determined that it will henceforth expect that, in the case of such applications, commitments be made to implement clear and unequivocal benefits representing a minimum direct financial contribution to Canadian talent development of 6% of the value of the transaction (Canadian Radio-Television and Telecommunications Commission 1998, 70).

Radio Starmaker and FondsRadiostar were incorporated in 1998 and operational by 2001 (Radio Starmaker Fund 2001).

### **Measuring Success of FACTOR and SRDP**

The 1998 commercial radio review, the publishing of *A Time for Action*, the increase in SRDP funding between 1996 and 1999 and the ability of private broadcasters to

own up-to two stations per band in each market mark the start of a new era in the history of popular music funding in Canada. Upon the completion of the SRDP in 1999, PCH produced a review of its activities, compiling the numbers of applications, approvals and allocations for its programmes. This review did not quantify the impact of this support on radio play, sales or artist development. Instead, it audited the core amount that was spent in the programme. If one totals the amount of public and privately mandated funding that was delivered to support and develop Canada's sound recording industry from 1982 to 1999, over \$100m can be traced, with the largest percentage of this going to record companies and directed towards releasing product and satisfying CANCON regulations. In total, 1,692 sound recordings were produced over twelve years with support from SRDP at FACTOR, and a further 782 were produced with Musicaction support (Government of Canada 2000: E:3). The review also reveals the significant increase in the amount of support that the Department of Canadian Heritage (PCH) provided in 1997. It also reveals changing priorities, as the budget increase coincided with a new focus placed both on marketing and recording, rather than a primary focus directed towards record production. For example, in 1997 the share of the budget allocated for the production of sound recordings decreased from 64% between 1987-1996 to 38% between 1997-1999, while it drastically increased for marketing support, from 18% between 1987-1996, up to 45% in the final three years (Government of Canada 2000, 2:3). These changes reflect the changing nature of music marketing in Canada, with a greater focus applied to international marketing and touring as recording costs decreased. The need to market Canadian content, both domestically and internationally, grew in importance alongside the requirement to create it in the first place.

FACTOR had become involved in every aspect of the music making and marketing process in Canada. However, little official research was initiated to understand the impact of FACTOR, SRDP or any other administration. For example, the amount of support recouped from loans was never revealed.<sup>18</sup> In addition, a sort of brokerage developed within DBA, with some companies buying up insolvent DBA companies, because labels were infrequently removed from the system (McKie, pers. comm).

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<sup>18</sup> It has been known to be as low as 3% on juried sound recordings and as high as 100% on DBA applications, as they required much higher repayment rates to retain DBA status (Mair, McKie and Roman, pers. comm)

This challenged the transparency of DBA, as companies that had not released content for many years remained in the program. When they were purchased, the new owner took the status, rather than earning it themselves. This is one challenge that is poorly documented, as it was contrary to the organizations bylaws.

Complications aside, those at work to shape and administer FACTOR continued to promote the successes of the support. For example, support was given to developing acts like Nickelback and Sarah McLachlan, which enhanced their career prospects as FACTOR supported their recording projects (and activities of their management and label representatives) at the developmental stage in their careers. Through these successes, a sense of pride developed in Canada's music sector, one that was shared by both the businesses and some of the broadcasters. "To me, FACTOR works and is a good thing, as it was in its beginning", argues Roman (pers. comm.) "I think there is an element of Canadian pride and identity involved here. We are and should be very proud of what it has done" (Roman pers. comm). However, such pride was equally attributed to the funding as the music itself. By 1997, the systems that had emerged represented Canadian music as much as the music itself. This is echoed in FACTOR's 1997 report, where chairman Jason Sniderman, in his executive statement, "we do it for one reason and one reason only; it is the right thing to do" (FACTOR 1997, 3). This right thing to do, Sniderman writes, is to support bands and develop Canada's domestic popular music industries. However, troubling questions concerning the administration of this interventionism remained unanswered, and this sense of pride does not approach the core problems inherent within the overall structure of popular music funding in Canada.

Reading FACTOR's annual reports reveal concealment alongside revelation. There is an absence of important statistics such as radio tracking and return on investment. In addition, industry lobbyists - CIRPA, CRIA and the CMPA - continued to argue that more Canadian music was the best approach for developing the industry. This is an economic argument, rather than a cultural one. Industry development relied on the bottom lines of Canada's businesses, rather than the singular expansion of content proliferation. However, such economic advancements were posited through a thick layer of cultural policy, one that remained above all arguments concerning Canada's industry development. If the industry was to further develop – and in this case the term industry refers to Canada's independents – it needed more support from the

state and more legislation to democratize programming opportunities. These arguments, calling for economic intervention, are posed under a framework where Canadian cultural policy – the impact of CANCON, MAPL etc. – is the norm. As a result, these two requirements continued to collide, but had yet to coalesce. The definitions in *The Broadcasting Act*, CANCON and Canadian cultural policy towards popular music began to accept financial intervention on top of cultural requirements, if the results benefitted those involved. CANCON became slowly deprioritised, if it was exchanged for more financial considerations. As a result, as the sector grew, it did so under a blanket of subsidy guided by protectionist and nationalistic policy, but the objectives of the policy grew less important. If the policy is structured on ensuring that Canadian content maintained a semblance of identity, defining this identity was no longer the core objective in Canadian popular music policy. This identity, in most instances, was structured on subsidization, similarly to the comments Berton made in *Why We Act Like Canadians*. This sense of pride, outlined by Sniderman, in both the systems and the music is not one and the same. The concept of Canadian nationalism – a sense of pride and place in being Canadian and the meanings attached to that – were unrelated to the pride claimed of the system itself, which was satisfied with increased subsidization. The pride and national characteristics purported by the music are different to the mandates of Canada's popular music funding system. These complexities, by 2000, further developed into a more problematic, complex and paradoxical music-funding spectrum, with more money to distribute than ever.

By the end of the 1990s, the number of acts receiving FACTOR funding doubled, through both PCH support and private broadcasting CTD payments. Two documents examine this. The first is the only history of FACTOR thus far, Larry Leblanc's 2007 promotional, *The FACTOR Story*. The second is the evaluation of SRDP. Leblanc states that FACTOR was swayed by its broadcaster base, as "by the early 1990s, FACTOR support became even more relevant as a vibrant, grass-roots alternative scene developed with a high number of alternative-styled bands enjoying sizeable success releasing their own independent recordings, leading to intense A&R scrutiny from multinationals" (2007, 11). This comment is interesting, as it argues that multinationals were welcomed in Canada, even though artists signed to their subsidiaries were not able to apply for state support. This can be analysed through the application data that is collected in the SRDP report. 58% of the public

contribution was spent on sound recordings and 91.3% of all funding provided to record companies went through this stream. This represented a 30% success rate in juried loan applications and a 78% approval rate in direct board approval from 1993-1997 (SRDP 2000, 3:5-7). Direct board approval companies increased in the mid-1990s, as the number of beneficiary companies remained relatively constant from 1987 to 1992 (10, 9, 9, 13, 12, 10), after which it progressively increased over the following 6 years (14, 15, 15, 19, 24, 25) (SRDP 2000, 3:8). Canada's popular music business and sound recording sector grew inextricably linked to FACTOR, and its investment model was tied to the organisation. The industry was now tied to the government more than ever.

## **Conclusion**

As the new millennium approached, there was more funding available to music makers in Canada than ever before. This heightened subsidization, from 1993 onwards, was encouraged by Canada's liberal administration. However, more support did not alleviate the challenges inherent in the systems. Instead, the development of new programs and mandates, such as the review of Canadian Talent Development (CTD) or the compromises leading to the establishment of Radio Starmaker Fund/FondsRadiostar (RSF), created further complications. The administration, delivery and assessment of support contained points of conflict among the active parties – the music sector, broadcasters, CRTC and the state. The debates concerning how support would be structured, however, ignored core questions concerning how funding addressed the initial problems in Canada, both in terms of the cultural and economic threats from abroad and the definition of what Canadian collective identity was at home, and how that identity differed depending on who was asked.

By 2000, popular music was firmly at the centre of national narrative in Canada but in a perplexing manner. It was not the specific music itself that was used in the primary shaping of these structures, but it was the fact that popular music – as a whole – was protected by legislation. Most of the Canadian content that featured heavily on private radio continued to be content that had achieved international success as well as domestic, often mimicking genres that were similar to those that were popular in the United States or United Kingdom, such as the mainstream,

chart-influenced pop of Celine Dion or Alanis Morissette.

Producing popular music is collaborative, and this is no different in Canada. Some of the contributing songwriters or producers working with Canadians were foreign, so attributing a national identity onto specific pieces of work is difficult. Canada's most famous acts at the time, Bryan Adams, Celine Dion or Shania Twain, for example, all employed foreign co-writing and production partners. It was not musical creation but instead the omnipresence of CANCON in Canada and its unadulterated protection and financial support of the state that placed popular music firmly within Canadian cultural identity formation. In assessing economic impact, this produced difficulties. Music simply being defined as Canadian under CANCON, as evidenced in this chapter, did not necessarily translate to greater profitability. Defining the term 'Canadian music' relied more on the funding systems enacted to support it than the music genres and styles offered in Canadian recordings. By the new millennium, Canadian music, as defined through the policies enacted to defend, protect and promote the concept of being Canadian, was more about being able to apply for funding than producing anything uniquely and definably Canadian. This situation would continue in the new millennium, with the introduction of further intervention and the evolution of Radio Starmaker Fund / FondsRadiostar.



## **Chapter 4**

### **2000s - The Introduction of the Canada Music Fund and Other Programs**

#### **Introduction**

This chapter will examine the developments in the history of popular music funding from 2000 to 2012. By 2000, the Canadian music sector, like other global music markets, had been impacted by new technologies, as illegal downloading and the Internet changed the consumption patterns of consumers. This is noted in the policy announcement that marked the end of SRDP and the beginning of the Canada Music Fund (CMF) in 2000. In it, the Department of Canadian Heritage states: "The Canadian music industry is undergoing fundamental changes. Faced with the challenges of a global digital economy, Canadian sound recording must transform itself to keep pace with our changing world, and to remain relevant and competitive" (Department of Canadian Heritage 2010a). To respond to this, the document proposes that the Government of Canada can "contribute to a smooth transition for this industry in this period of flux. Ensuring that Canadians continue to have access to diverse Canadian music choices means developing the right policy framework and tools for meeting today's global and digital challenges" (Department of Canadian Heritage 2010a).

This chapter will analyse these policy challenges by deconstructing the Canada Music Fund (CMF), a new series of state programs that were introduced after the conclusion of SRDP and other programs, including Radio Starmaker Fund (RSF), Trade Routes and PromART, export programs for Canadian businesses. By 1999, government had assisted in producing nearly 1500 recordings throughout SRDP, but at the end of the programme, the same questions remained that had led to the programme's development of SRDP in the first place. Emerging artists had not quantifiably increased in CAB member playlists, and domestic sales of Canadian music were not higher than the consistent average of 15-20% of market share. This does not mean that the policies in place had failed, but it suggests that their continuation and proliferation overshadowed impediments to progress, ones that were inadequately accounted for and analysed by any party. The individual requirements of each of the protagonists – the music sector, broadcasters and the state - led to compromises but never outright cohesion. Policy was introduced to

support businesses to compete in a free market, but was done through a nationalistic structure, where Canadian choices, whatever they may be, were to be protected in the face of competition. As a result, in its *Review of Plans and Priorities* in 2000, the departmental brief stated:

Many federal departments and agencies play a role in supporting cultural activity. The Canadian Heritage Portfolio plays the central and most comprehensive role. The portfolio agencies and crown corporations are among the key Canadian cultural institutions that support artistic expression: creating, promoting, regulating and disseminating Canadian choices to Canadians; and preserving and protecting our cultural heritage and shared history. (Department of Canadian Heritage 2001a, 3)

Since its introduction in 1994, PCH retained responsibility to support this creation of content through promotion, regulation and dissemination. The most important phrase in the above quote, “disseminating Canadian choices to Canadians”, encompassed the objectives behind these policies. Policies remained influenced by the recommendations of *The Massey Commission* and *The Applebaum-Hébert Report*, but simultaneously reliant on global market shifts and economics. For the state, the Canada Music Fund introduced a shift where these market challenges began to influence policy as much as Canada’s content regulations and cultural policies. It remained important that Canadian content be produced and archived, but at the same time policy must influence content’s relevance and competitiveness in an increasingly borderless, transnational economy. These two sides – the promotion and development of Canada’s national narrative and the competitiveness of Canadian businesses – were approached by a few large-scale policies, this new Canada Music Fund (CMF), a private initiative created by the CRTC, Radio Starmaker Fund (RSF) and export driven Trade Routes and PromART. However, the impact on each throughout its implementation produced complexities, ones that influence the history of popular music funding in Canada.

To best understand this period, it is productive to begin with the development of the Canada Music Fund as a response to both national and international pressures of the music market of the time, concerning Canadian national identity and market competitiveness.

### **New Digital Technologies and the Development of the Canada Music Fund**

By 2000, peer-to-peer file sharing sites such as LimeWire and Napster had infiltrated the Canadian market. CANCON regulations, those applied to commercial radio, were not enforceable online, and Canadian consumers took advantage of these new technologies to discover music. As a result by 2001, recorded music sales in Canada had decreased by 7.5%, despite legal downloading increasing by 37% (Pietz and Wellbrook 2004, 18). This is similar to data from the United States whose recording industry suffered similar declines (Pietz and Wellbrook 2004, 18). This equated to a reduction in sales by 6%, compared to 2000 (Canadian Recording Industry Association 2001). This reduction in sales was noticed by the state in its policy introductions. It is this state of "flux", as per the wording from PCH, that influenced the debate concerning popular music funding at the time.

As a result, the Canadian music industry faced significant challenges. In a report written by Paul Audley for the CMPA, of an estimated \$290 million collected in revenues for Canadian publishing companies (up from \$240m in 1999), only \$100m was returned to domestic coffers (Audley 2005, 14). This data, although confined to publishing, reveals the impact of CANCON on new Canadian content. While \$50m more was aggregated by collection societies in 2004 than in 1999, only one-third of this remained in Canada (Re:Sound 2010). As a result, Canada's balance of trade was negative, with \$507.1m worth of content exported, compared to \$1.279b worth of content imported (Sutherland and Straw 2008, 153). In addition, the monies returned to Canada were not in the form of sales but in rights administration. Since March 1998, a new private copying levy had collected \$212,643 (Re:Sound 2010) while Canada's Neighbouring Rights Collective was established, now called Re:Sound. It collected \$20m per year for distribution, split across five member agencies (Gervais 2001, 14). This was due to more rigorous rights administration, not an increase in demand of CANCON. However, as the system itself ballooned, more challenges also emerged. In addition, much of this new revenue benefitted established artists over emerging. For example, the blank tape levy was delivered to Re:Sound to distribute on a pro-rata basis, so those with greater catalogues benefit more. Therefore, while more support was available, the overall sector did not benefit collectively at the time of the introduction of CMF.

When CMF was initiated, publishing was the only revenue stream experiencing

growth. The recording sector was in a state of flux in Canada, similar to the global music market. In 2001, the revenue of Canadian-owned sound recordings was \$764m. This shrunk to \$721m in 2002 (Department of Canadian Heritage 2005d, 4). This improved slightly by 2004, when in the five-year report of the Canada Music Fund the authors reported that domestic content had totalled 25% of the market, up from 18%, as revealed by Neilson (Department of Canadian Heritage 2005c, 5).

New opportunities for content to find audiences in Canada often came through tracks being illegally downloaded, where artists and their representatives were not remunerated for the right to consume their works. A solution to this, posited by the music lobby as SRDP expired, was that funding be increased to support more emerging Canadian content and that regulations be placed on commercial radio to mandate airing a certain percentage of new music in CANCON. For the broadcasters, this increase of online music consumption by consumers fuelled a rebuttal, as they claimed the rate of CANCON on radio, after the review in 1998, created enough barriers for their business profitability. The structure of CANCON, minimally altered since 1972, overshadowed these disagreements, but little was done to assess these complexities. As a result, many of the changes implemented focused on increased subsidization, rather than in-depth analysis of the changing nature of Canada's popular music spectrum.

These were the challenges facing the Liberal government in 1999. For the state, CANCON remained a requirement to promote and assert federalism and a nationalistic narrative, even if such a definition of what this narrative was and its relationship to popular music remained undefined. For example, if a Canadian artist became popular through their music being illegally downloaded, a popularity not benefitting their label or the broadcasters, this was seen as detrimental to the sector, rather than beneficial. However, if an artist developed an audience in this manner, a cultural value could be attributed to such popularity. However, often content was consumed that bypassed Canadian business interests. Therefore, the success of Canadian content, in this era of new technological consumption, was no longer simply examinable and delineable by CANCON. Cultural value of Canadian content, the core mandate in *The Broadcasting Act*, was equally tied to Canadian businesses development. As a result, more funding was initiated – from a culturally protectionist basis – to support Canadian businesses and their bottom lines,

regardless of how their content was being heard, consumed and purchased.

As a result, in 2000 the Liberal government announced a \$764m restructuring of cultural industries support, titled *Tomorrow Starts Today*. It included new legislation to support music, film, fine art, museums and other cultural sectors like libraries and new interactive technologies. The portfolio covering popular music was titled the Canada Music Fund (CMF). It was structured to operate similarly to SRDP, with some programmes outsourced to third party organisations, such as FACTOR and Musicaction and others coordinated in-house. The core strategy is compiled in CMF's initial report, titled *From Creators to Audience: New Policy Directions for Canadian Sound Recordings*. This document, part strategy and part publicity, emphasises sound recording and CANCON. The document states: "Ultimately, the Canadian Sound Recording Policy will measurably contribute to the success of Canada's sound recording sector. And, in building on the success of the SRDP, the policy will adopt a more holistic approach to developing this sector" (Department of Canadian Heritage 2001b, 4). The programme was split into eight streams, divided administratively through FACTOR, Canada Council for the Arts, Telefilm, PCH and the SOCAN Foundation.<sup>19</sup> The total amount made available was \$24,676,920 (Department of Canadian Heritage 2005c, 4). There is no justification for this odd amount, other than a cumulative figure of the amount available through the eight programs.

In its first formative review in 2004, the authors write that senior managers from PCH wanted "to build a Canadian music small and medium enterprise (SME) sector, complementary to the large international majors such as Sony, etc. This senior management group indicated that the Department of Canadian Heritage's focus was on the music industry SMEs - many "stars" (such as Céline Dion) have come out of the talent lab of the SMEs, at least in the 1990s. The Department of Canadian Heritage wanted a program that supported this sector" (Gilroy 2004, 18). In this justification for the introduction of CMF, the department focused on economic, rather than cultural objectives. Here, the development of Canadian business for the purpose of fostering "stars" is the objective, alongside the mandate of *The Broadcasting Act* to develop Canadian content for the benefit of Canadians. As a result, a number of programs within CMF were designed to subsidize high-level

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<sup>19</sup> The Canadian Film Development Council (CDFC) was renamed Telefilm in 1984.

Canadian independent labels and trade associations, alongside support for content diversification and creation. However, an economic objective – support directed at commercially successful artists – is mandated here in Canadian cultural policy. As a result, the Canada Music Fund (CMF) asserts popular music and culture as the most powerful definer of Canadian identity formation, as these “stars” better assert a Canadian message than producing more content as a whole. As a result, CMF was more expansive and thorough than SRDP. It also grew to become more controversial.

The programmes are listed in alphabetical order below:

### **Canadian Musical Diversity**

This programme was allocated to the Canada Council for the Arts. It provided a number of grants to genres that PCH classified as ‘diversity genres’, including classical, jazz, Aboriginal music and ballet. According to PCH at the time, genres defined under the term ‘diversity’ were those that had traditionally received support from CCA, including classical music. This remains central to the recommendations in *The Massey Commission*, where so-called “high-art” was protected in Canadian cultural policy. This concept of diversity and the definition of who could apply for support in this programme were devolved to CCA. It consisted of two sub-sections, *Grants for Specialized Music Production* and *Grants for Specialized Music Distribution*, which were available for up to \$20,000 per applicant and capped at \$1.3m per fiscal year in total (Schellenberger 2009a, 6). Over 80% of the programme was provided for sound recording and distribution, intended to support more diversified Canadian content production. This programme was eliminated in 2009 during a restructuring of the fund.

A review in 2009, administered by MP Gary Schellenberger, argued to retain the program despite a restructuring in 2009: “The different forms of specialized music, while they may not reach a mass audience, reflect the diversity and creativity of Canadian artists. The committee therefore feels that this component of the Canada Music Fund plays a strategic role and must be maintained” (Schellenberger 2009a, 7). The report consisted of interviews with recipients as well as executives from FACTOR, Musicaction and the Canada Council for the Arts. The Conservative

government at the time did not accept its recommendations, with the support re-allocated to digital distribution and international showcase opportunities.

### **Canadian Musical Memories**

This fund is administered by the Library Archives of Canada and, as of 2007, received \$360,000 of funding within CMF (Department of Canadian Heritage 2007b). Its objective is to archive as much CANCON as possible, with 300,000 songs accumulated between 1970 and 2007. This stream is the smallest programme in the portfolio.

### **Collective Initiatives**

Collective Initiatives (CI) is the most comprehensive programme in CMF and is administered by FACTOR and Musicaction. There are four streams, as follows:

- Music Conferences, Awards Shows and Educational Initiatives ("BD Component")
  - Music Showcases for Canadian Artists from Official Language Minority Communities ("CLM Component")
  - Music Showcases for Export-Ready Canadian Artists ("CIM Component")
  - Marketing of Canadian Music on Digital Platforms ("CDM Component")
- (FACTOR 2011c)

Collective Initiatives is one of the largest programs within CMF. From 2001-2005, it delivered \$5,857,198 to FACTOR and \$4,179,687 to Musicaction (Department of Canadian Heritage 2007a). Through Collective Initiatives, companies, festivals and conferences can support a variety of activities, loosely defined as an event or activity that involves two or more Canadian companies containing both consumer and business-to-business offerings. Events like Canadian Music Week apply for overhead costs through the 'BD' component, while labels apply to the 'CIM' component to attend conferences like MIDEM. Each of the four streams has its own guidelines and requirements and collectively comprises of one of the more over-subscribed sets of programmes at FACTOR and Musicaction, outside of touring and showcasing.

### **Creators Assistance**

The SOCAN foundation, in existence since 1992, has administered the program since its inception (MacMillan 2009, 2). This is done through funding not-for-profit associations, such as local music troupes. National organisations are given preference, and funding is provided for a series of productions or projects, such as ballet performances or classical concerts. The maximum amount that one organisation could apply for in 2010 was \$300,000, which has increased since 2001, when it was \$150,000 (MacMillan 2011). \$1,290,000 was delivered to the programme in 2008, and this increased to \$1,457,000 in 2010 (MacMillan 2009, 2), up from around \$900,000 in 2001 through 2004.<sup>20</sup> Organisations that receive regular funding include the Songwriters Association of Canada and Canadian Music Centre, a classical music information and lobbying outfit. This stream closed on 31 March 2013, following an announcement made by Minister James Moore on 29 March 2012 (Canadian Broadcasting Corporation 2009).

**Music Entrepreneur Program (MEP)**  
**(Renamed Music Entrepreneurs Component – (MEC) - in 2005)**

This programme, originally administered by Telefilm in 2002, was re-assigned to the PCH in 2005 (Department of Canadian Heritage 2005c) and renamed, replacing its original title, the Music Entrepreneur Program (MEP). It provides labels with yearly contributions of up-to \$550,000,<sup>21</sup> providing activities are subsidised in half by private initiatives. Those successful are not allowed to apply to programmes under New Musical Works (NMW) if their MEC contribution is above \$200,000.<sup>22</sup> The guidelines for MEC are strict; companies must be in operation for five years or more, be Canadian owned and operated, own Canadian copyrights and prove financial worth of at least \$200,000 per year. In addition, labels must have at least four artists in their roster and have sold 150,000 units in total.<sup>23</sup>

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<sup>20</sup> The total amount provided was: \$932,996 for fiscal year 2001-02; \$906,561 for fiscal year 2002-03; \$906,561 for fiscal year 2003-04. This was averaged at \$906,561 from 2006 onwards before being increased in 2008, as stated.

<sup>21</sup> The maximum amount available for MEC companies was \$650,000 up until 2012. This was reduced in a budget restructuring exercise in April 2012. The total amount was reduced from \$8.5m to \$7.5m (CIMA 2012).

<sup>22</sup> The New Musical Works program is discussed on the following page.

<sup>23</sup> This is not true as of 2009 with sector associations, as they now apply to MEC instead of the now defunct Support to Sector Associations component.

The support is determined mathematically. Company revenues are pinned against MEC's total budget. Rankings are given for sales and compared against the other companies applying. If a company sold 2% of the total sales of all MEC applicants, they get 2% of the funding and so on, up to the maximum available. Three years of financial statements are required, and once funding is guaranteed, all bottom lines are audited to ensure the contribution is less than 15% of the company's total net value. As a result, less than 30 companies and associations receive MEC funding each year. In 2009, 22 companies were recipients across both English and French Canada. This is the highest and most substantial level of support offered in Canada. Moreover, those who qualify for MEC can still apply to RSF/FondsRadiostar and show its support as a private contribution against MEC on their bottom line, and thus eliminate the challenges of being taken off NMW programmes at FACTOR, such as sound recording programmes.

This programme has been the most controversial within CMF, both in its administration and delivery. When it was initiated in 2002, the guidelines were claimed as too stringent to be satisfied by most Canadian independent labels. For example, an editorial in *The Montreal Mirror* in 2002 argued, "the eligibility guidelines set out by Telefilm, the federal agency responsible for handing out the money, will benefit only the larger, more established music labels while the small, independent labels will get nothing. This, they charge, will only make the already uneven music industry field that much more lopsided" (Lejtenyi 2002). In the same editorial, then administrator Shelley Stein-Sacks revealed, "there is actually very little consultation between the independents" (and the Department of Canadian Heritage). He then stated, "there should be more communication with the independents" (Lejtenyi 2002).

In truth, the programme was not initiated to provide support for developing artists and labels. Instead, it added a tier to Canada's popular music funding system, much like DBA did at FACTOR. It supposedly rewarded success, offering high-level support to those that could show a return on investment, but its administration was not as straightforward as its mandate. In fact, Telefilm were poor administrators, ultimately losing the contract when Stein-Sacks was forced to resign on an accusation that he promised support to a few Quebec companies that were then refused, leaving the entities out of pocket for expenses that they expected to recoup. The affair, outlined

in Montreal broadsheet *Le Presse* on 11 December 2008, claimed that in 2003, Stein-Sacks and analyst Nat Meranda supposedly promised over \$1m funding to several Quebec companies that was never delivered (Brunet 2008). As a result, Telefilm was found responsible and ordered to pay \$900,000 plus interest in damages to three companies (Brunet 2008). Following a review of the programme in 2004, PCH took responsibility for administering the programme, which it still controls at time of writing.

### **New Musical Works**

New Musical Works is a reworked version of the sound recording structure at SRDP. It is outsourced to FACTOR and Musicaction and comprised of demo and sound recording grants. This is the largest component of CMF, resulting in 50% of total funding occurring between 2001 and 2005. In its first five years, "a total of \$19,245,548 of NMW funds (as well as broadcaster funds) invested in 490 albums, or an average of \$39,277 per album" with FACTOR alone (Department of Canadian Heritage 2005c, 11). According to data supplied by CRIA at the time, "NMW funding accounted for about 47 per cent of the estimated wholesale value of NMW-funded CDs" (Department of Canadian Heritage 2005c, 11). This has not been quantified since 2005. Nevertheless, the support has continued with NMW remaining the largest programme within CMF and one of the largest supporters to FACTOR and Musicaction for sound recording, both within juried programmes and DBA strands.

### **Policy Monitoring Program**

This stream is intended to provide a budget for PCH to monitor the policy. Much of the consulting has tended to be outsourced, including a 2005 evaluation of the Canada Music Council, a cross party working group comprised of parliamentarians and music sector representatives. Each year, the programme has a budget of \$1m (Department of Canadian Heritage 2009), and in 2004-05 an evaluation was produced that stated that it is in place to "ensure that the CMF's programs remain effective and responsive to sector needs, and serve the interests of all Canadians, the program monitors and measures the progress and impact of the CMF programs" (Department of Canadian Heritage 2005b, 4). In the end, there was little need for this allocation, and the stream was discontinued in 2006 and merged with the

department's overall sound policies directorate, which has its own separate budget.

### **Support to Sector Associations**

This stream was discontinued in 2009, but it provided a strong backdrop to the development of CMF throughout the past decade. Its origins begin in 1988, when the Department of Communications initiated the *Canadian Sound Recording Service Organization Contribution Program* (CSRCO). It provided support to music trade associations for their investment and export activities, such as producing Canada's trade stand at MIDEM. This was supported with \$350,000 between 1988 and 1993, which was then reduced to \$315,000 in 1994-1995 (Task Force on the Future of the Canadian Music Industry 1996, 39). While the programme was cut in 1995, its structure remained in place, resurfacing in CMF as Support to Sector Associations. This programme provided overhead funding for national and regional Music Industry Associations (MIA), including CIRPA, ADISQ and CMPA.

In 2009, the programme and the recipients were given the choice of either merging into MEC or becoming an applicant of FACTOR. CIRPA and ADISQ decided to join the MEC programme while all other associations went with FACTOR through its CI and NMW streams. As a result, MEC was restructured to include a strand for sector associations, with CIMA receiving \$445,000 in 2010-2011 and ADISQ receiving \$562,500 (Department of Canadian Heritage 2012). The same amount was provided the following year. No reason has been provided by PCH as to why ADISQ receives more than CIMA, even though CIMA represents a larger population base, as this has not always been the case. In 2004-2005, CIRPA received \$197,317, while ADISQ received \$175,261 (Department of Canadian Heritage 2005a, 5). However, the total amount awarded in the programme was \$650,998 annually, and currently, ADISQ and CIMA receive more than this through PCH, with other provincial organisations reporting to FACTOR.

### **Analysing the Canada Music Fund 2001-2006**

By 2001, a number of diversified revenue streams emerged through publishing, Internet distribution and touring and as a result, more funds were made available for these activities, with the total budget eclipsing SRDP five fold, with \$25m available instead of \$5m. However, the new program introductions did not analyse pre-

existing complexities with how the policies reflected CANCON and *The Broadcasting Act*. Nor did it qualify any method of measuring success, such as through radio playlist penetration or greater international development.

CMF, as a whole, was pointed more at market penetration than any public support mechanism established previously, with a redefined focus on establishing and supporting commercial success. As a result, the impact of CANCON in this policy was different to previous interventions. It remained a pre-requisite to adhere to – both in quota and supposed diversification – but CMF took a set of objectives that “picked winners and losers” more, as *Billboard* journalist Larry Leblanc notes (pers. comm). Those with the most commercial viability were provided with more subsidies. The development of Canadian content was not ignored; it was reinforced, but done so with another variable placed on top, one where the state was focused on influencing and developing commercial success through cultural policy. Once again, economic and cultural objectives intertwined, but with CMF, those leaning towards business interests were prioritized.

These new methods of intervention altered Canada’s cultural policy framework, as new structures grew increasingly far removed from the policies that came before. As Straw and Sutherland state in *Canadian Music Industry at a Crossroads*, the industry “seem[s] to be moving from a model that sought to protect Canadian culture at home to one more oriented towards promoting and exporting it on the global stage” (2008, 153). This is evident in the wording of *From Creators to Audience*, which outlines the political position to introduce CMF at the time. It states: “Globalization is taking down barriers, eroding borders and making way for a world of opportunities for Canadian artists and recording companies. It is also opening the door to even greater competition for the mostly smaller and undercapitalized Canadian firms” (Department of Canadian Heritage 2001b, 4). No longer is the production of content a satisfactory outcome in Canadian cultural policy. Such content must be able to compete domestically and internationally, and it is the state’s responsibility to encourage such competitiveness, by assisting companies with higher revenues. This policy is not framed, nor reliant on CANCON guidelines; its existence, to ensure the production of content, becomes only a level within a greater framework of policies, meant to impact both economic and cultural objectives.

However, if one returns to *The Broadcasting Act*, it states that policy towards

Canadian content “encourage[s] the development of Canadian expression by providing a wide range of programming that reflects Canadian attitudes, opinions, ideas, values and artistic creativity” (Department of Justice 2012a, 3). The regulation continues; “the Government of Canada is committed to ensuring that the industry develops the tools to succeed in this challenging environment and that Canadians continue to have access to a diverse range of quality Canadian sound recordings” (Department of Justice 2012a, 3). Such requirements were deprioritised in CMF. As a result, a gap widened where policy was framed through an accepted state objective to promote and focus on those with more commercial viability. As a result, CMF benefitted established labels and other entities more, altering the manner in how popular music funding was administered in Canada.

One can posit a theoretical complexity in *From Creators to Audience*, where “an ongoing reluctance in music industry discourse” is continued that remains hesitant “to make significant claims about the cultural effectiveness of the music itself” (Straw 2000, 176). Once again, there is no attempt to define what Canadian music is and for the first time, unlike *The Massey Commission* and *The Applebaum-Hébert Report*, qualifying a definition of what is and is not Canadian in this context is deprioritised. This is because CMF is more economically focused, prompting a marked change in rhetoric from previous policies. CANCON remains an underlying factor in policy and a cultural focus is retained in CMD and CA, for example, but the core focus is on the development of Canada’s businesses and the state’s role in subsidizing their market-driven activities.

Sutherland, in analysing the early stages of SRDP, introduces concepts that can be applied to 2001’s policy document. In essence, the same complexities addressed in 1986 were revisited in 2001. He states:

We see a more precise and narrow conception of the industry than in Canadian content regulations. Here ‘Canadian’ means Canadian-owned; foreign-owned labels are relegated to infrastructure, as distributors. Sound recording is privileged as the defining activity of the music industry, both in terms of the program’s name, as well as the bulk of the funding. The relationship between music industries and radio broadcasting is still operative and is a feature in the rationale for the SRDP, as well as in its administrative structure. The SRDP inherited some of this from Canadian content regulations and other broadcast regulation. If, as we suggested, the limits of Canadian content’s efficacy necessitated other, more direct measures, the policy did

bequeath other legacies (Sutherland 2008, 170).

Canada Music Fund, if analysed as a whole, is one of the legacies that Sutherland notes that has emerged from CANCON policy. However, the program's relationship to CANCON, other than requirement that the applicant be Canadian, is deprioritised in comparison to SRDP.

This can be measured through its formative evaluation in 2004. In the report, three objectives are noted that CMF failed to meet in its first three years. They are; "lack of clear objectives, lack of performance management and delays in implementation" (Gilroy 2004, vi). In the same document, it states that CMF did succeed in creating more Canadian musical products, adapting artists and the industry to different markets and promoting increased access to diverse Canadian music (Gilroy 2004, vii). The three failures, according to the document, can be measured through Sutherland's comments. Such "limits of Canadian content efficacy" (Sutherland 2008, 170) is what produced such a lack of clear objectives and performance management noted in the review. This is because CMF, as a complete set of programs, included multi-faceted objectives that often contradicted one another when placed together. As a policy influenced and dictated through CANCON regulation, CMF succeeded in promoting the core objectives in *The Broadcasting Act*, including encouraging more diverse content and greater content creation. However, the new objectives made apparent in these programs that prioritized economic intervention were less conclusive, because little analysis into the impact and narrative of CANCON's legacy, up until this point, was included in CMF's programs. As a result, CMF's economic focus often did not align with Canada's cultural obligations, shifting the focus to internationalization and commercial success. CANCON was not initiated to directly impact commerciality, but CMF was. This is the marked shift in policy in Canada in 2001 and one that would remain the core structure from then on, one where economic objectives more often overarched Canada's cultural policy requirements.

### **Evaluative Challenges To Policy Alterations**

One of the marked shifts in the early activities of CMF was the changing relationship in Canada between nationalism and globalization in Canada's cultural policy. In *Ethnic Nationalism and Post Industrialization*, Anthony H. Richmond refers to this as a "problem of integration" (1984, 7). He states; "there is evidence that advanced

industrial states are converging in their increasing interdependence as sub-systems within a global economy" (Richmond 1984, 7). In the case of Canada, this comment can be used to elaborate on the changing nature of funding in Canada with the introduction of CMF. By 2001, compared to 1986, Canada was more dependent on the impact of global technologies on how cultural products were consumed. Nationalistic policies such as CANCON were incapable of being enforced on the Internet and recorded music, as a whole, was less reliant on traditional borders with the development of online file sharing. As both Canadian and international labels lost revenue with the increase in illegal downloading, such interdependence increased, as commercial success depended on increasing one's reach both inside and outside of one's borders.

The same context influenced The Maple Music System, which first enabled Canadian musicians to tour nationally and garner coast-to-coast radio play. By 2001, the state not only had to support the promotion and development of Canadian content, as enshrined in *The Broadcasting Act*, its policies had to also recognize and react to global competition and interdependence, to allow such content to compete collectively as a "sub-system within the global economy" (Richmond 1984, 7). As a result, nationalism and globalization, in terms of Canada's music sector, continued to converge and CMF is a result of such convergence. Canadian content needed to continue to internationalize for its national identity to be reinforced. Such internationalization increased the cultural worth of content, a trait that the programs in CMF identified. As a result, more funding was allocated for such purposes, even if the support lacked "clear, quantifiable objectives" according to the program's first review, one conducted in 2004 (Gilroy 2004, vi).

To best deconstruct CMF's eight programs in its first few years, it is best to return to the formative evaluation delivered to PCH in 2004. In its strategic objectives, the review states:

Canadian Heritage senior managers consider music as part of the cultural policy statement, i.e., music as a source of content. In the chain of supply, it is the sound recording businesses that are essential. From their perspective, while it is true that without the individual artists the music would not be created, it is also the case that without the production, the music would neither reach an audience, nor create a history. As a result, the intent of the CMF design is to affect the structure of the industry, rather than to support solely project-based funding (Gilroy 2004, 18).

As a result, in an effort to support the structure of the industry, policymakers posited two objectives. The first was “greater clarity between economic and cultural objectives” and the second was a “better targeting of funds” (Gilroy 2004, 18). For this discussion, the first objective is significant. The review singled out MEC as a program that encouraged such clarity, as the guidelines focused on economic intervention. CMF, in this sense, satisfied this objective, but did so with an increased bias. With this increased economic focus, cultural priorities were taken for granted, as more support automatically initiated more content production and this could be assumed, without qualifying such a statement, to benefit Canadians as a whole. However, the funding was tilted towards established companies via an economic focus. For example, at FACTOR, DBA was a programme that only established labels could access, and this program was funded through New Musical Works (NMW). Arguments were aired that accused the programme’s guidelines of bankrolling labels, in order to give the labels influence to retain artists, rather than empowering artists to administer their own business dealings. However, CIRPA, the organization that co-founded FACTOR and represented Canada’s independent labels supported DBA, as it enabled their members to invest more funds in their artists. Larry Leblanc, in a report submitted to PCH on Canada’s music distribution spectrum, posits this argument. He states:

Fierce A&R competition from multinationals has hindered Canadian independent distributors and Canadian labels in attaining new acts. Also according to several Canadian independent distributors, multinationals have recently been more aggressive seeking out foreign-owned independent labels for distribution in Canada. This is a concern to Canada’s independent distribution sector because access to foreign product is core to their businesses. (Leblanc 2006, 5)

DBA’s focus on supporting established companies correlates with the direction of CMF, one that prioritizes economic objectives. “We did not want to second guess the independents so we decided if they have a reasonable track record, we could bypass the A&R side of it and allow them funding based on decisions that had a proven marketability”, argues Earl Rosen, one of the early architects of FACTOR and the DBA program (pers. comm). “Plus, the major labels are indirect beneficiaries of FACTOR, as us independents use their distribution networks. I don't have a problem with that if it helps both the independents and the artists, but we need to protect the labels and DBA allows access to this” (Rosen, pers. comm).

This structure was corroborated with the guidelines of CMF, but was altered in the forward of the initial program review. In 2004's CMF annual report, its wording had changed from 2001, revealing the aim of the structure to be the "development of young artists, the production and promotion of new recordings, multidisciplinary projects involving the entire industry, and the conservation and digitization of great Canadian musical works" (Department of Canadian Heritage 2004a, 1). This mandate was even greater than had been itemised in *From Creators to Audience*.

This change can be best measured through an analysis of the Music Entrepreneurs Component (MEC).<sup>24</sup> The majority of labels that qualified for MEP/MEC in its first year were Quebec labels, questioning how diverse this allocation was in reality. Such accusations have occurred since the establishment of FACTOR within CIRPA. In a 2002 editorial in *Exclaim!*, Canada's largest independent music magazine, label owner Neil Haverty accused both parties of "starving indie labels and only rewarding success" (Haverty 2002, 4). His opening salvo revisits an old argument:

The Canadian music industry is fed from below by a team of dedicated, underpaid enthusiasts who stoke the fires of underground culture. But while the major labels hover like vultures to acquire artists at the first sign of success, money earmarked to support Canadian culture ignores these ground breaking independent labels. (Haverty 2002, 1)

Haverty does not delve into the complexity of Canada's major and indie structure, leaving out the fact that many independents rely on multinational distribution structures. His comments highlight his clear bias towards independent labels, as he ignores any talent development that takes place at multinationals. As a result, his argument is unsubstantiated, and yet it was taken as a rallying cry for many emerging Canadian artists and labels at the time. In the feature, he interviews MEP administrator Shelley Stein-Sacks who, in his explanation of MEP states the program "identifies companies that are in need of having support that will allow them to grow in terms of structure. It might just be a matter of upgrading their personnel or it might be a full overhaul. You get to a point where, in order to survive, companies have to look at better structures to deal with the way they'll position themselves in the future" (Haverty 2002, 3). The comment was contradictory, as only companies

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<sup>24</sup> This program was renamed in 2005 after the administration transferred from Telefilm to the Department of Canadian Heritage. Its acronym altered from MEP (Music Entrepreneurs Program) to MEC (Music Entrepreneurs Component).

with established structures were supported. In 2001-2002, all 26 who applied received support totalling \$3m (Gilroy 2004, 16) and in 2002-2003, all 13 companies that applied were awarded funding (Department of Canadian Heritage 2005d, 12). In all three years from 2001-2004, there was not one unsuccessful applicant. At the time, 315 Canadian companies were trading in the music industry in Canada (Department of Canadian Heritage 2005d, 3). These companies received almost one-third of all total funding available through CMF.

In the history of SRDP between 1987 and 1998, FACTOR approved 1,692 recording projects worth \$21,731,095, totalling \$1,975,554 per year. In four years of CMF, the amount given to FACTOR for NMW totalled over \$7m per year, effectively tripling the public funding available to sound recording through the programmes. As a result, 153 projects per year, on average, were supported through SRDP (for this program only) compared to 299 for CMF. For Musicaction, \$1,232,225 was distributed per year through sound recording loans, with an average of 85 projects per year (Government of Canada 2000, 2:3). Through CMF, \$6,717,669 was distributed to 673 approved projects, totalling \$1,679,417 and 168 projects per year (Government of Canada 2000, 2:4). This equates to double the amount available.

As a result, a confusing picture emerged as CMF was slated for renewal in 2004, three years after its implementation. This process did not pass without incident. In fact, it set the scene for another problematic period for the three parties involved – the music businesses, the state and private broadcasters.

### **Canada Music Fund's First Renewal: 2004 and 2005**

In 2004, CIRPA, CMPA, SOCAN, ADISQ and others began to lobby for the renewal of CMF. This was not an independent issue at the Department of Canadian Heritage. CMF only occupied a small fraction of the renewal debate, as it was not CMF itself but *Tomorrow Starts Today* that was expiring. As a result of the expansive program review, the debate was delayed in parliament, prompting a flurry of lobbying on behalf of the domestic music sector in early 2004. In an interview with Ottawa's Capital Arts, FACTOR President and CEO Heather Ostertag claimed that the delay was "ironic", stating that FACTOR had been "audited 47,000 ways to Sunday and, time after time, we keep coming up with the thumbs up. And here we sit in this position. We're not asking for handouts. We're asking for some investment dollars.

The government has to realize how they're putting things in jeopardy and come up with some long-term, stable funding" (Rifkin 2005). Ostertag's comments are telling for two reasons. First, she states that the administration has undergone a series of auditing procedures. However, these audits, other than releasing annual financial statements, were not made public. Second, she argues that FACTOR is an investment structure as opposed to a series of handouts. This argument challenges FACTOR and its core mandate in managing both cultural and economic objectives. From the onset of the fund, when it was supported through private broadcaster support, FACTOR's programs resembled those of a cultural business bank, rather than a granting administration. Much of its funding was delivered through loans, rather than grants, ensuring that business development of its applicants – in the case of greater radio play at the time – remained an argument to defend the nature of the fund. This continued when the state partnered with the organization in 1986. If the organization was seen to be simply 'handing out' money to its applicants, with little analysis or expectation of return, its economically-influenced mandate would be compromised, both for its public and private stakeholders. However, FACTOR needed to abide by Canadian cultural policy regulations as well, ensuring that its allocation provided support for diverse content and that more Canadian music was being produced as a result. Therefore, repayment rates on FACTOR loans, an economic requirement, were never published and no data on the return on investment, other than pull-quotes from artists was made public. This is what Ostertag refers to in her comments, as FACTOR lobbied for CMF's renewal on its economic impact, rather than its cultural requirements. This economic argument produces confusion when placed alongside the structures of CANCON and the initial policy document outlining the Canada Music Fund. Ostertag does not argue that FACTOR is supporting diversity and an increase in CANCON, but that it is an investment structure. There was no mention of supporting the mandate in *The Broadcasting Act* in the lobbying at the time.

In the end, the programme was renewed, but only for one year, rather than three or five years. In an official commons debate on 20 November 2004, Minister of Canadian Heritage Liza Frulla announced the one-year renewal, stating, in her speech to the house, "it cannot be denied that *Tomorrow Starts Today* has enabled us to achieve notable progress. All over Canada, performance halls, cultural institutions, festivals, art schools, publishing houses and theatres have received our

support” (Department of Canadian Heritage 2004d, 96). Frulla did not quantify this progress or differentiate between its cultural, Canadian-quota implications and the economic value to its constituents, nor does she mention CMF or popular music in any regard. CMF was renewed at the same amount as previous years.

In the end, alongside the renewal of CMF, FACTOR’s contract was renewed. However, the renewal of CMF and subsequent contract extension with FACTOR was not confirmed until early 2005, after the renewal of Canada’s film, book and new media programmes. There is no documented explanation for why CMF was renewed after other programs, but such delay created tension between the state and the music sector. One argument that could be attributed to the delay was that certain programs needed further clarification. In Gilroy’s review, the author states:

There are also some issues concerning clarity of program eligibility criteria, primarily between CCA and FACTOR. One of the administrators notes that the other is referring clients who don’t qualify for their funding, when they are clearly not an eligible client. The administrator feels there is a need to ensure staff in other administrator organizations are clear about each other’s eligibility requirements. (Gilroy 2004, 26)

Furthermore, the concept of repayment was further examined. The report continues:

For two of the main administrators (FACTOR and Musicaction), there has historically been a process of repayment by recipients for some portions of funds received via programs administered under the former SRDP. If a recipient reached a certain level of success with a product for which he/she received funds from the program, he/she would be expected to repay a portion of the funds to the administering organization. These funds would then be reallocated to other program applicants.

There appears to be confusion concerning this aspect of the CMF. The administrators understanding of this process is that it still exists for projects under the New Musical Works Program, however, repayments must now be made to the Receiver General of Canada (according to Treasury Board guidelines), rather than directly to the administrators. Thus, from their perspective, there is no reallocation of funds directly back into the industry. (Gilroy 2004, 30)

This delay caused some distress at FACTOR and other administrations. This

occurred across the greater cultural industries as *Tomorrow Starts Today*, as a whole, was threatened with closure. In "Clouds Clear and Cash Comes," an article published in the *Toronto Star*, Martin Knelman outlines this tension: "The sense of dread engulfing Canada's arts community is about to be lifted — for now" (Knelman 2004). By renewing, "the decision comes after months of fierce lobbying and parliamentary hearings, as well as fear, anger and frustration. And it removes a big black cloud hanging over the cultural world" (Knelman 2004) as "reflecting widespread anxiety about what would happen if *Tomorrow Starts Today* came to an end on March 31, members of parliament have been bombarded with letters, faxes and email messages throughout the fall" (Knelman 2004).

Furthermore, at the same time as the late announcement of the renewal, Frulla presided over a new report analysing Canada's broadcasting sector, the first since *The Fowler Commission*. Titled the *Lincoln Report*, or *Our Cultural Sovereignty: The Second Century of Canadian Broadcasting* (Edge 2004, 76), it tabled 97 recommendations concerning the future and health of Canada's broadcasting sector and its impact on cultural sovereignty. Compiled in 2003 by then head of the Standing Committee on Canadian Heritage, Clifford Lincoln, some of the report's recommendations, ones tabled before the renewal process began, were contradictory to the overall focus of CMF. While the report was largely ignored by Canada's media, it became a strategic policy document to advise the government in the wake of the renewal of *Tomorrow Starts Today*. One recommendation stated that MAPL "be reviewed to ensure that the system fosters the development of new artists", whilst another argued that "the CRTC permit distributors to offer a wider range of international programming services" (Parliament of Canada 2003). This proved confusing, as while the report advocated protecting CANCON, it also called for less regulation on international ownership. Funding was not mentioned, but *Tomorrow Starts Today* was referred to as a support mechanism for Canadian content development. The report was comprehensive but little consensus was delivered in its release. Marc Edge, in "Convergence and the Black News Hole: Canadian Media Coverage of the Lincoln Report" outlines this, revealing rifts in policymakers that stalled its release. He outlines a comment from the commission, stating The Canadian Alliance, Bloc Quebecois and even the Liberal vice-chairman of the committee filed "separate opinions disagreeing with or amplifying parts of the report, which includes in its title the words "Cultural Sovereignty"" (Edge 2004, 80).

Such disagreements concerning *The Lincoln Report's* findings infiltrated the renewal process of *Tomorrow Starts Today*. The title, one relating to Canada's cultural policy objectives, was not agreed upon by all parties, as the report questioned the impact of Canada's business development on the mandate written in *The Broadcasting Act*. By the end of 2004, when *Tomorrow Starts Today* was renewed and FACTOR had its contract extended to administer parts of CMF, these disagreements had further infiltrated the work within PCH. As a result, many of the decisions made became increasingly inconclusive, leading to a one-year renewal, rather than three-or-five year renewal.

In addition to the internal review by Gilroy and Associates, PCH produced a public facing review of CMF in 2004, titled *Music For Everyone*. This report can be argued as misleading. In the report, three objectives are outlined: to ensure "Canadian music artists and entrepreneurs have the skills, expertise and tools to succeed in a global and digital environment; to enhance Canadians' access to a diverse range of Canadian music choices and to increase the opportunities for Canadian music artists and entrepreneurs to make a significant and lasting contribution to Canadian cultural expression" (Department of Canadian Heritage 2005, 3). These three objectives are not easy to align, as once again cultural and economic objectives were placed together. The first, economic success, remained reliant on multinational distribution chains and the Canadian music that succeeded in this regard, whether it was supported or not, did so by appealing to market-driven radio playlists. In addition, quantifying a "significant and lasting contribution" to Canadian cultural expression remained undefined, as the concept of what Canadian cultural identity was as a standalone entity, remained no less defined than when Goldwyn Smith commented on the subject a century earlier. If more Canadians are producing content, regardless of its impact on the market, it can be argued that this is "a significant and lasting contribution". Yet, the policies were evaluated simultaneously on market penetration, which often contradicted a need to diversify Canadian cultural content. This was not resolved during the initial renewal process of the Canada Music Fund.

In addition to the Canada Music Fund, another portfolio was launched in 2001 that impacts the history of popular music funding in Canada. It was introduced by the Liberal government in its final term, before being eliminated by the Conservatives upon their election victory in 2008. This fund further questions the impact of Canada's cultural funding structure and its impact on economic objectives. This

portfolio consists of two funds, jointly administered by PCH and DFAIT, called Trade Routes and PromART.

### **Is Canada a Brand? The History of Trade Routes and PromART**

In 2001, the Liberal government introduced a portfolio that was not specifically designed for popular music, but was utilized by popular music organisations and companies. This was comprised of two similar export programmes; one for the cultural industries titled Trade Routes (administered by PCH) and a separate cultural sector grant programme known as PromART (administered by the Department of Foreign Affairs and International Trade (DFAIT)). This support is significant, because its focus centred on branding and promoting Canada to encourage trade, cultural exchange and investment, under the promotional term 'Team Canada Inc.', a term that combined a cultural term – Team Canada with an economic term meaning incorporated – 'Inc.' (Department of Canadian Heritage 2003d, 3).

Trade Routes was first announced in a press conference by then Minister of Canadian Heritage, Sheila Copps, on 28 November 2001. It was initially guaranteed for three years and was allocated \$23m (Department of Canadian Heritage 2003d, 3). Its objective was to support cultural export including film, theatre, dance and sound recordings. The initial brochure outlining the program states: "Trade Routes provides Canada's arts and cultural entrepreneurs with access to the full range of government trade programs and services that operate under the Team Canada Inc. banner. It helps private and non-profit sector entrepreneurs to strategically increase their export capacity and sell in international markets" (Department of Canadian Heritage 2003c, 3). Trade Routes, from the onset, was a complicated set of programmes that proved difficult to administer and quantify. Not only did it provide export development support to associations and independent labels through a "contributions program", it also placed "in-market specialists" in export territories such as the United States and United Kingdom (Department of Canadian Heritage 2003d, 4). The allocation of funding was administered by PCH while the in-market specialists were administered by DFAIT through its network of embassies and high commissions. It was this team that was referred to, in official documentation, as Team Canada, Inc. This concept of defining Canada through the term "Team Canada Inc." revealed both cultural and economic objectives to the program. The leading concept, "Team Canada" attempted to model Canada as a standalone brand

with definable content that could be developed outside its borders while the term 'Inc.', hinted that the Canadian government was acting as a corporation, whose saleable product was Canadian content, from oil and gas exports to agribusiness and for our purposes, culture.

Both programs can be traced back to 1995 when the Liberal government published *Canada in the World*, a document analysing how Canada represented itself globally (Canadian Council for International Cooperation 1995). Most of the document focused on human rights and Canada's African policy, but within it led to the development of the Arts Promotion Program (APP) in 2001, offering \$4m in grants per year to the cultural industries through DFAIT. APP was concluded in 2005 after four years, being replaced by PromART. APP, however, did not support the sound recording sector. Its mandate included "Film, Video and Television, Literature, Performing Arts, and Visual and Media Arts" (Department of Foreign Affairs and International Trade 2006, 2.3). It was the introduction of PromART in 2005 that directly involved Canada's independent sound recording sector. Trade Routes had a similar objective, but did not include popular music from its introduction. According to the first application developed for the programme, the fund had two objectives: to assist arts and cultural entrepreneurs to become more "export-ready" for international markets and to increase trade in cultural products and services (Department of Canadian Heritage 2003d, 3). The rules of the programme are similar to FACTOR. 75% of allowable expenses were provided with a maximum investment \$100,000 per fiscal year, although companies were allowed to "stack" funding, or seek support from other government agencies (Department of Canadian Heritage 2003c, 14). This 75% funding structure required independent investment from the applicant, although that could be provided through other funding structures. The programme, first introduced for only three years, was renewed in late 2004 by then Minister of Canadian Heritage Liza Frulla. At the time, it provided another substantial source of support. Independent labels, management and publishing companies attended major music conferences like MIDEM, South by Southwest and Popkomm with Trade Routes support, and Canadian cultural trade commissioners were posted abroad were able to provide in-market support for Canadian companies, including scheduling meetings and performances at embassies and high commissions.

By 2007, Trade Routes and PromART were contributing a total of \$13.7m per year to

Canada's cultural industries (Schellenberger 2009b, 6), and from 2003-2007 the programmes were significantly supportive of Canadian musical exports abroad. For example, to launch a partnership with The Great Escape Festival in 2006, one of Canada's trade commissioners in London, Jeffrey Crossman, along with his colleague in Canada at DFAIT, Nicki Dewar, paid £20,000 for a covermount partnership with *NME*, titled *Canadian Blast: The Sounds of the New Canadian Scene* (Dewar, pers. comm). This CD featured acts performing at the festival and was combined with a trade mission before the festival at the high commission (Dewar, pers. comm). A portion of this project was underwritten through Trade Routes, with the rest coming via CIRPA (through its ability to source support from central government), the industry partner. This was publicised in an internal DFAIT newsletter, titled "Canadian music industry heads across the pond" (Department of Foreign Affairs and International Trade 2007, 6). The newsletter interviewed *NME*'s features editor, James McMahon. He states; "every so often, a city or country inexplicably comes alive and spews forth a whole load of great new music and now, all ears are on Canada. From the jittery art punk of Tokyo Police Club, to the glorious gloom of The Besnard Lakes, to agitated noise of Holy Fuck and the croon of Patrick Watson, Canadian Blast is your definitive taster of one of the most exciting new music scenes in the world" (Department of Foreign Affairs and International Trade 2007, 7). This advertorial promoted the Canadian brand, under the title *Canadian Blast*, to provide publicity for the aforementioned acts (Dewar, pers. comm).

These types of initiatives supported in Trade Routes were short lived. In 2007, the newly elected Conservative administration reviewed PCH's arts support in its inaugural budget. In the end, both Trade Routes and PromART, along with ten other programmes were eliminated, providing \$47m in savings to government. These cuts were not formally announced. Instead, they were published on the Government of Canada website, possibly in an attempt to allay criticism towards the decision (Quill 2008a). In the end, the amount saved attributed to Trade Routes was \$7.1m per year and \$4.8m for PromART (Schellenberger 2009b, 8). As a result, the cultural industries community rallied in opposition to the cuts.

However, in the coverage that followed, much of the criticism levied on the state was by those working in the cultural industries, rather than the creators themselves. The Canadian Conference for the Arts, in their newsletter outlining the cuts, argued that "we have too much to lose if we merely shrug our shoulders – the real value for

money in these programs cannot be measured without an appreciation of how our artists, creators and arts professionals enhance the image of Canada as a sophisticated, diverse and creative nation" (Canada Conference for the Arts 2008). This opinion was echoed by Antoni Cimolino, director of the Stratford Shakespeare Festival, who claimed the cuts would have a "devastating effect" (Quill 2008a).

The state's response was that "programs affected were those that were not effectively meeting objectives, or had attained their original objectives" and that only 3.4% of PCH and DFAIT's budget was re-allocated (Moore 2007). Other state officials expressed ideological concerns towards the programs, including then Foreign Affairs Minister David Emerson's spokesperson, Anne Howland. She stated; "we felt some of the groups were not necessarily ones we thought Canadians would agree were the best choices to be representing them internationally", as reported by CBC (Fortin 2008). Howland singled out instrumental Toronto act Holy Fuck and a \$3,000 tour grant received through PromART as one such example (Fortin 2008). Prime Minister Stephen Harper defended the cuts, at a press conference on 26 August 2008, explaining, his government had increased funding for the arts in total. He stated; "every five years we go over all our funding programs to find which are the most effective. Some arts programs went down, others went up" (Canadian Broadcasting Corporation News 2008a).

A number of international media outlets covered the fallout, including the Austin Chronicle who published an article titled *What Happened to Canada?* In it, writer Darcie Stevens argues; "what is especially disheartening is the reasoning behind the cuts, as the money "went to groups that would raise the eyebrows of any typical Canadian, according to a government official" (Stevens 2008). Here, an ideological shift concerning why music (and the greater cultural industries in this case) was funded in Canada came into question. For the Conservative government, in addition to financial reasons, these funds supported content they deemed unsuitable to their definition of Canadian content, according to Howland. For Holy Fuck, Exclaim interviewed bass player Matt McQuaid, who stated:

I guess more than anything it's a little bit annoying that we've been made the scapegoat when you consider how much money we received relative to the budget for the entire program. So, all of these other larger groups who need money more

than we do to travel abroad — like ballet and symphonies — we become the scapegoat for the cutting into their funding. (Thiessen 2008b)

McQuaid's comments are significant. Here, he comments on the ideological reasons behind the decision to cut the fund, rather than the elimination of the program itself. The rest of Exclaim's interview with McQuaid is equally telling, and is worth quoting in full:

McQuaid went on to tell the CBC he realized how the band's name could make them an easy target but said, considering they were nominated for this year's \$20,000 Polaris Prize and other awards, he doesn't understand how supporters of the cuts could say they and other artists aren't mainstream enough. "We've been nominated for a Juno Award — that's as mainstream as you get for popular music in Canada," he said. "That argument falls flat in our case and from what I've read... for a lot of other people as well." McQuaid also said other programs such as FACTOR and the Canada Council are crucial for the success of Canadian artists. "They just help bolster Canadian artists as they're achieving their goals — whether it be music or whatever they do," he said. "A lot of times people are doing things that are valuable and meaningful but not necessarily commercially viable. (Thiessen 2008b)

McQuaid, part of an act used as a scapegoat to justify the removal of the fund, outlines the complexities that were not approached by either the government or the creative sector in measuring the core objectives and worth of the fund. One criticism McQuaid notes is that, according to the article, supporters of the cuts preferred funding to be provided to more economically viable projects. In addition, he separates "valuable and meaningful" from "commercially viable". However, Trade Routes and PromART (Holy Fuck were blamed for the cancelling of PromART) were not economically focused support structures. As a result, measuring their impact on Canada's cultural commerciality was unsustainable, providing a justification for it to be cut in favour of other programs. This reveals the complexities at the time, ones that further increased with the cancelling of these programs. The new administration sought to change the definition, and did so by restructuring two programs and justifying it by claiming the content supported did not satisfy their objectives.

The reasons why the Liberals established the programmes also reveal justifications for why the Conservatives cancelled them. Former Minister of Canadian Heritage,

Sheila Copps, claims that their concept of federalism was different to the Conservatives, who initiated the policy in the first place. "We started it to reinforce culture with our Quebec partners", argues Copps. "We would spend all this money in Telefilm and other cultural endeavours, and when acts went abroad, our embassies didn't know anything about it. And the Quebec provincial government was very good promoting their content abroad. So, to me, we were developing this talent and when it came to marketing, our own embassies didn't know. So it was a cheap way to maximize what we were already spending money on" (Copps, pers. comm). In this sense, the policy itself was concerned equally with reflecting positively on the state to promote federalism, as it was supporting Canadian content abroad. When the Conservative government won the election, this concept of federalism was re-ordered, and with it such programmes within DFAIT and PCH aimed to influence it.

In *Holy Fucked: Strategizing Resistance to Harper's Arts Cuts*, Lorraine York elaborates on the program elimination:

The Department of Canadian Heritage pursues two strategic objectives, known in acronymic bureaucratese as SO1 and SO2. The former covers support for Canadian artists' expression at home and abroad (literature, music, film, other media, support for festivals, etc.), whereas SO2 promotes "intercultural understanding," "citizen participation," and "sports." Since the Conservatives were elected in 2006, contributions to SO1, which is the core source of funding for the arts, have declined from \$817m million to \$759m million. Contributions to SO2, however, which has nothing to do with the arts, have increased from \$567.7m million to \$631.6m million, which accounts for the overall augmentation to the ministry budget. (York 2007, 11)

As a result, the priorities within PCH concerning the greater arts budget were reordered. This corroborates Howland's comments implicating Holy Fuck, as well as comments made by Stephen Harper, who stated that arts were "a niche issue" (Benzie, Campion-Smith and Whittington, 2008). He stated: "I think when ordinary working people come home, turn on the TV and see a gala of a bunch of people at, you know, a rich gala all subsidized by taxpayers claiming their subsidies aren't high enough, when they know those subsidies have actually gone up – I'm not sure that's something that resonates with ordinary people" (Benzie, Campion-Smith and Whittington, 2008).

Officially, the administration's response was:

We actively support the work of Canada's creators both at home and abroad. We do this through programs that deliver effective results for both Canadian creators and taxpayers. In 2008-2009, the Department of Canadian Heritage, its partners and the Portfolio provided almost \$22M in support of international activities. This includes \$12m through the Canada Council for the Arts, \$4.7m through the Association for the Export of Canadian Books, \$1.9m through Telefilm Canada, \$2.3m through FACTOR and Musicaction and \$0.6m through the National Film Board of Canada. (Canadian Broadcasting Corporation 2009b)

In essence, the elimination of Trade Routes and PromART signalled a new framework in how the Conservative government was to support Canada's cultural industries. Supporting Canadian content in a manner similar to the wording of *The Broadcasting Act* – to strengthen, enrich and promote – was no longer a standalone justification for state support. As a result, some cultural industries leaders that commented on the program elimination did not properly assess this change. For example, Co-Chair of the Canadian Cultural Industries Board, Menno Plukker, wrote; "this unilateral decision clearly contradicts the government's stated desire that the public and private sectors should work together in order to make more efficient use of the limited resources available to the Cultural Industries" (Plukker 2008). Plukker, in referring to the resources available as limited, unintentionally provided further justification for the program's removal. If one claims Canadian cultural industries support at the time was limited, one must question an over-reliance on support, so much so that reducing it is seen as limiting. On behalf of the independent music sector, CIRPA argued that the cuts "could not come at a worse time" (Werb 2008b). They argued; "unpaid and illegal downloading of music is crippling the Canadian music industry. Since 1999, income from the sale of recorded music has been halved. Canadian illegal downloading leads the world. As a result, Canadian musicians are leaving the business, and their incomes are at, on average, poverty levels" (Werb 2008b). Furthermore, Al Mair, who was granted \$4200 to attend the By:Larm festival in Norway and speak in Finland published an editorial in the conservative-leaning *National Post*, argued that "every opportunity to promote the export of Canadian music is important and creates new markets for Canadian artists in foreign territories", and, positively, "the vast majority of our internationally

successful artists have received government support in the early parts of their careers" (Mair 2008).

Each comment from Canada's arts professionals is underlined with supposed cultural obligations that assert that it is the state's responsibility to support content creators, both at home and abroad. It is this responsibility that underwent a restructuring, with Trade Routes and PromART the first programs affected. However, it is this argument that has been slowly reordered since 2001. The new administration expedited and reordered it and did so insensitively, but this removal was not exclusively the result of a budgetary exercise. It signalled a further expansion of a shift from cultural to economic objectives, where funding would continue to be prioritized for commercial pursuits. As a result, many in Canada's cultural communities believed the state was turning its back on its content creators. Ironically, it is McQuaid, the content creator rather than the cultural industries worker, that best verbalized the complexities of the programs' elimination.

### **An Ideological Shift in Popular Music Funding**

This abolishment of both Trade Routes and PromART is significant in introducing a new phase in the history of both arts and popular music funding in Canada. Trade Routes and PromART reflect ideals voiced by Massey, Louis Applebaum and Jacques Hébert. Returning to *The Massey Commission*, the report argues, "it is generally agreed by those competent to give informed views that there is room for the development of Canada's information and cultural activities abroad" (Cloutier 1951, 253). "By those competent", according to Massey, is not defined, but in 1951, it was recognized that Canada required robust cultural outposts abroad to project its national narrative to its neighbours. This is the same belief of the Liberals in their introduction of Trade Routes and PromART. *The Massey Commission* claimed, "it is not unnatural that Canada has been frequently called "the unknown country"" (Cloutier 1951, 1). Defining this "unknown country" since 1951 influenced the introduction of CANCON and content quotas and later, a need to disseminate and promote such content. While the definition of what this content is shifted from high-art forms to more popular music over the years, a desire to promote this content as a tool to foster a national identity remained enshrined in policy, as this was a tool to "enrich and promote" Canadian content. As a result, an inherent set of values was

ascribed onto the external promotion of Canadian culture, so much so that Canada, as the state believed, required an incorporated team to support it. However, Trade Routes and PromART were not policies concerned with commercial success or stardom. While the state did not abandon this historical narrative focused on developing Canadian cultural content, under Prime Minister Stephen Harper, this narrative was redefined. This does not mean that his government did not support the cultural industries; at the same time Trade Routes and PromART were cut, the budget for the Canada Council for the Arts (CCA) was increased by \$50m (Canadian Broadcasting Corporation 2009) and the Canada Music Fund was, in the end, renewed and increased. Both support structures, however, were more hands off, with program design and allocation decided by third party administrators, rather than the state itself.

However, the polemic displayed by both sides of the argument failed to recognize this continued reordering of priorities. Instead, the argument fell on a simplistic notion that supporting Canadian cultural production was being abandoned by the state. For Stephen Harper and his government, comments blaming specific artists supported claims from the arts community that this was true. In fact, what had emerged was a change in how the state approached its responsibilities to promote Canadian cultural content, one that had begun with the commercial radio review in 1998. The shift, conceptually, had been reasserted that placed economic objectives above cultural, despite the system continuing to be principally legislated through cultural policy. In terms of the wording on *The Broadcasting Act* and the objectives of CANCON, the "protection" of CANCON remained. The quota system was not reduced and extensive subsidies remained, mainly administered by third parties. However, the concept of "promoting" Canadian content and the reasons this was done, at least by the federal state, was minimized.

In *The Economics of Nationalism*, Breton theorizes this imbalance in terms of cultural and economic objectives that can be used to analyse this shift in Canada's national narrative policies. He states: "The economic significance of political nationalism arises from the fact that this type of nationalism generates and encourages demands for changes in the international or interethnic distribution of property...in the territory where nationalism exists. But changes in the distribution of titles to real wealth in favor of nationals can only be effected in the absence of confiscation, at a cost in

terms of present resources" (1964, 377). This hypothesis, written in 1964, offers interesting conclusions in measuring the ideological shift that led to the elimination of Trade Routes and PromART. Breton argues that nationalism, in this case, is reinforced through a distribution of wealth and property, and those that are most nationalistic are the ones who control the distribution of such property. As a result, this "absence of confiscation" (Breton 1964, 377) leads to such reprioritization of cultural objectives, as it is are those pre-existing "resources" that are realigned. Here, what was most "popular" was most valuable in the context of cultural funding in Canada. Both Trade Routes and PromART, structures set up to support a sense of "Team Canada Inc.", did not conclusively produce such a return. Instead, this was done through more economic initiatives, such as those supported through MEC. To Breton, "nationality, then, is a form of capital which can be augmented through investment or reduced through depreciation and consumption" (1964, 377).

In the introduction to *How Canadians Communicate III*, a series of articles published by Athabasca University in 2009, editors Bart Beaty and Rebecca Sullivan re-assert this theory by placing it firmly in its temporality. They state:

Claims of a hidden ideological agenda were furthered when the government cut the PromART program, which funded international travel and foreign exchange among artists and journalists. In this case, there was a near and refreshing honesty coming from government officials who identified journalists and artists like Avi Lewis and Gwynne Dyer as people who were not necessarily ones we thought Canadians would agree were the best choices to be representing them internationally. (2009, 12)

This "near and refreshing honesty" (2009, 12) that Beaty and Sullivan outline is in fact the reassertion of a shift in the concept of nationalism in Canada, and how popular culture influences and promotes Canada's national narrative. The concept of being Canadian, according to what can be derived from these policy decisions, was one akin to Breton's description, where it is more a form of capital, one incorporated to produce and develop economic objectives, rather than those more focused on cultural objectives enshrined in *The Broadcasting Act*.

By 2010, Trade Routes and PromART were officially cancelled. There was no cumulative analysis undertaken of the programs' efficacy or impact. The Liberals, in 2004, released the only formative evaluation of Trade Routes. It acknowledged at the time "on the delivery side, the implementation of the Contributions Program is

considered to have a number of challenges,” including lack of timeliness, communication difficulties and a lack of performance management (Gilroy 2004, 21). A shorter and more general report followed in 2006. It claimed; “Trade Routes would be renewed for another five years (to 2010)” (Department of Canadian Heritage 2006, 1). This decision to renew was set by 2004, as in the review of CMF, in a section explaining the fund’s links to “Canadian Heritage Objectives,” it is noted:

Trade Routes, by supporting the marketing of Canadian cultural content to those outside Canada, allows access to aspects of Canadian cultural life. In addition, participation by Canadian cultural entrepreneurs in trade shows and exporting events in other countries allows Canadians to showcase their work. Through strengthening cultural industries opportunities to export and expand their business foundations, cultural participation and engagement is enhanced. (Gilroy 2004, 45)

These objectives were no longer a priority for Prime Minister Stephen Harper’s administration. However, these priorities did not begin with Harper’s election victory. Such priorities have been shifting since 1998. Emerging from the mandates introduced during the 1998 commercial radio review, Radio Starmaker Fund (RSF) and FondsRadiostar launched in 2000, allocating its first round of funding in 2001. RSF reinforces this trend towards prioritising economic objectives, the same that led to the elimination of Trade Routes and PromART. Therefore, it is best to return to the beginning of the millennium and introduce this fund, as its introduction and proliferation further examines a shift in the history of popular music funding in Canada. Here, nationalism and the development of Canada’s national narrative are eschewed, as there is no public money in these programs. However, it is a complex mechanism as its existence, created by allowing media companies to consolidate, impacts the development of Canada’s national narrative and its relationship with state policy.

### **Radio Starmaker Fund**

Radio Starmaker Fund (RSF) and FondsRadiostar (English and French) were created in 1997 but not launched until 2000, with the first round of funding awarded to over a dozen acts in 2001. This fund is different to other administrations created before, as its name reveals its objective, one not outlined in FACTOR or other programs. RSF/FondsRadiostar was commercially focused and designed exclusively for established artists. In addition, it did not support content production, a structure

that broke from the core objectives of CANCON and state policy, where the creation of Canadian content underwrote all policy. In its first year, just under \$3 million was guaranteed, with a cap placed at \$50m, which was expected to last a decade (Canadian Association of Broadcasters 1998). For FondsRadiostar in 2001-2002, the fund distributed over \$1.5 million (FondsRadiostar 2002), or 20% of the total amount available for the fund. Both funds are non-renewable, as the support is accrued through half of the 6% tax on broadcaster mergers and acquisitions, as mandated in the 1998 commercial radio review. While it was initially estimated to conclude in 2010, the fund remains operational, with four rounds of funding available per year with RSF and a rolling programme through FondsRadiostar. Musicaction administers the support allocated to FondsRadiostar in Quebec. For the purpose of this section, the analysis and program outline will focus primarily on RSF, with FondsRadiostar being evaluated in more detail in chapter 5, a case study of Quebec. While the funds originated together, their guidelines and administrations are separate and require different analyses.

Both funds were initiated by CAB members Gary Slaight of Standard Broadcasting and Ross Davies of CHUM. According to now executive director Chip Sutherland, the fund was developed through two requirements; the first allowed stations to buy up rivals in the same market, and the second was that control over the funding was independently administered. This allowance amounted to ownership of two AM or FM stations in any market with eight or more stations (Roman, pers. comm). If a company owned two FM stations in a given market, they were also allowed to purchase one AM station, or vice-versa (Roman, pers. comm). "The broadcasters knew such consolidation of ownership would have an effect on culture, in theory, so they accepted a tax on such agreements, which was arbitrarily decided at 6%" (Sutherland, pers. comm). This tax that Sutherland argues as being wholly accepted was in fact heavily negotiated, and there were debates concerning who would administer this allocation and how much it should be. In its initial discussions, FACTOR lobbied heavily to retain the funding in-house, while CIRPA argued that only independent labels should have access to the funding. In the agreement with the CRTC, a compromise was reached, albeit begrudgingly. Of the 6% tax, 2% was delivered to FACTOR, 3% became the new fund, 0.5% was delivered to community radio programming and the final 0.5% was discretionary, ultimately being used as marketing reinvestment in the stations themselves. Initially, CAB members argued

for a 3% tax, while the music industry lobby aired percentages as high as 10%. In a speech that was recorded at The Empire Club in Toronto in 2001, Michael McCabe, then President of CAB, stated:

Private radio broadcasters accept the public-policy goals underpinning the Canadian-content requirements. But many in our industry are concerned about the continued shortage of high-quality Canadian music that appeals to a mass audience. In other words, Canada does not have enough music stars. This is a serious challenge, and one that cannot be overcome through government regulation. Statistics prove this beyond any doubt. (McCabe 2001)

There are thematic complications with McCabe's description. He equates 'high quality', a term used to define a specific form of music with those appealing to mass audiences, as if they are one and the same. This 'high quality', for the purposes of the fund, is tilted towards an emphasis on hit making and stardom as a core definer. As a result, the quota, to CAB in these negotiations, was satisfied by the CANCON that suited them, which in this case was music with commercial potential. As such, RSF/FondsRadiostar were more in tune with the desires of broadcasters, than any previous culturally focused initiative. To defend this shift, McCabe argued CANCON was not satisfying the needs of his members. He claimed that Canada did not need more music, per se, but more music stars and commercial successes. This was the framework that became foundational to this new support structure, which, it can be argued, contradicted the initial objectives that enacted CANCON. Canadian content regulations have never been written, in policy, to assist in building a star system. While the review of the Canada Music Fund expressed a desire to facilitate greater commercial success, achieving stardom was not a pre-requisite for support. Instead, being Canadian and creating content as a Canadian was. For RSF/FondsRadiostar, this was not the case. The support was privately delivered and the requirements to meet such guidelines were up to the broadcasters. This, for the broadcasters, was a triumph of economic objectives over cultural, or in other words, a refined focus on international success over local content development. Their argument was that while more music may not beget more stars, more stars may beget a stronger, more sustainable sector.

In this speech, the theory behind the initiatives are outlined:

The concept behind these two funds is very simple: they are going to seek out and identify the most promising musical artists, and then provide them with the marketing and promotional support needed to help them become stars. Our business goal is very straightforward: we want to increase the supply of Canadian music that Canadians want to listen to. It's a revolutionary concept, I know: we intend to do nothing less than give the people what they want. (McCabe 2001)

Four important points can be taken from McCabe's speech. Firstly, in his desire to promote international stars, McCabe intonates that what he feels Canadians want to listen to are artists performing music that is more 'international' than Canadian. Second, for the industry to develop, according to the mandate taken up by CAB, is that it must produce artists that sound 'international'. Thirdly, the music becomes unimportant, as it could be composed by any nationality. Therefore, to satisfy the quota, McCabe intonates that it is in their best interests that these artists that compose such 'international' music be Canadian, so they can satisfy the quota regulations. Lastly, his intention to "give people what they want" supposes that CAB and its member stations either knew what "people" wanted or intended to structure that desire according to their model and objectives. That desire is a further internationalization of Canadian music, for the sake of making it more palatable for their programming needs. There is no mention of diversity, nor a definition, in their case, of Canadian music proposed.

Previous policies have not focused on giving people 'what they want'. Instead, they focused on giving people 'Canadian content', whatever that was defined to be. As a result, to qualify for support, RSF/FondsRadiostar enacted sales quotas that each act had to meet, proven by Neilson receipts upon submission of application. These were separated by genre and remain intact today, although they have changed slightly. The highest quota is in pop/rock, with world, jazz and classical having the lowest. Ultimately, the concepts defended by *The Massey Commission* had been reversed by RSF/FondsRadiostar. Now, pre-defined 'high art' music was the lowest in scale of popularity and protection, replaced by a focus on stars.

Here, the concept of what had the most value to the policymakers had shifted from the cultural to the economic. RSF/FondsRadiostar differed considerably from the initial reasons CANCON was developed. Here, the support was delivered to acts that

had already achieved a certain level of success, similar to the DBA programme at FACTOR, but given directly to the artist rather than the label. It was self-serving for CAB members, as it provided content that better suited its programming requirements. By setting larger quota levels, unlike the early stage programmes at FACTOR, the support was destined for those with previous success, almost implying that RSF will assist those who have already displayed promise or some degree of career viability. No support would be provided to record, and one's CANCON contribution must have pre-proven commercial worth. This was a new manner of satisfying quota requirements without producing content.

FACTOR was separated from these developments. This is significant because it challenged the status quo at the time, when the administration of broadcaster money was usually deferred to FACTOR. The result, for the CRTC, was to split the monies, giving FACTOR one-third of available support. "At the time, the broadcasters were 60% of FACTOR", argues Sutherland. "And there has been this uneasy truce between the parties involved – FACTOR, CRTC and broadcasters. This is what created the conditions of the money" (pers. comm). One such condition, argued against vigorously by CIRPA at the time, was that major-label content could be eligible and allowed to apply. The rules stated that the royalties from the record must return to a Canadian company.

You do not qualify for funding if the royalties and revenues from the Canadian sales of your records flow directly to a corporation outside of Canada. You must receive your royalties from Canadian sales directly through a Canadian company. (Radio Starmaker 2001)

By the creation of RSF all four major-labels had stakes in domestic companies. Most of these had been in operation since the early 1960s, as the only one to emerge in the 1990s was Universal Music's investment in Maple Music Recordings, which is not to be confused with Maple Music Inc., set up during The Maple Music Junket (Mair, pers. comm). This challenged independent labels to increase their market share, which never eclipsed 15-20% of content on Canadian radio playlists, although this has never been formally quantified across all playlists (Sutherland, Mair, Roman and McKie, pers. comm). CIRPA argued that allowing major-label content to access RSF was unfair to independent labels. RSF responded by opening up applications to

individual artists, regardless of the artists' labels. As a compromise, artists on major-labels would have to meet higher sales quotas. This created the first instance where multinational entities could access funding for their projects in Canada. While the funding was not from public coffers, it was mandated by a public body and was, in effect, created through legislation.

In its final reports, RSF lists the artists the fund supports, not the labels that may have applied for the support. This was an economic decision, one akin to an industry subsidy rather than cultural support. Again, this shift in how and why artists were funded in Canada was reinforced by the fund's guidelines. For this support, it did not matter how an artist accumulated their success and which businesses they worked with; it mattered more that they had the success, regardless of business infrastructure. This was influenced more by the new technologies in place to support artist development, rather than the series of programs created in Canada to foster the growth of the sector and Canadian content. By 2003, artists had technology available to record at home and release independently if they wished, and such structures were not limiting one's audience, as the distribution mechanisms of online downloading, streaming and aggregation could turn any artist into a record label. Here, the internationalization of music marketing and distribution was placed on top of the development of Canada's domestic sector. However, accruing success in Canada remained at the core of RSF, despite this push towards greater internationalization. All sales figures for qualification were for Canada only, and it was the health and variety of broadcasters' playlists, along with artist development, that influenced this fund. CANCON still encompassed the backdrop of support and success in Canada, though a greater internationalization of one's product remained the core objective to satisfy. If one sold the equivalent amount to qualify abroad but few records in Canada, they would not qualify for RSF. This regulation remained so that content for Canadian radio would remain a priority for the administrators, as well as being a subsidy system to build stars and reorder market share.

RSF's rules were outside of state control. After CAB members agreed to the levy on consolidation and the amount that was delivered to FACTOR, further regulations were up to the funders themselves. The CRTC was not mandated to control the manner in which the money was allocated, but only to ensure that support was available for Canadian content development. The CRTC did not mention how the

money was to be spent. It stated simply that from the 6% allocation, "3% to be allocated to a new Canadian music marketing and promotion fund" (Canadian Radio-Television and Telecommunications Commission 1998). In explaining what marketing and promotion meant in this context, the report concluded, "the purpose of the Canadian music marketing and promotion fund will be to support co-operative activities by broadcasters and the music industry to market and promote Canadian music, including new talent" (Canadian Radio-Television and Telecommunications Commission 1998). The fund explicitly mentioned new talent, once again associating it as having a tangible value within the definition of what Canadian music was to be supported. What this new talent was to be was left undefined, and given that such new talent would have to sell between 2500 and 10,000 units in Canada to qualify, a level was established that, in some ways, eliminated a significant amount of new artists from applying. For RSF, the new music that was to be supported had to be established.

This support has enhanced acts' ability to market sound recordings and to tour domestically and internationally; on the other hand, it has provided this support through a non-renewable structure that will conclude when no more consolidation occurs in Canada. As a result, RSF presents a peculiar structure in comparison to other Canadian funding initiatives. While CANCON and the requirement to air a percentage of Canadian music on radio initiated the discussions leading to RSF, the fund itself is distanced from the wording in *The Broadcasting Act*. These complexities are evident through an analysis of precedence. Throughout the history of popular music funding until the introduction of RSF/FondsRadiostar, support has been delivered through a complex structure encapsulating both public and private support. Even when FACTOR was introduced and privately funded, the administration submitted reports to government and abided by its regulations, such as establishing a French language equivalent in Musicaction. As a result, RSF was created on behalf of supporting CANCON without adhering to its requirements concerning Canadian cultural policy. This was the first privately run and directed fund, even though it was created to ensure that Canadian content, and the requirements assigned to it through *The Broadcasting Act*, be supported when Canadian media companies bought and sold each other. It is not the development, protection and promotion of Canadian content that is being supported here exclusively. Nor is it a set of programs geared to supporting the activities of

Canada's businesses. Instead, this is a market-driven subsidy, privately delivered, but publicly initiated focused on building stars and supporting, as McCabe outlined in his speech; the internationalization of Canadian music, both in style and acclaim.

### **Radio Starmaker Fund and the Industry**

As the fund increased its disbursements, domestic artists market share of Canadian content remained stationary, hovering between 15% and 22%. Overall sales of Canadian content, similar to other national music industries, had declined. By 2008, Canada's trade value of music sales declined by 8% compared to 2006 (Department of Canadian Heritage 2007c, 5). This is not unique to Canada, as the trade value of global music sales, however, declined from \$24b to \$18.4b, according to the IFPI (Department of Canadian Heritage 2007c, 6). However, the amount of albums released by Canadian artists remained almost stationary, from 2,562 in 2004 compared with 2,465 in 2008 (Department of Canadian Heritage 2007c, 9). Through this period, funding continued to increase in Canada, through greater RSF/FondsRadiostar availability and the introduction of a series of regional funding structures. However, the amount of support allocated and its impact on its recipients in the current music industry had yet to be measured. For example, the 2007 *Canadian Music Industry Profile* does not mention this subsidization, despite being published by PCH. When interviewed in 2008 during Juno week, seven years into RSF's inception, Slight revealed to *Toronto Star* writer Greg Quill that the increase of support had unintended consequences. To him, "the problem is not just financial. In fact, there's too much cash available from governments and broadcasters (through FACTOR, Radio Starmaker, VideoFACT and Arts Councils) but no grand game plan as to how the cash can be best used" (Quill 2008b).

This is the first time a complaint of this nature was noted publicly. This private-sector initiative, targeted at business development, aimed to intervene in Canada's music sector where the most return could be qualified (as little return on investment was quantified). In addition, this funding was delivered as a compromise, one that impacted Canada's cultural plurality as much as the value of its businesses. As Canadian media companies bought and sold each other, each returning a portion of the value of the transaction to Canadian content development, the activities of these broadcasters were affected alongside their musical programming structures, along

with content in newspapers and televisual entertainment. This resulted in a greater debate concerning consolidation in Canada, but not until 2007 with a new set of hearings at the CRTC. In the early 2000s, such issues were predicted, but not measured. For example, the Canada Conference for the Arts, in a paper analysing the impact of media consolidation on "safeguarding" the mandate in *The Broadcasting Act* in 2001, remarked that "the scope of vertically integrated companies combined with shareholder pressure for internal efficiencies has led to both cutbacks and to bringing work in-house that was once done by unaffiliated companies. These trends concern us, particularly as they affect news reporting and the livelihoods of unaffiliated producers" (Canada Conference for the Arts 2001, 5). These potential consequences were not thoroughly debated in the music sector, as they were benefitting from the increase in funding delivered through consolidation, funding that ended up in RSF/FondsRadiostar, FACTOR, Musicaction and other administrations.

While RSF/FondsRadiostar provides more acts with subsidies to afford expensive touring costs, it produces an economy of scale that will eventually disappear, as RSF/FondsRadiostar will no longer exist when there is no more media consolidation. This temporality, and its impact on the applicant and the sector in general, is hidden beneath the size of the fund and its continued investments from consolidation. The fund itself may be temporary, but its influence on Canada's music sector could have lasting, more permanent effects. Once again, like CMF, the focus was reordered towards supporting commercial, economic development and away, at least in program guidelines, from more cultural support. As a result, a substantial amount of funding in Canada, through RSF and other administrations could be seen as 'Starmakers', and by investing in this system, Canada's cultural objectives were satisfied, as each international success became, in effect, more Canadian through this acclaim. Funding in Canada, by the mid 2000s leaned towards this focus, and RSF was its most evident example. However, how this would impact Canadian's access to diverse, expansive Canadian content, remained unresolved. This was to be further measured as the CRTC announced its next commercial radio review, to be held in 2006.

### **The 2006 Commercial Radio Review and Defining Emerging Artists**

In 2006, Canada held an election. The Conservatives won, ending twelve years of

Liberal leadership. Before the election, another CRTC commercial radio review was announced, seven years on from the last. The review was originally intended to take place in 2005, but was delayed because of the election and parliamentary debates concerning the rollout of digital and satellite radio. On 31 January 2006, the CRTC released a "call of interest" (Canadian Radio-Television and Telecommunications Commission 2006b) for hearings set to take place in Ottawa on May 13 and 15, four months after the election that was held on January 23. Like the review of 1998, these hearings were intended to debate the financial stability of the private radio sector in accordance with its demographic reach, contributions to developing Canadian content requirements and issue license renewals. Once again, the review proved controversial between CIRPA, CMPA, its partners and CAB, with each providing recommendations to amend the regulations. The rulings of 1998 were first addressed, outlining the financial benefits of the decisions made to CAB members:

Canadian commercial AM and FM radio stations, as a group, experienced an average annual growth in total revenues of 5.5% between the broadcast years 2001 and 2005. Increases in the limits on the number of stations that a licensee may own in a single market established by the 1998 Commercial Radio Policy resulted in a consolidation of radio ownership, enhanced operational synergies and improved profitability. (Canadian Radio-Television and Telecommunications Commission 2006b, 10)

All parties who submitted recommendations argued that CANCON be changed. The 35% quota level was seen by the industry as too low and by CAB as too high. CIRPA argued that 45% would better suit emerging Canadian content, while the Canadian Association of Songwriters argued for 55% (Canadian Radio-Television and Telecommunications Commission 2006a). The broadcasters, once again, argued that the quota must reflect market conditions, with "data from Statistics Canada indicating that Canadian recordings only comprised 17% of total sales of recordings in 1998 and 16% of total sales of recordings in 2000 and 2003" (Canadian Radio-Television and Telecommunications Commission 2006b, 52). In addition, Canadians were listening to less analogue radio in 2006 compared to 1998 since new media, such as Internet and satellite technology, was competing with traditional radio. Opportunities to listen to foreign content, via online sources and satellite radio increased, leading CAB members to argue that consumers were, in fact, listening to more foreign content. It was argued, in their submission that traditional radio

consumption decreased by 1.25 hours per week, on average (Canadian Radio-Television and Telecommunications Commission 2006b, 8).

Furthermore, the disagreements concerning how much of CANCON quota would be needed to satisfy new and emerging Canadian content was equally polarising, let alone agreeing on a definition of the term 'emerging', one as malleable as 'Canadian music'. CAB, in an effort to define the term, submitted a statement titled "The Issues of Requiring Commitment to the Airplay of Emerging Artists." This submission is worth quoting in full:

CAB strongly believes that the purpose of establishing an industry-wide definition for each of the French and English radio markets is to ensure fairness, predictability and consistency when assessing the level of airplay of music by emerging artists on commercial radio. It should not in any way shape or form be viewed or used as a way to impose additional regulations on the private commercial radio sector. A new level of quota or condition of license based on commitments made by applicants either through the renewal of their license, through a competitive licensing process for attributing new radio licenses or transfer of ownership of existing radio stations is unnecessary and unworkable in an era in which regulated commercial radio is competing with other, less-regulated or unregulated music delivery platforms. (Smith 2008, 8)

Unsurprisingly, CIRPA, SOCAN, CMPA and its partners strongly disagreed, as definitions were based more on a percentage of what one was required, rather than defining it outright. One compromise CAB proposed outlined a bonus system for playing CANCON between 6AM and 6PM, where each play of a defined emerging artist would count for 125% of CANCON requirements. This would lower the CANCON requirement for the station in exchange for a promise to air an emerging artist during peak hours, a rule not guaranteed under CANCON. CIRPA argued while CAB members abided by the quota requirement, most music was aired during off-peak hours. This is not a new argument, as similar accusations were present at CRTC hearings as early as the mid 1970s. Arguments aside, no party analysed the impact of CANCON as defined by *The Broadcasting Act*. In the review, the debate was focused on how much, rather than questioning the structure in place at the time.

In terms of the definition of what an "emerging artist" was in Canada, the CRTC

introduced one option, but not until two years later. An emerging artist, according to the CRTC, is defined as "Top 40", but only for one year. It is listed below, in a review published in 2008 concerning emerging artists:

"Top 40, less than one year" definition appears to have the most advantages since:

Current and historical chart information is relatively easy for all to obtain;

Some of the relevant charts combine airplay and sales data, two important measures of popularity; and

The "Top 40, less than one year" definition may strike an appropriate balance between ensuring name recognition on the part of radio listeners and music consumers and the exposure of an ever-renewing roster of emerging talent.

(Canadian Radio Television and Telecommunications Commission 2008a, 8)

In the review itself, there was little consensus and when the CRTC introduced such a definition two years later, it was similar to the definition offered by CAB in 2006. It states:

CAB suggested that, for the English-language markets, a performer be considered as an "emerging Canadian artist" up until 12 full months after the date the artist's first selection reaches the Top 40 on Broadcast Data System (BDS) or Mediabase all-format charts, or becomes gold certified for the first time. (Canadian Radio Television and Telecommunications Commission 2006a, 64)

While the CRTC did not abide by such a definition in the review, it appeared in later recommendations as a definition similar to that offered by radio. Here, this definition is economically focused, ignoring most CANCON simply because Top 40 artists, whatever genre they are, often have stronger business infrastructures than traditional notions of emerging talent, where the goal is to develop such teams. In fact, the definition of 'emerging' often classified artists that had already 'emerged.' How the definition of 'Top 40' was assessed here was through the Broadcast Data System, the structure in which the stations independently monitored their programming. This was a private initiative, controlled by the broadcasters.

The independent music sector rallied against this definition. In its recommendations, CIRPA claimed, "there are more than 20,000 tracks released each year in Canada

and on average radio stations add less than 70 of them. It is highly unlikely that the other 19,930 of them are unfit for radio airplay” (Ferguson 2006, 1a). While this statistic has not been verified, it outlines CIRPA’s frustration on behalf of the independent labels. Part 43 of CIRPA’s own recommendations submitted to the CRTC reveals their position:

Let’s face it: Canadian radio isn’t interested in breaking new acts or new music. They are asking to receive extra credit for playing music they should already be playing. They just don’t want to play it unless it means they can play less Canadian music overall, which is the ultimate goal of their proposed bonus system. (Ferguson 2006, 7b)

CIRPA did not offer a viable alternative to define the concept of an emerging artist, other than one who fits within its independent member base. As a result, the commission did not agree on a definable and acceptable decision for what an emerging artist was in Canada, and how they would be treated on Canadian private radio. In the dissenting arguments section, commissioner Stuart Langford stated:

Imaginative is the absolute last word that springs to my mind when I review paragraphs 32 to 96 of the majority decision. In essence, with exceptions so minor as, in my opinion, to be practically inconsequential, the majority's view of an appropriate future approach to promoting Canadian content and talent appears to have been envisaged by looking in a rear-view mirror. What they believe they saw there, though, is anyone's guess (Canadian Radio-Television and Telecommunications. Commission 2006b, 220)

Langford’s writing is significant. Here, he comments on the perceived value of CANCON and how it is being administered to support Canadian content creators. By “looking in a rear-view mirror” (Canadian Radio-Television and Telecommunications Commission 2006b, 220), Langford argues that the CRTC is administering CAB in a manner that allows them to satisfy the regulations in whichever way they see fit, so most decisions made by the commission become inconsequential. Here, the protection and promotion of Canadian culture and its associative identities is what Langford claims are being ignored. He continues:

In my mind, even more confusing than the majority's apparent inability to recognize that the FM industry itself has set 40% as the new standard for popular Canadian

music, is the fact that the majority has identified another problem, but done nothing about it. I refer to the sad fact that though broadcasters have adhered to the letter of the law requiring 35% or more, many have openly defied the spirit underlying it. They meet the 35% level but they do so by playing just a few marquee artists over and over again. That's great for big names like Shania Twain and Avril Lavigne, but not so good for lesser-known performers. (Canadian Radio-Television and Telecommunications Commission 2006b, 220)

This argument is not new. In fact, it mirrors Stan Klees, John Mills and Walt Greilas, when they lobbied the state to establish CANCON. Yet, it exposes the contradictions in place within the system and how they have evolved up until 2006. By not defining the concept of an "emerging artist" concisely, CANCON has become, for many broadcasters, a manner to air the content most suitable to them, even if it comprises a few select artists. However, it is the commission's rulings that have encouraged this, as Canada's cultural plurality on its publicly licensed airwaves have become deprioritised, as long as enough funding is provided back to content creators for the privilege of airing majority tried-and-tested content.

This reveals the changes in the history of popular music funding in Canada, ones that became more apparent through the introduction of CMF and RSF/FondsRadiostar. A focus on Canadian business interests – in terms of financial divestment to content creators and more expansive ownership of broadcast licenses by a select number of Canadian media conglomerates – has grown to supersede the wording on *The Broadcasting Act* in reality, even if such policies remain in place. By accepting a version of CAB's definition of "emerging artists" and permitting their independent administration of the largest fund to support such artists, the definition of Canadian content, in the context of popular music funding in Canada, had altered. Langford's comments relate to this change, ones that were included in a section of dissenters. Once again, Canadian cultural policy was utilized to legislate and regulate economic objectives.

### **Commercial Radio Review and Canadian Content Development**

In addition to the debate concerning the definition and administration of emerging artists, the committee debated whether CANCON should be increased or decreased. In the end, it was decided that CANCON be retained at 35% in English Canada and

65% for French language artists in Quebec, but preference would be given at licensing renewal to stations who volunteered to play more (Roman, pers. comm). In this section of the review, the most profound changes were revealed in how CAB member stations would support developing Canadian music.

CTD or Canadian Talent Development was changed to CCD, or Canadian Content Development. CCD, unlike CTD, was a mandatory contribution to support emerging Canadian music, rather than the previous structure of voluntary contributions. CCD was split into three tiers: an annual contribution, one over and above the annual contribution at licensing renewal and the existing consolidation tax. The striking change for CAB was the first requirement, as CRTC enacted a minimum requirement of gross revenue to support CCD. This is explained below:

- Stations with total revenues in the previous broadcast year of less than \$625,000 will make a fixed contribution of \$500.
- Stations with total revenues in the previous broadcast year between \$625,000 and \$1,250,000 will make a fixed contribution of \$1,000.
- Stations with total revenues exceeding \$1,250,000 in the previous broadcast year will contribute \$1,000 plus 0.5% of the portion of the previous year's total revenues that exceeds \$1,250,000. (Canadian Radio-Television and Telecommunications Commission 2006b, 116)

For Canada's larger, consolidated radio firms, this new CCD requirement was substantial. 0.5% of gross revenue each year, pegged on previous earnings, was a significant amount to invest on top of the 6% tax accrued to consolidations and other voluntary contributions. Of this 0.5% tax, 60% was guaranteed to FACTOR/Musicaction (in a 60/40 split). The rest would be delivered to regional music industry associations, battle of the band initiatives, international festival support and other industry events at the discretion of the broadcaster (Roman, pers. comm). Compared to the amount provided in 2005, \$3.5m extra was estimated as being added to CCD in 2006, as per the new regulations. Such contributions were provided over a seven-year period, as defined by the license terms of the CRTC.

For the first time, a tax on all broadcasters' profits was created, outside of the consolidation or licensing renewal contribution. In a communiqué, CAB was conciliatory but disappointed, writing that it "believes the Commission took a step in

the right direction with regard to the Canadian Content Development framework, by confirming the importance of developing content in all facets of radio production and extending these benefits beyond the music industry, to spoken word content. However, the increased burden that will result from tying these initiatives to broadcasters' revenues is of some concern" (Canadian Association of Broadcasters 2006b). For the music businesses, the result was accepted but not as supportive as desired. The CMPA, in a letter written by President Catherine Saxberg, former executive director of RSF, argued that "contributions be raised to \$15 million, which represents less than 1.5% of the gross revenues of the radio industry", rather than the 0.5% provided (Saxberg 2006). CIRPA argued that many stations had already committed voluntarily to a 40% CANCON quota, arguing that an increase to 40% is warranted along with CCD requirements. Once again, the disagreements were temporarily appeased but not resolved. The definition of 'emerging artist' remained vague, without collective sector support behind it. Furthermore, CANCON was maintained at 35%, which is in most cases its current state at time of writing. Little was resolved outside of a further contribution that CAB members made to the funding structures.

In her Robarts Lecture at the University of Toronto in 1996, Joyce Zemans details this change, a decade before it took place. She states that the "evidence of this shift lies in the transformation in the focus of Canadian cultural policy away from a nationalist, public service, market corrective approach towards a growing emphasis on a market ideology" (Zemans 1996). This theory is borrowed from Adorno, who argues, "policy is designed primarily to eliminate obstacles to the commoditization of culture and to support the cultural industries" (Zemans 2006). These decisions that occurred by 2006, in the history of popular music funding in Canada, satisfied these objectives. No longer was cultural policy the dominant ideology in the construction of Canadian nationalism; instead, this was delivered through the support to industry, through increased financial concessions for both the broadcasters and the music industry.

### **Measuring the Economic to Cultural Focus Change**

Edwardson, in the conclusion of *Canadian Content*, argues that CANCON itself changed Canadian private radio to favour the requirements of Canada's domestic music makers. He states, "the Canadian content regulations opened the airwaves to

musicians previously avoided by station owners interested in the proven profitability of foreign, primarily American, recordings” (2008, 266). This assertion is only partially true, as the activities that occurred within this history between 1998 and 2006 do not support Edwardson’s assertions. Instead, it can be argued that from the introduction of the RSF/FondsRadiostar in 1998 through the development of the Canada Music Fund (CMF) in 2001 and the commercial radio review in 2006, policies in Canada concerning popular music shifted from supporting and protecting the content itself to a more economically focused, international perspective. The core objectives enshrined in Canadian cultural policy, such as the protection and enrichment of Canadian content as written in *The Broadcasting Act* and retention of CANCON quota remained, but the tactics taken to support them did not align with such policy objectives.

From the wording in *From Creators to Audience* to the initial disbursement from RSF/FondsRadiostar, a refined focus emerged that shifted the importance of Canadian content from simply ensuring its production to positioning it as a global, commercially successful brand. While Canadian content creators benefitted from these program introductions, those that benefitted most fit into a more refined, international definition of what Canadian content was, one more concerned with commercial success and stardom than promoting diversity and plurality. Alongside, the organizations debating, enacting and refining these policies – the music sector, broadcasters and the state – shifted concern away from the protection of Canadian content to focus more on the amount of financing available for each to utilize. For the broadcasters, this financing came in the ability to buy and sell each other and control more than two stations per market, while for the music sector, the focus honed in on the amount of money available to their represented businesses.

Such changes occurred during a marked global shift in how music was recorded, manufactured, distributed and sold. By the mid 2000s, no longer were bricks and mortar retail outlets the primary source of revenue generation for labels and content creators; music was now widely available, often for free through peer-to-peer downloading. In addition, listening options for consumers burgeoned, with online and satellite radio altering listening habits and the impact of terrestrial radio on commercial success. No longer were artists confined to relying on large-scale distribution structures to support their music. Through the Internet, a global audience was emerging that did not rely on national borders or boundaries to find

content.

As a result, nationalistic, protectionist cultural policy such as CANCON was impacted. Both sectors noticed this. For the broadcasters, the ability to consolidate produced leaner, more profitable companies that could compete with international competitors, especially those in the United States. For music makers and labels, the legislated right that as a Canadian musician or company their content be reserved a certain amount of programming opportunities was deprioritised in favour of greater financing available to develop content that could compete internationally. Here, as the global sector changed, the focus of the funding altered alongside.

RSF/FondsRadiostar supported artists to market content internationally, but only did so with content already proven to have domestic commercial success. For the state, the increased programs within CMF, especially the Music Entrepreneurs Component (MEC), subsidized Canadian companies to assist them to compete internationally. Developing, protecting and enriching Canadian content for the benefit of Canadians remained, but the need to compete internationally, as a business and a brand, overtook such objectives.

These new programs, in the context of popular music funding, altered how Canada's national narrative and its associative characteristics were portrayed and supported through this content, a trend that was to continue through the next renewal of CMF, to be held in 2009. The most supported Canadian content, in terms of popular music development, were the content known as Canadian internationally, mostly comprising of internationally successful, commercial pop, rock and MOR acts. Artists like Avril Lavigne, Shania Twain, Celine Dion and Nickelback, all supported by funding mechanisms at one stage in their career, enhanced the Canadian brand abroad through their continued success. However, this success did not always trickle back to Canada's domestic businesses, ones that these programs were designed to support. For example, in the *Canadian Music Industry Profile* in 2008, it states: "Although music is gaining in popularity, it is also under significant pressure. Pervasive unauthorized downloading presents numerous challenges for the industry, which is diversifying its activities and changing its business models to adapt to new realities" (Department of Canadian Heritage 2009b, 6). The report continues; "Canadian-controlled record labels experienced an increase in operating revenues; however, their profit margin remained smaller than that of foreign-controlled major labels" (Department of Heritage 2009b, 8). Therefore, a number of different and

often contradictory definitions of success emerged, each related back to the system of popular music funding developed. While Canada's music businesses continued to develop, they did so in a market dominated by multinationals. Such success, if defined through Canadian artists' international success may reveal a foreign structure behind the artist. As a result, the domestic businesses' marketability, compared to foreign imports, was not assessed as importantly as the existence of the content itself. If the artist is successful, then the Canadian brand as a whole benefits. However, this success may not benefit Canada's independent labels or publishers, even if their businesses were subsidized in order to develop such successes. As a result, a complex picture emerged that made defining success through the existence of popular music funding inconclusive. In many respects, the subsidies available by 2006 produce a number of definitive commercial successes. How this relates back to the wording in *The Broadcasting Act*, however, is more difficult to assert. This was made even more apparent in the next renewal of the Canada Music Fund, in mid 2009.

### **The Renewal of the Canada Music Fund in 2009**

On 31 July 2009, at the music and arts festival Francofolies in Montreal, newly installed Minister of Canadian Heritage James Moore announced the restructuring of the Canada Music Fund. His speech, coming four months after the conclusion of Trade Routes and PromART, was half promotional and half conciliatory towards the music sector. He began by remarking; "our government knows the value of arts and culture to our communities, our identity, and our economy. That is why we will continue to make unparalleled investments in this sector", before he announced the renewal of the fund at \$27.6m per year until February 2015 (Moore 2009). In the speech, he did not mention any changes within the program, preferring to focus on the renewal itself and collectively, the renewal of *Tomorrow Starts Today*. The renewal provided an increase in program budget by \$9.85m per year, a total only \$2m less than the funding that was cut with the removal of Trade Routes and PromART. However, the eight streams that comprised the portfolio were altered. Two programmes were discontinued, Canadian Musical Diversity (CMD) and Support to Sector Associations (SSA) and two new ones introduced, Digital Media Development (DMD) and International Market Development (IMD). Eight months after Moore's speech, the government renewed its contracts with FACTOR, Musicaction and SOCAN (for Creator's Assistance), promising "over \$78m will be

distributed to these partners over the next five years, under the New Musical Works, Collective Initiatives, and Creators' Assistance components of the Canada Music Fund" until 2015 (Department of Canadian Heritage 2010c).

Similar to the decisions made to eliminate Trade Routes and PromART, the administration favoured a more economically framed approach than one primarily structured on cultural support, as the two funds that were eliminated affected content from genres traditionally supported by the Canada Council for the Arts (CCA), such as jazz and classical. In their replacement, Moore introduced the two new strands, focused on digital and international development. Ultimately, this further cemented the change in Canadian music policy, where funding policy moved from assisting and protecting Canadian cultural production and development to a structure focused on subsidies to support more profitable popular culture. National identity, in the context of popular music subsidization, was reordered once again towards being represented by the music that best performed commercially in general.

Moore himself, when quizzed by CBC on 25 September 2009, defended the restructuring, stating:

We did this after consultation... It was done after broad consultation with independent artists... with music industry [Moore notes that music-industry organizations backed the restructuring by standing with him when it was announced, including FACTOR and CRIA] FACTOR was there, SOCAN, they were all there, they all enthusiastically supported the changes... we listened to artists and we responded to them... This was done after a great deal of consultation... This was overwhelmingly well received. Heather Ostertag [the CEO of FACTOR] said this was the best decision we could have made (Hum 2009).

In fact, the change was petitioned and lobbied for by the popular music industry, as it would provide more funds to FACTOR, rather than the Canada Council for the Arts. These decisions were not argued on the basis that CANCON required greater protection, but more a response to ensuring Canadian music could compete internationally with the support of its subsidy system.

The two programmes initiated with the changes were, in essence, available to all music genres through FACTOR. There was no written justification outlining that the support was fine-tuned to popular genres; this was assumed by those affected by

the removal of Canadian Music Diversity (CMD). The trend, one that began in 1998, continued with CMF reordered to satisfy its core constituents, Canada's more profitable, commercially viable labels, artists and managers. In the same interview that Moore participated in, saxophonist Jane Bunnett disagreed with Moore, stating, "it is almost like Stephen Harper is just looking at the most popular music and supporting it even more" (Hum 2009). Moore dismissed Bunnett's comments, stating CCA restructured its internal funding to cover the loss.

This conversation is significant, as it further reasserts the changing nature of Canada's national narrative in the context of popular music funding. The controversial program eliminated, 'Canadian Music Diversity', was created in 2001 to ensure that the wording of *The Broadcasting Act*, which also uses the term 'diversity', was protected (another word in the act) in policy. However, by 2009 the importance of this term in the context of music sector development and state interaction had changed. However, funding did not disappear to support Canadian content makers creating all variations of musical output. CCA retained an extensive subsidy structure for classical, ballet, dance and traditional 'high art' genres, and this program was delivered through a different allocation within *Tomorrow Starts Today*. Instead, Moore created a definable separation in subsidization objectives in the renewal of CMF, where CMF was no longer concerned with satisfying the mandate in *The Broadcasting Act*. Such an evolution occurred gradually through policies reliant on the same policies written into Canada's core cultural policy. CANCON was not mentioned in the renewal, other than PCH outlining a requirement that the quota be retained at 35% for English Canada and 65% for French language content. This was the first policy of its kind not to mention CANCON. It was an economic alteration, start-to-finish.

FACTOR, in this case, agreed with government on these changes. They supported the change from CMD to the two new programs, as they were the ones who would administrate them. CMD, according to an article published in *The Globe and Mail*, gave grants for ""specialized music," defined as music whose intent or content is not shaped by the desire for wide market appeal - instead, it places creativity, self-expression or experimentation above the demands and format expectations of the mainstream recording industry and has significance beyond being just entertainment" (Bradshaw 2009). In the same article, artist Elizabeth Fischer, who performed in a band called DarkBlueWorld, criticized FACTOR's objectives. She

stated: "[FACTOR is] only interested in commercial product. The people who get money through FACTOR are never the people who support the kind of music that we do. When they say they're independents...they're really farm teams for major labels" (Bradshaw 2009). In response, FACTOR president and CEO Heather Ostertag "claimed that a large part of the organization's funding goes to culturally and musically diverse artists, some of whom have very limited or no sales potential" (Bradshaw 2009). James Moore responded. He stated; "I'm not at all castigating independent artists and what their hopes are for their creations. ... It's about funding things that are of a higher priority for government and for the industry" (Wherry 2009). This priority was not one shared with Fischer. FACTOR, and their more economic focused programs, was better suited to the continued direction of CMF and the state's objectives in general.

However FACTOR was experiencing a number of challenges at the time, all of which had been developing for a number of years. At the same time they were provided with the new CMF programs, FACTOR underwent the most extensive reform in its history.

### **FACTOR and The Introduction of Program Reform**

In 2011, FACTOR underwent its first significant reform in three decades. The roots of this change began with the negotiations held between FACTOR, CAB and the CRTC during the 2006 commercial radio review. As part of the process of evaluating the cost effectiveness of the private support given to FACTOR and its impact on broadcaster playlists, Susan Wheeler, then President of CAB, commissioned an audit, assisted by RSF's internal auditors, Price Waterhouse Coopers. During the 2006 review, CIRPA and its partners argued for CANCON to be increased, a decision CAB disagreed with. In order to argue against further CANCON requirements, CAB members argued that increased support to FACTOR would be better suited to support Canadian content, rather than to restrict programming once more. Yet, similar to the discussions in the 1998 review, CAB questioned if FACTOR was supporting suitable content for its specific requirements. Wheeler commissioned an audit to quantify the cost per play of CAB members' support to FACTOR. The introduction of the report states its hypothesis:

As specifically agreed, we have performed the procedures set out in the attached schedule related to information from FACTOR (Foundation to Assist Canadian Talent on Record) and Radio Starmaker Fund related to the use of proceeds from private radio's significant benefits contributions to FACTOR through the "Radio Marketing Fund" and the Radio Starmaker Fund. The procedures were performed to assist the Canadian Association of Broadcasters (CAB) in their evaluation of the spending of these contributions. You indicated to us that this information was required in order for the CAB to perform an analysis of the nature of FACTOR and Radio Starmaker Fund funding initiatives; the recipients of this funding; the cost per record of your investments. (Wheeler 2006, 1)

This report was tabled in March 2006, eight months before the CRTC announced its findings. The data accumulated is not represented in FACTOR annual reports, nor was it made public before or after the commission. Yet, within the internal discussions between music industry representatives, CAB and the government, the findings were significant. In the 2004-2005 fiscal year, FACTOR approved only 5% of juried sound production loan applications, compared to a 91% approval in DBA (Wheeler 2006, 7). Furthermore, the audit quantified the cost per record of the funding by dividing the amount provided with the amount sold, verified by Neilson receipts. For Alma Records, a reputable jazz label, folk artist One Take received \$47,234 from FACTOR in 2005, resulting in a cost per play of \$638 (Price Waterhouse Coopers 2006, 11). A sound recording loan to DKD Group for Jennifer Aubry in 2002, for example, cost \$3060 per play (Price Waterhouse Coopers 2006, 14). Each DBA approved label was analysed, with each recipient's funding broken down on a cost per play basis. There is little actual value for money provided by the report in terms of the content that was funded, but these findings were not released to the public, as it was not FACTOR that quantified this, but a private study commissioned by the broadcasters. With FACTOR, these figures were never stated in official documentation. However, this data could have been used to question the economic impact of FACTOR, even if its programs focused on provided business-centric funding for its applicants.

In April 2010, after nearly three decades guiding the organisation, Heather Ostertag stepped down as CEO and executive director of FACTOR, four years after the CAB report was internally released. Duncan McKie, former CEO of CIMA replaced

Ostertag.<sup>25</sup> At the same time, FACTOR began an internal audit of its procedures. DBA presented a challenge, having grown to be larger than its initial set-up intended. As a result, the process of brokering inactive DBA companies was regulated: An entity that acquires some or all of the assets of a company with DBA Status does not automatically also acquire the DBA Status. “You can't be in the program forever and expect to stay there,” adds McKie (pers. comm).

While total applications fell from 4,096 in 2009-2010 to 3,181 in 2010-2011, approval rates remained similar, at 1,677 in 2009-2010 and 1,622 in 2010-2011 (FACTOR 2011c, 6-9). The amount provided increased, with FACTOR offering 40% of requested allocations in 2010-2011, compared to 28% in 2009-2010 (FACTOR 2001c, 6-9). In total, this amounted to more support released in 2010-2011 than in previous years, but the amount of artists and companies supported by FACTOR had increased from the 1,412 applications it approved in 2006-2007 (FACTOR 2007, 4-7). As a result, certain programmes were pro-rated because there was not enough money to support them. For example, FACTOR had to move \$500,000 to domestic and international touring, because the program was chronically over-subscribed (McKie, pers. comm). So, while more artists received slightly more than they did the year before, the amount required to meet only 40% of the demands on FACTOR created problems for its administration (FACTOR 2011a). As a result, the amount available for both touring and showcasing in 2011-2012 was reduced, prompting criticism from some prospective applicants. The maximum a band could receive for touring support was \$35,000 and \$5,000 for showcase support per calendar year, a reduction of 20% (FACTOR 2012b). While there was little debate from CAB members or state representatives in response to these changes, as they were seen as an internal FACTOR matter, many worried that this reduction would limit touring and showcasing opportunities for bands.

This raises a series of questions. First, such limits have been argued to impact developing artists and labels rather than DBA level companies. To FACTOR at the time, an artist must prove sales of 3,500 units to qualify for the emerging artist program, with tour support applicants requiring sales of 2,000 units. The criticisms from applicants mounted. Greg Ipp, then owner of independent label Unfamiliar Records and FACTOR recipient for a number of his artists, argued in his blog that

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<sup>25</sup> In 2010, CIRPA changed its name to CIMA – The Canadian Independent Music Association.

while his label and artists were poorly subsidized, artists like Metric were significantly supported, which he argued was unrepresentative of the need of the sector (Ipp 2012). At the opposite end, the changes were also criticized by acts that had been supported significantly in the past. Larry Wanagas, manager of successful Canadian rock band The Trews, one of the most heavily supported acts in the history of FACTOR argues; “once an act gets to a certain success level, based on that system, some of the changes they are making will eliminate careers. All of the sudden an artist that might have established a career based on a system of financial support at its base might not be able to tap into that. If the changes are such, then it will be hard to sustain those artists. If the funding dries up, then these types of acts will be in trouble” (Wanagas, pers. comm). This argument, stating that there are artists who have a career intertwined with the system, is what Ipp rallied against. Furthermore, Jonas Bonnetta, vocalist in Toronto-based act Evening Hymns and a band that has received showcase grants up to \$8,000 by October 2012, argues that such concerns should not be considered by FACTOR, as not enough developing artists are supported to warrant greater support for emerging acts, according to FACTOR’s definition of the term. “To me, I would spread the money out more and give less money to more artists. As opposed to giving one band \$25,000, I would give ten bands \$2500. I feel that it is frustratingly inefficient in that sense” (Bonnetta, pers. comm).

This argument once again reveals the complications within Canada’s popular music funding system in how emerging artists are handled versus those who are more established. Alongside the increased allocation provided by RSF and the increase in DBA and Collective Initiatives support throughout the mid 2000s, FACTOR’s juried programs continued to be constrained by low acceptance rates, as the supply could not keep up with demand. However, the supply, in this case, was newer Canadian music, whose promotion and development through Canadian cultural policy is enshrined in *The Broadcasting Act*. However, FACTOR had developed a number of programs that continued to better support more established artists, leading to such comments from Wanagas when these regulations were threatened with change. The core objectives of these programs, when accumulated and measured together, created further confusion in how FACTOR would support new and established artists. As a result, the new FACTOR executive altered the structure to try and address this imbalance.

Those arguing on the side of Bonnetta and Ipp were influenced by the regulations written in *The Broadcasting Act*, where Canadian content is to be protected for the benefit and promotion to and for all Canadians. FACTOR, as they see it, is designed to meet CANCON requirements in supporting a varied and diverse amount of content. However, FACTOR's initial mandate, to provide suitable content to broadcasters, developed to become more aligned with the system Wanagas claimed to be in jeopardy, where acts are supported throughout their career and subsidy increases with economic value.

By 2011, FACTOR was caught in the middle of these arguments and changes to its programs revealed such internal sector disagreements. However, many of these arguments became separated from the core questions concerning popular music funding in Canada, because the programs themselves were subject to analysis, rather than the construction and theorization of the programs in general. The impact of DBA and its higher-level programs on the production of Canadian popular culture remained consistent. A number of acts and labels supplying commercially viable content continued to benefit from these programs, such as Wanagas' Bumstead Management Agency, Arts & Crafts, Netzwerk and Last Gang. Simultaneously, many of these companies qualified for MEC support, meaning it was not the label that communicated with FACTOR (this was not allowed), but the artists' representatives. Furthermore, the same artists often received support through RSF for touring and marketing, providing three distinct support structures available to Canada's most commercially viable music businesses. Through these disbursements, whether they were delivered through FACTOR, RSF or directly through the Department of Canadian Heritage via MEC, Canada's most economically valuable artists – and their associative product – received substantial support through subsidization. While many juried programs existed to support demo production, sound recording and marketing, those that did not qualify through these more substantive, commercial labels were not guaranteed such support, even if the core objectives that led to the creation of FACTOR remained part of Canadian cultural legislation.

By 2011, Canada's popular music funding was firmly focused on business development and economically focused support. This helped form comments from

some of Canada's music business community who believed that whatever changes FACTOR would embrace these should not impact the higher-level subsidies available to established artists. While this was never done at the expense of supporting new artists, the amounts of support available through these structures vastly outweighed those for new music. Therefore, instead of providing less support to more content, as Bonnetta argued, FACTOR, by 2011, firmly approached their mandate in a manner more similar to Wanagas' comments.

When applications were released for the 2012-2013 fiscal year, nine programmes were amended (FACTOR 2012d). This included altering the tour support structure to a flat subsidy, similar to RSF, based on a point system analysing the size of band, size of venue and distance of travel. The total amount eligible was reduced, and those eligible for RSF were no longer able to apply, a measure that signalled an attempt to address the oversubscription of the programme (McKie pers. comm). Furthermore, FACTOR now publishes all recipients (and how much was provided) on their website. These changes began a complete overhaul of FACTOR's programs, to begin on 1 April 2013.

## **Conclusion**

While Canada's popular music businesses enjoyed their largest pool of funding resources since the introduction of FACTOR in 1982, the same debate described in *Rpm* in 1968 that influenced the introduction of CANCON remained unresolved. The responsibility of Canada's popular music subsidy structure to promoting and enriching Canadian content for the benefit of Canadians had changed and all parties - the music sector, broadcasters and the state - were responsible for this. This change, while not positive nor negative, was not assessed, understood or measured. Canada's popular music funding structure emerged at the beginning of 2013 as one primarily focused on economic objectives, rather than those written into cultural policy as early as 1958. The creation of RSF/FondsRadiostar and the circumstances concerning its development, as well as the elimination of Trade Routes and PromART illustrates this turning point. With the Direct Board Approval (DBA) program at FACTOR, MEC support through CMF and RSF/FondsRadiostar and the removal of CMD, Trade Routes and PromART, the most support provided to Canadian content creators was done for economic objectives, rather than cultural. However, one can

argue that these results by 2013 mirror those FACTOR intended to initiate in 1982, before it became a public/private partnership. Utilizing funding to become a 'star' became a priority of the set of structures, as the funders, in many respects, became 'starmakers', whether the money came through public or private coffers.

This has little to do with the original intentions of CANCON and *The Broadcasting Act*. It provided CAB members the legislative authority to pick and choose CANCON more thoroughly and still argue that the majority of acts would be supported in their playlists. Instead, it was the compromises between private radio, the CRTC and the music businesses that increased both public and private funding in Canada that CANCON regulation is most responsible for. Therefore, in its current state, while these regulations are in place to ensure that there is more varied content on private radio, the end result has not definitively altered programming, instead placing a cultural price tag on the license. If the price tag was high enough, the cultural objectives were therein satisfied.

In addition, as funding increased for Canada's music makers, businesses and representatives, this was seen to amalgamate with the changing nature of the global music sector. Canada's music businesses were focused as much on international success as domestic, and both funders – the broadcasters and the state – supported this increased internationalization and economic framework the sector ascribed to. For the broadcasters, more commercially suitable content would benefit their programming requirements, as it was argued in the early 1970s. However, more than a decade into the creation and development of Radio Starmaker Fund and FondsRadiostar, these objectives grew more important, as the success of this content not only supported their programming, but also their objectives to grow by buying and selling each other. More commercial success, in this sense, supported a number of broadcaster objectives. For the state, Canada's brand – in terms of popular music - grew more synonymous with popular culture exports, a trend that was mirrored in policy. The Canada Music Fund became increasingly focused on economic development and commercial success, ultimately altering the original mandate of CANCON by prioritizing certain content, because it was deemed more favourable commercially.

This evolution not only impacted national support, it also influenced Canada's regional music funding structures. As a whole, as the national budget for popular

music support was reduced, regional budgets increased, often producing a significant distance between the policies of the national administration with those of provincial governments. To best understand this, the next chapter will present a case study of Quebec, Canada's most active province in this analysis. Its influence reaches outside its borders, impacting collective Canadian cultural policy, CANCON and the history of popular music funding in Canada as a whole.

## **Chapter 5**

### **A Country Within a Country: Popular Music Funding in Quebec**

This New Year's Eve, like every year, millions of Quebeckers huddled around their television sets to watch "Bye Bye 2011," a comedy special satirizing the events of the past 12 months, broadcast from 11 p.m. until the stroke of midnight. Think hour-long version of "Weekend Update" on "Saturday Night Live" in French, and you're not a million miles off. This year's show started with a raucous, special effects laden send-up of Montreal's recent infrastructure troubles (several bridges and highways in the city are famously on the brink of collapse, causing major traffic problems). One pair of sketches made fun of infighting at the nationalist Parti Québécois and the upstart political party that's challenging P.Q. for nationalist votes. Another act mocked the provincial premier's plan to develop northern Quebec, while others took on a corruption scandal in Quebec's construction industry and the local government's ham-fisted response to it. What was striking about the line-up was that all those skits would have been incomprehensible to most English-speaking Canadians: They simply don't know who the people being parodied are. (Toro 2012)

A country which is composed...of the French and the English, added to by all the other cultures coming from every corner of Europe and every corner of the world. And this is what the world is looking at with astonishment, saying: These people think they might split up today when the whole world is interdependent? When Europe is trying to seek some kind of political union? These people in Quebec and in Canada want to split it up? (Trudeau 1980, 15)

### **Introduction**

In *The Quebec Question and the Political Geography of Canada*, University of Montreal geographer A.L Sanguin argues that "Quebec looks at the external world on a small-scale, which brings about inevitable discordancy" (1984, 107). He claims that while Canada, English Canada in this case, "better understands the American model in which it imitates...Quebec is experimenting with a totally different and original route, which produces an increasing risk of non-communication between Quebec and Canada" (1984, 107). If we return to the quote, written three decades later in 2012 in the *New York Times*, this original and different route is measured by looking at Quebec's media landscape. The author, in witnessing Quebec's New Year's Eve celebrations, realizes that most of what occurs is incomprehensible to other Canadians because Quebec, in its consumption of popular news and culture,

differs from English Canada. The second quote, from a speech given by Prime Minister Pierre Trudeau in Montreal on 14 May 1980, reveals how challenging it has been to reconcile these differences throughout Canada's history. A week later on May 20, Quebec voted in a referendum to separate from Canada, the first of two in its history. The referendum failed by a margin of 56% to 44% with only 60% of voters polling (Sanguin 1984, 101). Three decades later, in a briefing document by the Department of Canadian Heritage on culture, it stated; "Canadian cultural expression, in all its diversity, must ensure Canadians have access to their own cultural products" (Dewing 2010, 10). The term 'Canadians', in the case of the federal government, is a standalone and definable entity. Canadian cultural products, in this case, included Québécois cultural products, however different they are to the rest of Canada.

Trudeau's quote outlines his relationship with Quebec during his leadership. He was against secession but remained astutely aware of its possibility. His comment, "these people in Quebec and Canada want to split it up" (Trudeau 1980, 15), is directed at Quebec's then ruling Parti Québécois and was meant to challenge separatism as a whole. As a result, policies were established to foster nationalism, including official language regulations, to appease 'these people' and turn them into 'our people', according to Trudeau. Some policies, including ones aimed at popular music, were introduced in a dualistic framework with different rules of engagement for English and French speakers. Each regulation, whomever it was aimed at, impacted the other side. Quebec became a focus even if the policy in question had little to do with the province. Within popular music, this has made Quebec the most subsidised, domestically successful and insulated music sector in Canada; one simultaneously autonomous while also explicitly tied to federal policies.

Cultural policy in Canada, from CANCON to the *Official Language Minorities Act* that federalises bilingualism, has always borne in mind the relationship between English and French speaking Canada. For Quebec, the concept of national identity and its narrative function differently to that of the rest of Canada. As a result, popular music output and its subsidization by the state offer different conclusions to that of English Canada, in terms of how popular music funding impacts the construction of Quebec's national narrative. As a result, a number of complexities emerge that differ from those discussed in previous chapters concerning the Canada Music Fund or FACTOR. Due to its sector isolationism, Quebec artists have enjoyed, by and large, a

higher percentage of local commercial success than their counterparts in English Canada. However, this success is often limited to Quebec, a limitation that has developed through this history of public subsidization. As a result, a more active cultural nationalism can be inferred through this consumption of popular culture, but this nationalism is not aligned with the narratives promulgated in rest of Canada, regardless if the artist sings in English or French. This brings with it a number of issues concerning how popular music funding impacts national identity, sector development and the greater relationship between how popular music subsidies satisfy cultural and economic objectives.

To best analyse this, the history of popular music funding in Quebec will be split into three time periods. The first is the introduction of CANCON in 1971, including its requirements for French-language broadcasters at 65%, compared to 30% at the time for English language content. The second is what Straw (2002), Menard (1998) and Grenier (1993) refer to as the crisis of the 1980s, one that spawned fiscal as well as renewed cultural interventionism. Finally, we will analyse Quebec's current popular music funding structure, nearly two decades from the last referendum in 1995 as a set of structures experiencing both success and significant limitations.

### **Popular Music and Patrimoine**

In the popular music sector, Quebec has an independent, standalone industry. It has its own star system, proactive media structure and domestic distribution channels outside of multinational control, which differ from the rest of Canada where multinationals control distribution chains. Compared to the rest of Canada, Will Straw argues that Quebec "has been extraordinarily successful at developing its own, locally-based music industries" (2002, 1). As a result, Quebec emboldens an independent infrastructure not seen in other Canadian music sectors. For example, while physical sales decreased across the global music industry, they decreased less during the same period in Quebec. While a 14.2% reduction was recorded in English Canada and a 19.4% reduction in the United States in 2010 compared to 2009, in Quebec sales reduced by 11.2% in the same year (ADISQ 2010, 3). Of these sales, 200 of the top 500 albums in Quebec were from Québécois artists in 2010, compared to 181 in 2009 and 174 in 2008 (ADISQ 2010, 4). While it is difficult to ascertain total health of the sector independent to that of the rest of Canada, it is clear that in Quebec the music business functions, reacts and operates differently to its English-

speaking counterparts.

In Quebec, the concept of diversity, in a cultural policy context, is asserted through language. The dichotomies that influenced the history of popular music funding in Canada are taken beneath the question of language, which overrides policy. Richard Handler, in *Nationalism and the Politics of Culture in Quebec*, introduces a concept for understanding this, called *patrimoine*. This is taken from the Francophone translation of the Department of Canadian Heritage, which in Quebec is called *Patrimoine Canada*. Loosely translated to meaning a malleable and collectivised cultural heritage (Handler 1988, 141), *patrimoine* “envisions national culture as property and the nation as a property-owning collective individual” (1988, 141) and is defined as a separate *patrimoine*, or cultural history, from *patrimoine Canada*. In this case, popular music and provincial government support of it in Quebec can be argued to have formulated as part of this *patrimoine*. Handler continues: “Possession of a heritage, of culture, is considered a crucial proof of national existence...and existence is a function of possession” (1988, 142). Handler quotes former Quebec Liberal leader Georges Emile Lapalme who stated, “one can live without formal instruction, but one does not exist, you will leave no trace, if one lives without a culture” (Handler 1988, 154).

Quebec operates its own devolved cultural policies, distinct from those of Canada’s national government. Through such policy, Quebec has emerged as a nation “indissolubly linked to a bounded territory and a particular history...links perceived to be natural, not arbitrary” (Handler 1988, 155). In “Governing National Memories through Popular Music in Quebec”, Line Grenier quotes geographer Doreen Massey, who offers a different opinion to Handler. She states that in terms of defining a bounded, territorial assertion of Quebec national identity, it is “not the geographical space it occupies, but rather the constellation of particular interactions and mutual articulations of social relations, social processes, experiences and understandings, in a situation of co-presence which, by regulating this place, defines it” (Grenier 2006, 12). For Handler, the process of developing Quebec’s national narrative is one of developed associations, such as the geographic, political and confederated link to the rest of Canada. However, for Grenier and Massey, this nationalism is developed through cultural relations, rather than simply asserting one’s national identity within a bounded territory. As a result, the concept of Quebec’s national identity formation has retained a series of independent complexities that create borders that are both

bounded and arbitrary at the same time. In its relation to the rest of Canada and place as a province within the confederation, Quebec has "links that appear to be natural" (Handler 1988, 155). Yet, at the same time, an independent, arbitrary and indefinable series of social processes, including the production of art, assert this sense of nationalism through cultural content, rather than geography. The concept of "national" identity in Quebec is an amalgamation of these two frameworks – political and cultural. This, according to current SODEC Director Gilles Pelletier, one of the organizations that funds popular music in Quebec, is what is defined as "provincial cultural jurisdiction" (pers. comm). "Historically, The Quebec government, federalist or sovereign, are always the first one to react in this context as the other provinces have a tendency to let the federal government get more involved in cultural matters. In Quebec, this situation is more sensitive" (Pelletier, pers. comm). It is this concept of pursuing a singularity within another singularity – greater Canadian national identity - that has guided Quebec and its unique popular music funding policies. However, its place as a Canadian province – tangibly and intangibly - is significant. Federal policy, from CANCON to SRDP, influenced this independence impacting not only how funding is distributed, but also how the core framework functions across Canada.

### **Quebec in the 1970s and 1980s**

By the mid-1970s, Quebec had a small but burgeoning domestic music sector, resulting in the establishment of the Association Québécoise de l'industrie du disque, du spectacle et de la vidéo (ADISQ) in 1978, the first trade association to represent the sound recording sector in Quebec. The Quebec industry, buoyed by multinational investment at the time and similarly organized to the rest of Canada, flourished in the late 1970s according to reports and statistics of the time. According to SODEC historian Marc Ménard, the period was known as a "golden age", in which recording studios and local production multiplied (Ménard 2002a, 7). The domestic market share, at its height, "peaked at 26% of total sales in 1973-1974" (2002a, 8). This was not limited to Quebec, as total Canadian sales increased from 38m units in 1973 to 77m in 1977 (Ménard 2002a, 8).

These statistics can also be linked to the rise and subsequent fall of the separatist party Parti Québécois, between 1976 and 1981. Grenier argues that many single releases were utilized in election manifestos and rallies, "mediating the forms of

allegiance and belonging to Quebec as an imagined national community" (Ménard 2002a, 13). This actively popularised a version of *patrimoine*, which was framed at the time on separatist rhetoric, with popular music heavily attached to and embedded within it. By 1976, folk-influenced indigenous music, often titled *chanson*, overtook a popular style in the 1960s and early 1970s called *Ye-Ye*, which essentially translated foreign rock and roll songs into local dialects. Ollivier expands on this, via an analysis of Aube's *Chanson et Politique en Quebec*: "By 1976 nationalism gathered momentum and the *Yé-Yé* practice of translating foreign songs gradually disappeared, while a younger and better educated generation caught on to the idea of an indigenous popular music" (Ollivier 2006, 100). In essence, this form of music to support a nationalistic narrative borrowed from outside influences, similarly to acts in English Canada mimicking The Beatles in the mid 1960s. As a result, this new popular music first supported the Parti Québécois' intentions. However, when the party and its partners lost the referendum in 1980, foreign investment in culture in Quebec was curtailed, as outlined by Grenier below:

This political turmoil did not only affect audiences' tastes and consumption patterns, it also affected, albeit to varying degrees, artists who were associated by the public with the nationalist movement - if not with the Parti Québécois. Considered to be among the few sure bets of the time by local record producers, some of these artists reacted by taking several years to release a new album. Given the scarcity of new local material and audiences' mixed reaction to it, others appeared less frequently in concerts, did not take part in so many television programmes, and modified their marketing strategies with regard to radio broadcasting in their attempt to avoid media overexposure (Grenier 1993, 211-212).

Not all acts or their label representatives responded to these associations positively. This tactic ultimately reduced content creation in the late 1970s, leading to sector growth reaching its acme in 1979. The production of records domestically, at the time accounting for three-quarters of the French-language market, reduced by 53% in 1978-1979 (Grenier 1993, 211). There are a few reasons for this; the cost of producing vinyl in Quebec increased (Ménard 2002b, 4), and multinationals closed branch offices in Montreal, fearful of the political atmosphere and cost increases (Ménard 2002b, 5). The amount of titles produced was reduced, with local product sales collapsing to 10% between 1980 and 1985 (Tremblay 1991, 14). Will Straw, in his profile of the Quebec music industry, summarises this: "In the 1970s, the

narrative goes, major labels invested in Québécois music, then withdrew that investment towards the end of the decade. A slump of sales in Québécois music in the early 1980s coincided with (or was an effect of) post-referendum malaise” (2002, 7).

By the early 1980s, this investment in developing domestic Quebec artists was abandoned, leaving an opportunity for domestic outfits to fill the gap. As a result, “indie labels did not succeed in gaining control of the market simply because most of their operations are centred on French-language genres... transnational conglomerates no longer found Quebec sufficiently lucrative or attractive” (Grenier 1993, 212). This, combined with the entrance of state intervention and public subsidization in the business interests of these domestic Quebec-owned companies, altered the manner in which Quebec’s music businesses traded in the early 1980s.

The late 1970s and early 1980s set precedents that remain integral to Quebec’s independent popular music funding structure today. The implementation of CANCON regulations was seen as one of the reasons major labels were active in Quebec in the 1970s, as locally produced Francophone talent, if accepted by broadcasters, was guaranteed programming consideration on their stations. With the quota set at 65%, French language content was more integral to stations’ bottom lines than in English Canada, where the quota was 30% at the time. While this could be filled with French language music from any location, this was seen as an opportunity to develop local content, especially in the wake of an increasing separatist structure deployed by the state at the time.

By 1980, Quebec was in recession along with the rest of Canada. In this sense, Quebec was not isolated from other national trends, as its economic viability, both in the music sector and otherwise, were dependent on both the rest of Canada and global financial realities. For the province, to pursue greater economic prosperity, markets and dialogue were opened up and political separatism was deprioritised in order to tackle economic challenges. ADISQ became the main organisation to address these issues for the music sector, as the domestic industry was challenged by the overall economic situation, changing state sentiment and reduced industry revenues. However, this context initiated a rethink in provincial government. If culture was to strengthen *patrimoine* and provide economic development, it required support, whether the broadcasters were airing domestic CANCON or not.

## **The Beginning of the Recovery**

After Parti Québécois' election victory in 1976 and subsequent referendum loss in 1980, the structure of state support for the cultural industries in Quebec was altered. Domestic artists, faced with increasingly limited options to release through major labels required stronger domestic popular music businesses and record labels to support them. This, along with the changing political objectives at the time, led to a reversal in Quebec's music business structure in the mid-1980s, compared to the situation in the late 1970s. As a result, a recovery began, fuelled by the development and ultimate cooperation between local labels and distribution channels.

By 1988, according to ADISQ, only 10% of Quebec's music output was controlled by multinationals with 90% of the framework – recording, marketing, distribution and retail – owned domestically (Ollivier 2006, 100). This scenario did not occur in English Canada. There, foreign multinationals retained majority control – between 80% and 85% (Department of Canadian Heritage 2009b, 6), in addition to offering independents distribution and marketing services in exchange for percentages of sales or recoupable advances. In addition, Quebec labels quickly expanded their businesses horizontally, with most organizations becoming active in more than one sector, including live promotion, sound recording and publishing. As catalogued by University of Montreal professor and SODEC historian Marc Ménard in 1998, of 43 Québécois music companies still trading in 1997 that were established in the 1970s, 27 operated multiple businesses, such as concert promotion and music publishing (Ménard 2002a, 7). Grenier described this in *The Aftermath of a Crisis*, stating:

The void their loss of interest created was progressively filled by new Québécois independent labels, which emerged in the very crux of the crisis. About twenty or so independent record companies, together with the few remaining already existing local labels which were not forced out of business in the 1980s thus played a key role in giving the local industry a new start (Grenier 1993, 207).

These changes, ones directly affecting the labels and producers rather than the musicians themselves, began to impact Quebec's music businesses from 1983. This was heavily influenced by the emerging power of ADISQ, a divisive and often controversial trade organisation. Originally developed as a production outfit to produce a television programme to promote domestic Québécois artists in the late

1970s, the organisation diversified its portfolio by staging Quebec's industry award show, the Félix Awards and taking over the administration of SOPROQ, Quebec's own collection society in 1991. Ménard analyses this development:

The corporate interests of the industry, which were previously scattered and conflicting, gradually formed an amalgamated set of policies that began a lobby emboldened with a powerful and united message that defended the interests of industry. These few elements we consider essential to the understanding of recent developments in the music industry in Quebec and deserve, therefore, a little more precision (Ménard 2002b, 5-6).<sup>26</sup>

One set of activities that supported the development of the sector in Quebec was the increased horizontal integration of local businesses, a trend ADISQ supported. The result, as Ménard states, created a significant lobby for ADISQ to represent. By 2006, 75 domestic companies controlled 90% of all domestic record releases (Cummins-Russell and Rantisi 2012, 84). While major labels released foreign content in Quebec, as they did across Canada, the domestic market developed an increased isolationism, where Quebec domestic companies controlled the vast-majority of all music business activities in the province. This benefitted these local companies, but it also brought with it a number of consequences, ones that were made more evident as the sector developed throughout the 1980s commercially, and through greater involvement with the provincial government.

After the referendum, a more supportive relationship began to emerge between the provincial government and the music lobby. By the mid 1980s, the state introduced a number of interventionist measures to support the development of Quebec's emerging music businesses. While a number of standalone provincial funding policies towards popular music developed in Quebec, investment was also provided by the introduction of Musicaction in 1985, three years after FACTOR. By the mid

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<sup>26</sup> This quote is translated from the original. The translation is by the author with the help of Duncan McKie. The original text is as follows: "D'une part, on assiste à un renforcement des structures économiques et commerciales de l'industrie qui s'appuie tout à la fois sur l'émergence de maisons de disque et de producteurs locaux, sur la structuration et le développement d'un réseau de distribution indépendant efficace et performant et sur un appui gouvernemental, direct et indirect, important. D'autre part, les intérêts corporatifs de l'industrie, qui étaient jusqu'alors éparpillés et conflictuels, se sont progressivement constitués en un amalgame socio-politique, un lobby offrant un front uni et puissant dans la défense des intérêts de l'industrie. Ces quelques éléments nous paraissent essentiels à la compréhension de l'évolution récente de l'industrie du disque au Québec et méritent, de ce fait, un peu plus de précision.

1980s, Quebec began introducing, refining and measuring its own popular music funding structures. At the same time, Canada, as a whole, had undergone a change in how the federal government intervened in popular music with the introduction of SRDP. These developments brought with them a number of complications specific to Quebec, involving the relationship between state intervention and Quebec cultural autonomy, the concept of *patrimoine*, protectionism and the relationship of these developments to *The Broadcasting Act*, a nationalist, Canadian mandate.

By the mid 1980s Quebec was in a unique position. Will Straw comments on this in *The Quebec Music Industries*:

Two models of a national music may be glimpsed here. In one, music works to nourish and transform collective, public discourse, renewing forms of language and tradition which have been stagnant or suppressed. This was true, quite obviously, of the music of Harmonium or Beau Dommage. If multinational record companies invested in such music, finding value in its integrity or authenticity, these links to international capital could be dismissed as incidental when set alongside the music's obvious rootedness in a local culture. In another model, music is primarily a token of social and economic exchange -- the pretext for small-scale commerce, dreams of show-business careers, fantasies of weekend leisure, and new connections between operators in a wide range of industries and institutions. Here, the most trivial and disposable of music might, nevertheless, create the thick webs of interconnection through which a national culture acquires solidity. What counted in Yé-Yé music, it might be argued, were the new forms and sites of social interaction which resulted, the networks and personal trajectories which drew new lines of movement and intersection across the map of a national culture (2002, 8).

The development of the sector in the mid 1980s coincided with not only more promotional opportunities for music such as music video television, but also the solidification of this new standalone popular music subsidy system for Quebec companies and artists. These sets of structures, initiated by ADISQ and other stakeholders, were influenced by *patrimoine* to, as Straw states, assert a nationalistic Quebec cultural policy. This, like CANCON two decades before, amalgamated cultural requirements with economic policy; however, this relationship developed differently in Quebec. All policies remained intrinsically linked to the rest of Canada through the need to produce CANCON, satisfy the wording in *The Broadcasting Act* and meet broadcaster requirements. However, in Quebec, one cultural policy

requirement – CANCON – was placed on top of yet another – Quebec *patrimoine*. In terms of content on radio, suitable music did not need to be Canadian, as the quota was a linguistic requirement, not a citizenship requirement. Music qualified as long as the content was in the French language. Linguistic protectionism expanded cultural policy requirements, further protecting the promotion, enrichment and development of suitable content. As a result, a different objective in pursuing a nationalistic cultural identity was prioritized in policy, where language was a satisfactory framework to differentiate Quebec popular culture with that of the rest of Canada. This totality of language asserted the development of national identity. However, within Canada, such policies were created through federalist objectives, creating further complications in exploring, defining and understanding the relationship between state intervention and popular music in Quebec. Here, language was used as a tool to develop Quebec’s national narrative – a tool that would enhance and be used to develop popular music funding policies – but this tool simultaneously became aligned and in opposition to the policies that mandated the protection of Canadian content. Here, Québécois content was not always Canadian content. It was French language content, most often from Quebec. It was this context and the cultural objectives tied to new support mechanisms that influenced how funding was to be allocated to businesses in Quebec. Quebec music, rooted in its own distinct culture and linguistic requirements, required a different interventionist approach than the rest of Canada.

In 1967, Canadian historian Northrop Frye, in *The Modern Century*, wrote:

It is widely believed that Canada's destiny, culturally and historically, finds its fulfillment in being a nation, and that nationality is essential to identity. It seems to me, on the other hand, quite clear that we are moving towards a post-national world and that Canada has moved further in that direction than any of the smaller nations. What is important about the last century, in this country, is not that we have been a nation for a hundred years but that we have had a hundred years to make the transition from a pre-national to a post-national consciousness (1967, 17).

Here, this “post-national consciousness”, is a useful elaboration in exploring the concept of national identity in Quebec. While Frye was writing about Canada, such comments are delivered through a notion that Canada, as a whole, is at once bounded by geography, yet within these borders a number of independent, often completely separate structures operate. Quebec, in its cultural, linguistic and

political structure, is the most separate of all; however, this separation, or creation of a national identity within another national identity, is equally due to the construction of Canada's national narrative as its mother tongue. It is this that has created a post-national nationalism, one that has developed the most expansive popular music subsidy structure in Canada to promote these bounded and arbitrary notions, from the mid 1980s onwards.

### **The Development of Popular Music Funding Structures in Quebec**

While cultural policy is devolved in Quebec, all national policies impact both English and French Canada, including those concerning the regulation of bilingualism, taxation and parliamentary representation. As a result, any policy introduced as law in Canada must be replicated for both English and French constituents. In the context of popular music funding, to convince Canada's federal government that FACTOR required public funding, the state mandated that FACTOR needed a French Canadian counterpart. This requirement was what created the first nationally funded program for popular music makers in Quebec, Musicaction.

Musicaction was not the first popular music support programme in Quebec. In fact, a year after the introduction of FACTOR, the Quebec government introduced a sound recording grant programme, titled the *Programme d'aide à l'industrie du disque* (PADISQ). It was established in 1983 as a portfolio within film funding in Quebec, administered by a new crown corporation titled *Société générale du cinéma du Québec* (SGCQ). First established by the Quebec National Film Act in 1975, SGCQ widened its brief in 1988 and changed its name to *la Société générale des industries culturelles* (SOGIC). The organisation was split off in 1993, with a new organisation responsible for cultural industries being established, the *Société de développement des entreprises culturelles* (SODEC). SODEC has had a profound affect on popular music funding in Quebec since its implementation. While music was initially a subsection of film funding, Quebec's domestic music companies have been able to apply for direct subsidy support since 1983. ADISQ lobbied heavily for this, which led to the introduction of PADISQ. By 1987, the introduction of seed funding through PADISQ, Musicaction and CALQ – the Quebec Arts Council – created a significant amount of subsidization options for Quebec's domestic sector. This was combined with a greater diversification of business interests, which according to Grenier, continued to enhance the strength of the sector. This diversification

included organizations operated film, television and periodicals properties, as well as music:

Despite their relatively small size, their almost chronic underfinancing and the lack of appropriate commercial and industrial infrastructures, the Quebec labels played the cards of diversification and vertical integration well. Using similar strategies as those adopted by transnational firms, albeit on a much smaller scale, they were quick to form allied industry interests in artist management as well as television, film, video and stage production (Grenier 1996, 212-213).

This quote does not mention the impact these regional policy introductions had on this restructuring. Regardless, by the early 1990s, Quebec's domestic music businesses had developed differently to that of the rest of Canada. The multinationals were no longer present in developing and promoting domestic content – although they retained market dominance over foreign content in Quebec - leaving domestic owners in charge of distribution, retail and production structures. In essence, what began to emerge in Quebec was an internal consolidation of sorts, where a few entities bought stakes in each area of the sector, from manufacturing to distribution, music festivals and labels.

Alongside, when Musicaction was introduced it increased the availability of support for its applicants to support this continued diversification. In its first year, Musicaction supported 119 projects. Of those 119 projects, 75 were projects applied for by record labels, highlighting the growth of the independent recording sector in Quebec, one that was expanding into concert promotion, distribution and marketing alongside. In total, Musicaction had a 50% success rate in its first year (Government of Canada 2000, 6). In addition, of all 235 applications that were filed, 221 were classified as "popular music", highlighting the activities of the sector at the time (Government of Canada 2000, 6). The fact that 221 of 235 projects were labelled 'popular music' is revealing. Scott Piroth, in "Popular Music and Identity in Quebec", expands on this. He states:

The music of Quebec has always borrowed heavily from music popularized elsewhere, and cultural borrowing proceeds at an ever-faster rate in a globalized world. After all, even if Francophone Quebeckers are listening to music that sounds a lot like the music that Anglophones throughout the world are listening to, it is *not* the same music, and Quebeckers will not have the songs playing on their radios (and in their heads) that play on radios in Ontario or California (2008, 155-156).

This assertion, that such music is unequivocally not Anglophone, is intrinsic to Quebec *patrimoine* and the implicit acceptance of popular music as a local cultural signifier. While most of the artists and labels applying for early Musicaction support were within rock, pop, urban and other genres not definitively originating from Canada or Quebec, this had little impact on state support for popular music.

Grenier argues that ADISQ and its members guided funding policy availability to their benefit in the late 1980s, by positing the importance of Québécois music as a national right. The cultural importance of music in shared, linguistically led *patrimoine* was the argument and provide regional funding apparatuses for music makers and businesses, even if the companies themselves increased profit with activities external to sound recording itself. This, Grenier argues, was a conceptual argument that reverted back to the use of *patrimoine* in the popular music businesses in Quebec.

This reflects the music sector's concerted effort to secure some of the ideological and economic foundations of the socio-musical system of which it is an offspring, namely the centrality of radio airplay to popular music's commercial success. But it did so in a way which, in keeping with the industry's new profit structure, also implied the implicit acknowledgement of the primacy of primary and secondary ownership rights over record sales as the industry's main income base. (Grenier 1996, 214).

The new policies that occurred in the 1980s introduced a new structure for Quebec's domestic music industries, one separate from the rest of Canada. This continued to increase into the 1990s, as further funding programs were introduced, including a tax credit system in Quebec and FondsRadiostar. Yet, such development would exacerbate the separation between the sector's economic objectives and the cultural policies that influenced the support mechanisms in place.

### **The 1990s – Federalism, New Policies and Increased Funding**

By the end of the 1980s, Quebec had a number of successful domestic music companies operating in a sector boasting a number of subsidization options from both provincial and national coffers. However, with both subsidy structures operating simultaneously, a number of objectives began to clash that impacted this singularity within another singularity of Quebec's national narrative within the rest of Canada. These challenges, coupled with the development of the local sector and

increased the diversification of its businesses, continued to isolate Quebec's music industry while simultaneously benefitting the bottom lines of those trading within it. An independent star system continued to flourish and with it, the popularity of its musicians within popular culture. However, these developments brought with them an increased boundedness, but one different to the concept Handler introduced. This boundedness was initiated internally, but fed on Quebec's popular music sector's relationship with both internal and external forces. While a number of companies continued to prosper, the sector remained tied to national Canadian policies, the emergence of radio consolidation and the greater ebb and flow of the international music sector.

In the early 1990s, two significant changes occurred in Quebec. The first was the national rejection of *The Charlottetown Accord* by public referendum, which included a clause that attempted to define a national 'Canadian rhetoric' within the constitution. This was done through concessions to define and legislate cultural and economic independence of provinces, through a proposition that attempted to further solidify and define the concept of being Canadian, as was iterated in *The Broadcasting Act*. This overrides all cultural industry policy initiatives in Canada, both nationally and provincially. Such debates began in 1982 when the *Canadian Charter for Rights and Freedoms* did not recognize Quebec as an autonomous culture, prompting rejection of its mandate from the Quebec National Assembly (Balthazar 1995, 40). These debates were continued in 1985, culminating in another document, *The Meech Lake Accord*, in 1987. The constitutional amendments were initiated to encourage Quebec to remain part of Canada, by guaranteeing a set of autonomous 'rights' including those recognising Quebec as a "distinct society in Canada" (Gall 2012). While Quebec's legislature ratified the accord, Manitoba and Newfoundland opposed it, and it failed in 1990. As a result, *The Charlottetown Accord*, two years later, was an attempt to resolve the lack of consensus in *The Meech Lake Accord* and once again guarantee autonomy to Quebec and other provinces in Canada's constitution. Four separate commissions were set-up, two in Quebec and two for the rest of Canada. This resulted in a state document, titled *Shaping Canada's Future Together*, a telling title that laid bare the national government's federalist objectives and their sensitivity towards the debate in Quebec. By shaping Canada's future together, so to speak, this asserts a theory that there are two protagonists in this debate who must come together for the benefit of

the collective. In its introduction, it states:

The challenge that faces us all, as Canadians, is to build a better federation for the 21st century. It will need to be a federation that reinforces and expresses the many-sided character of Canada itself: a homeland of many peoples including the First Peoples, a land of two linguistic majorities, a land of diverse regions, a free and democratic society, a land which is respectful of differences, a strong economic union, a sharing community providing equality of opportunity and economic security for all its people, an important player on the international stage. Federalism is the only political system that will respect these characteristics, all of which are embedded in our history and our consciousness. Federalism has important advantages over alternative forms of political union or association. In a country as vast and varied as Canada, it avoids the over-centralization that occurs in unitary systems. It also avoids the disadvantages of a looser association of states, which would be too ineffective to achieve effective common action or the economic redistribution that can address regional disparities (Department of Canadian Heritage 1991, 5).

The case for federalism in the report deliberately depreciated and minimized the development and promotion of a recognizable, singular concept called Canadian. This was argued by providing more autonomy to regions to manage their affairs in exchange for remaining part of the confederation. In a section titled "Shared Values: The Canadian Identity," the report states: "Whether out of genius or necessity, the architects of Canada provided a framework which has allowed us to build a country on the basis of what appear increasingly to be universal values; freedom, equality, compassion and community in a uniquely Canadian way" (Department of Canadian Heritage 1991, 8). This "uniquely Canadian way" remained undefined in the report. Once again, it was asserted but not defined or promoted, but poorly qualified. The concept of Canadian identity, in this report designed to promote and define federalism and national unity. However, what this exactly meant was not introduced. This time, the vote was decided by both provincial and national referendum, with the ratification of the accord failing 54% to 46% (Gall 2012). Quebec voted against the accord after voting in support of the previous one. Ultimately, no consensus was reached between the provinces on how to amend the constitution to support all provinces equally within Canadian federalist policies.

In "Quebec and the Ideal of Federalism," Louis Balthazar writes: "Canada, as it is now conceived by most Canadians, does not seem compatible with an enduring

Quebec identity" (1995, 1). He elaborates:

The modernization of Quebec institutions has reinforced this will to maintain decentralization and how resistance to it has put more distance between Quebec and the rest of Canada. Instead of addressing Quebecers claims, the Trudeau government squarely put forward a quasi-American concept of Canadian union. The latter has become so popular among English-speaking Canadians that recent efforts to reinstate the kind of federalism that would be suitable to Quebec were in vain. It seems now that there is little hope of realizing the modern ideal dear to most Quebecers: To keep alive their basic identity as well as their allegiance to Canada (1995, 41).

Balthazar wrote this after the second referendum in 1995, where a vote to secede lost by a 51% to 49% margin, but his sentiments are significant in understanding the challenges between Quebec and Canadian identity formation at the time. The failure of *The Charlottetown Accord*, a failure that led to calls for this second referendum, laid bare the challenges in place between supporting federalism and Quebec's national identity at the same time. Balthazar's comments are loaded and are to be taken from a separatist perspective, but his assertion that Canada had moved in the direction of a quasi-Americanism is significant. Here, an opposite to Canada's national narrative is asserted from the outside, where instead of being Canadian is synonymous with being not American, from a Quebec perspective, being Canadian is closer to being quasi-American. These differences were exacerbated in the early 1990s, leading to the provincial government calling a second referendum in 1995. Provincial cultural funding to support domestic content creators became as much a political tool to assert Quebec nationalism as one to support business development. However, despite these disagreements, Quebec's popular music industries remained tied to Canada, both through CANCON and funding through SRDP.

The second change in 1992 was a reforming of Quebec's cultural policy. This began in 1990 when the provincial Minister of Cultural Affairs, Lucien Robillard, commissioned an analysis of cultural funding in Quebec (Gattinger and Saint-Pierre 2010, 286). In 1991, Liza Frulla, who would eventually become Minister of Canadian Heritage, replaced Robillard. She continued the study by establishing an advisory council, *the politique culturelle du Quebec*, led by then President of the Museum of National Civilization, Roland Arpin. Their findings provided 113 recommendations that outlined the province's responsibility concerning cultural funding and

intervention (Gattinger and Saint-Pierre 2010, 286). This, in December 1992, led to the publishing of a new state report on the “promotion of cultural identity”, titled *The Arpin Report* (Kresl 1996, 502). The report outlined a series of initiatives that recommended further devolution of Quebec cultural policy from the rest of Canada. Three main recommendations were made, as outlined by Mulcahy in *Quebec Under Free Trade*.

These three recommendations are: First, stronger policies to “encourage artistic creation and maintain the professionalism of the cultural industries”; second, better arts education; and third, “assuring support for the arts and function increasingly as a *minister d’intervention*” (Mulcahy 1995, 337). Affirming cultural support as an interventionist mechanism, one meant to promote specific cultural expression, relates *The Arpin Report* directly to the concept of *patrimoine*. *The Arpin Report* recommended; “because of the distinct nature of Quebec society, the Quebec state should have control over culture, and that whatever the constitutional status of Quebec, the federal government should leave the cultural field completely” (Mulcahy 1995, 361). Liza Frulla agreed, commenting that Quebec should have “mastery within cultural matters over its territory” (Mulcahy 1995, 361). Even *The Economist* concluded that, “although one of Canada’s official ten provinces, Quebec is, in cultural terms, a nation” (Mulcahy 1995, 341).

There was minimal dissenting opinion and criticism within Quebec to *The Arpin Report*, and there was little acknowledgement of it by English Canadians, the English Canadian media or the federal government. In Quebec, this report echoed the activities taken by the government since the mid 1980s. By 1991, the Quebec Ministry of Culture’s total budget had increased by over \$170m from a decade previous, totalling \$288.7m compared to \$108.8m (Gattinger and Saint-Pierre 2010, 285). Furthermore, a Provincial Arts Council was created, Conseil des arts et des lettres du Quebec (CALQ) and SOGIC was replaced by SODEC. This was done to devolve provincial funding to crown corporate entities, with private companies under SODEC’s jurisdiction and public institutions and artists under CALQ’s. This process concluded in 1994 as Quebec entered an election, which was won by separatist Parti Quebecois (PQ), led by Premier Lucien Bouchard. The PQ, according to Gattinger and Saint-Pierre in “The Neoliberal Turn in Provincial Cultural Policy,” continued investing in new cultural funding mechanisms, including a cultural investment fund – fonds d’investissement de la culture et des communications (FICC) - in 1997 and

Financière des entreprises culturelles (FIDEC) in 1999, a public/private partnership worth \$45m (2010, 287).

In terms of policy, the introductions of such administrations can be seen to reference French policies. This influence of French policies, particularly through its Ministry of Culture, began in the early 1960s, as outlined by Gattinger and Saint-Pierre:

The establishment of the Ministry of Cultural Affairs of Québec in 1961 and the desire of its first minister, George-émile Lapalme, to extend the *bienfaits de la culture* to the greatest number of people, were mainly inspired by the emerging French approach and were directly related to this liberal approach or tradition. Lapalme drew on the policy initiated by the French cultural minister (André Malraux), which created the Ministry of Cultural Affairs in France, to create a similar organization in Québec two years later. The 1960s stand out as a period during which a broad range of cultural organizations were created, often with nationalist objectives: Office de la langue française in 1961, Délégation générale du Québec in Paris in 1962, Service du Canada français d'outre frontières in 1963, Direction générale de l'immigration in 1966, and finally, Radio Québec in 1968. This openness of the Québec government to the international domain is founded on the principle elaborated by the Liberal minister Paul-Gérin Lajoie on the extension of provincial constitutional competencies into the international milieu (2010, 284).

It was these policies, ones that began in France in the 1960s that influenced the expansion in funding availability for Quebec content creators alongside the political structures in place in Quebec at the time. After the failure of *The Charlottetown Accord*, a political position was established, influenced by the beliefs described by Balthazar, that Quebec required greater cultural autonomy. Consequently, there was no publicly recorded and published dissenting voice to the reforms proposed in *The Arpin Report* and the subsequent introduction of SODEC and CALQ. *The Arpin Report* did not mention music specifically, which ADISQ flagged at the time (ADISQ 1994), but its top down, centralized approach to managing cultural support was generally accepted within Quebec and ignored throughout the rest of Canada. By 1994, Quebec had elected a separatist regime and its administration was preparing for another referendum on leaving the confederation. Analysing these developments proved secondary in policy debates concerning the national state and the future of the province of Quebec. However, by 1995, Quebec had developed the most robust and expansive set of music funding structures in Canada, utilizing both domestic

provincial support and allocations from central government, through SRDP and other portfolios. For Quebec, this intervention was a useful tool to protect and develop cultural heritage and *patrimoine*.

The result of these developments was the creation of a dual protectionism, where regional state intervention in culture, coupled with pre-existing federal policy, simultaneously attempted to defend, protect and enrich both CANCON and Quebec *patrimoine*. In 1995, at a time when the provincial government campaigned to leave the confederation, these two objectives resulted in an unresolved paradox. As Quebec's popular music businesses further developed in the province, further horizontal integration occurred, ultimately creating a separate music businesses structure to the rest of Canada. Local companies continued to consolidate internally, developing large-scale businesses that encompassed a number of music industry sectors, from live to distribution, media and label assets. This separated Quebec's businesses from their Canadian counterparts not only through language, but also through infrastructure, creating a market, by and large, independent from the rest of Canada, but still tied to national funding policies. Throughout the mid-to-late 1990s, this further developed this country within a country structure.

### **Increased Market Consolidation and Insularity in Quebec**

For Quebec's popular music businesses, domestic and national funding sources assisted in consolidating the market for domestic-owned companies. SODEC offered low interest loans and grants for sound recording, touring and event production, while CALQ offered direct funding to artists. In addition, each programme could be utilised alongside existing federal support such as Musicaction or, for English singing acts residing in Quebec – of which there are many – FACTOR.

In an interview by Larry Leblanc in *Billboard* in 1994, then ADISQ President Rosaire Archambault summarised the state of Quebec music businesses at the time. Archambault was the CEO of retail shop Archambault, Quebec's largest music retailer at the time and a subsidiary of media conglomerate Quebecor. Here he answers two questions from Leblanc:

BB: Has there not been a rebirth of French music in Quebec in recent years?

Archambault: I would say it started in 1984, just after the recession of 1982. When we started the distribution company [Select Distribution], it [the industry] was at rock

bottom. There were no sales compared to the late 1970s. The industry has done well from 1984 to today [1994] We have a better star system than Canada and the business is better done by independents in Quebec than the majors (Leblanc 1994).

The interview continues:

BB: Despite this rebirth, could the industry exist without the financial backing of the provincial and federal governments?

Archambault: I don't think the industry would stand alone without the help of both the provincial government – for recording and videos – and the federal government, through Musicaction. Even though we are, and will be, huge consumers of English music, through the years we still kept our star system industry going on, it is still very fragile (Leblanc 1994).

Archambault reveals the supposed advantageous position in which Quebec music businesses were positioned in the mid-to-late 1990s. Like English Canada, the market was growing and this influx of domestic funding, coupled with national regulatory requirements and federal public funding, continued to assist in the expansion of Quebec's domestic music businesses. As a result, a mini-major label with diversified business interests emerged in Quebec, specific to the province. This was Quebecor, a large media corporation, who owned Archambault. In addition, the company is the province's largest broadcaster, owns Select Distribution, influential record label Audiogram and concert promoter Equipe Spectra, who present the Montreal International Jazz Festival and Les Francofolies, the largest Francophone music event in the province. It also owns *Sun Media* newspapers, the TVA television channel, televised music talent show *Star Academie*, a large paper mill and many news kiosks.

In *Convergence*, a paper published by Sam Houston State Professor Marc Edge, he describes Quebecor's reach across the cultural industries:

Quebecor Media's financial fortunes also experienced a turnaround in the mid-2000s and it began to expand into such areas as broadband Internet and 3G wireless telephony. Also, its TVA network launched a hit show called *Star Academie*, which was described as a cross between American Idol and Big Brother. It was heavily cross promoted in Quebecor's French-language newspapers and helped propel Quebecor's online and cable divisions. Analysts began rethinking the possibilities of media convergence, at least in the unique Quebec market. "If convergence can work

anywhere," wrote one, "it should work in Quebec, a homogenous island of French-speakers in the New World where Quebecor is number one in most media categories" (Edge 2011, 74).

Will Straw analyses this in his paper on the Quebec music industry. He states, "the various components of the music industries are more tightly integrated, in economic terms, in Quebec than elsewhere in Canada" (2002, 17). Archambault, then President of ADISQ in 1994, presided over the introduction of this infrastructure as Quebec's regional funding structure, bolstered by the implementation of *The Arpin Report*, and the enlarging of regional support structures.

By 2000, this produced complexities for Quebec's popular music sector's economic viability. Fewer companies controlled a growing number of outlets, ultimately limiting pathways for newer companies. For example, Avalanche Productions, a successful Montreal-based production company, controls a label, marketing outfit, booking agency and showcasing festival, M for Montreal. This is an example of a horizontally integrated Quebec company, successful on its own right but also supported in each venture through public support, from both Quebec coffers and federal administrations, such as FACTOR or CMF. Very few English Canadian companies developed the same level of diversification while receiving funding for each chain of their business. As a result, while companies were succeeding, fewer companies were collectively involved and a majority of this success was limited to a small number of companies in Quebec, supported en-masse through state intervention. This impacted the artists. Acts that sold out concerts in Gatineau, for example, had difficulty filling clubs in Ottawa across the river while those who won *Star Academie* were not guaranteed acclaim in English Canada, regardless of the language they sang in, which was most often French. However, according to statistics compiled by SODEC, the sector within Quebec retained profitability. Two-thirds of Quebec companies turned a profit in 2002, with one-sixth claiming profits of over \$1m (Ménard 2002b, 4). However, this profit was only part market earned, as SODEC, Musicaction and other agencies offered a series of programmes that were consistently accessed by Quebec's music companies. It did not matter which parent company owned a subsidiary, or if the company was standalone, support was available for all sectors of the business, from production to dissemination and concert production. For SODEC, this was increased considerably in 1999, with the

introduction of the SODEC tax credit on 9 March (Pelletier pers. comm). This included labour costs on sound recording, copied from pre-existing film provisions. These tax credits were initiated in 1998 for productions where 75% of the labour activity occurred in Quebec (SODEC 2007, 13). Of those expenditures, 29% are eligible for a tax credit, or up-to 50% of total labour costs (SODEC 2007, 16). This, at times, reached up to 80% of total costs if the production was in the French language (SODEC 2007, 16). Other tax credits were provided for dubbing or co-productions, creating a significant structure to entice filmmakers to produce content in Quebec.

This system was altered for the music sector, allowing Quebec music companies to apply for up-to 17.5% in rebates for sound recording costs and live event production. In its first fiscal year, 2000-2001, SODEC provided \$293,000 to 26 sound recording projects and a further \$943,000 to 56 live event productions (Pelletier pers. comm). This complimented a significant increase in support through provincial coffers, as the share of the cultural budget in Quebec doubled from the 1970s, to 0.8% of total expenditure (Bellavance 2012). By 1999, Quebec's reformed cultural ministry "had a budget of \$423m compared to 1994 when it was \$329m" (Bellavance 2012). For Musicaction, its resources had significantly increased in 1997, with the influx of funding into SRDP.<sup>27</sup> After receiving 376 total applications in 1996-1997, the organisation fielded 688 in 1997-1998. The support increased by \$300,000 to \$1,880,792 (Government of Canada 2000, C3), after hovering between \$1.1m and \$1.5m consistently between 1989 and 1996 (Government of Canada 2000, C3). This increased once more with the introduction of the Canada Music Fund in 2001, rising to \$5,711,015 by 2004-2005 through Collective Initiatives (CI) and New Musical Works (NMW). In less than a decade, similar to FACTOR, Musicaction's budget increased substantially. The market itself, by the end of the 1990s, was heavily subsidized by the state, both provincial and federal. This would continue to increase into the 2000s, with the introduction of FondsRadiostar following the commercial radio review in 1998.

### **MEP, FondsRadiostar and Further Intervention: Quebec Funding to Today**

By 2000, the history of popular music funding in Quebec had developed both alongside Canada's national policies and, through Quebec's cultural policies,

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<sup>27</sup> The acronym of SRDP in French is PADES.

independent of them. This reinforced how state support – be it from national or provincial coffers – impacted the domestic sector and its relationship with the rest of Canada and the international community in general. While no analysis was conducted to compare Quebec’s funding structures with those in place in the rest of Canada, one can posit a furthering of domestic isolationism as a result of these policies. As Quebec’s domestic sector grew, each business portfolio was given access to funding, from recording support to tax credits. However, the core complexities in place, including the relationship of this increased funding with the mandates of *The Broadcasting Act* and CANCON remained inconclusive. CANCON supported language as well as citizenship, while policies enacted to support Quebec business and content development often did so with an implication that this support was for domestic benefit, rather than to facilitate export. In addition, the early 2000s saw the introduction of FondsRadiostar, a new program created after the 1998 commercial radio review. These developments impacted Quebec differently in terms of how policymakers attempted to satisfy these diverse objectives, including support Quebec’s cultural autonomy and the prospects of its music businesses.

By the early 2000s, Quebec’s domestic artists sold more units per capita than artists from other Canadian provinces, according to ADISQ’s annual report (ADISQ 2005). Between 2002 and 2004, the amount of Québécois artists in the top 500 in Quebec domestically rose from 31.6% to 44.1%, or 136 to 177 (ADISQ 2005, 3). In English Canada, as we have seen, this percentage never rose above 25%, revealing Quebec labels to be twice as successful as their English Canadian counterparts in domestic sales. This increase coincided with further policy introductions that brought increased funding to Quebec companies. This included the implementation of the Canada Music Fund and its Music Entrepreneurs Program (MEP), plus an incremental increase in tax credit support for sound recording and live production companies (often one and the same) through SODEC and the introduction of FondsRadiostar. As a result, the amount available for domestic, French and English language Quebec companies increased.

In 2001, FondsRadiostar’s inaugural year, it committed \$1,236,314, approving 36 of 54 applications (FondsRadiostar 2002, 8). FondsRadiostar has different regulations to RSF. To qualify as a label, one must release three full-length albums in 36 months, have 70% French language content and provide a minimum of \$25,000 investment per product (FondsRadiostar 2002, 7). Unlike RSF, it funds the

production of live CDs or DVDs, alongside marketing and touring. The maximum amount an applicant can apply for was initially \$150,000 but was increased to \$250,000 in 2004-2005 (FondsRadiostar 2005, 6), as more support became available through an increase of Canadian media mergers and acquisitions. Most importantly, unlike RSF, there is no sales requirement to access the funding, making the support more accessible to Québécois acts (FondsRadiostar 2005, 15). As consolidation of media companies increased across Canada, FondsRadiostar quadrupled its revenues between 2001 and 2005, with \$501,276 dispersed in the first fiscal year of operation, increasing to \$2,413,981 in 2005 (FondsRadiostar 2005, 10). This, like RSF, was expected to conclude in 2010, but has since been continued under the administration of Musicaction.

Alongside this, the Music Entrepreneurs Program (MEP) significantly benefitted Quebec companies. In the first few years of the programme, the majority of companies that qualified for the support were from Quebec, as the regional infrastructure, as argued by Ménard, created more companies that met the requirements of the program. This injection of funding, up-to \$8m per year, further buttressed the amount of support available in Quebec. While those companies who qualified for MEP were not permitted to apply for support through Musicaction, they were still eligible for SODEC and FondsRadiostar. In its first fiscal year, 65% of available MEP support was allocated to Quebec companies, compared to only 19% from Ontario (Telefilm 2003, 35). Of the 26 supported companies, 17 were from Quebec, meaning at the time, two-thirds of Canada's most profitable record labels, if all revenue sources are taken into account, were based in Quebec if assessed through MEP. Such profitability, however, must be questioned as this data reveals the substantial availability of support in Quebec at the time. In 2002, this increased to 85% of applicants originating in Quebec, with \$3.7m allocated to 13 Canadian companies: Groupe Analekta, Aquarius Records, Les Disques Audiogramme, The Children's Group, Diffusion YFB, DKD, Productions Folle Avoine, Guy Cloutier Communications, Justin Time Records, Marquis, Netzwerk Productions, Sunshine Records and True North Records (Telefilm 2003). Nine of these companies are Quebec-based.

In addition, it was the controversy that emerged between MEP administrator Stein-Sacks and a group of Quebec companies that resulted in the programme being relocated to PCH. Two Quebec companies spent over \$1m after MEP administrators

supposedly assured the companies of the financing (Brunet 2008). The companies spent the money they thought they were receiving, only to lose it when MEP did not deliver on what was promised. This situation ended up in litigation, eventually leading to Telefilm remunerating the applicants (Brunet 2008).

The introduction of the Music Entrepreneurs Program (MEP) of the Canada Music Fund, the development of FondsRadiostar and the continuing work of Musicaction and SODEC, established the funding structure in Quebec as the most extensive in Canada. As Will Straw argues, despite increased support, these two halves of a whole, cultural *patrimoine* and profit for Quebec music sectors, were unable to coalesce. He states; “the success of a national cultural industry may be measured in the regularity with which it seeks (however cynically) to serve popular taste, not simply in its ability to produce a few subsidized works of distinction and high civic purpose” (Straw 2002, 18). Straw argues that the best selling albums in Quebec, if analysed chronologically, tend to favour albums produced years before. Straw argues; “Quebec music industries’ role is assigned to the music of the past. In the week of 3 April 2000, three of the five best-selling Francophone recordings in the Quebec market were compilations of past hits, by performers whose greatest successes had come twenty or thirty years earlier” (Straw 2002, 18). He argues that this can be likened to *patrimoine*, rather than stagnation:

While this might be taken as a sign of the industry’s stagnation -- its failure to produce successful new titles – many embraced this public interest in the historical heritage of Québécois and Francophone music as evidence of the maturity of a local industry. The Quebec industry’s rush to find new value in its repertory of older materials stood as proof that the musical heritage of the recent past had been rehabilitated, reinvested with cultural and economic value (Straw 2002, 19-20).

Effectively, domestic Québécois music – not Canadian music but Québécois music – was valued, regardless of when the music was produced. Therefore, the support of emerging music in Quebec was only part of the support of its musical heritage or *patrimoine*.

This structure is not unique to Quebec, but more reflective of wider trends and in general, the relationship between newness in satisfying Canadian content regulations. Once again, the necessity to satisfy CANCON - in this case 65% French language content in Quebec – was not separated between developing new content

and airing catalogue content. As a result, the satisfaction of cultural policy objectives in Quebec, in relation to popular music, relied on the nature and language of the content, rather than it being new. This was supported through an increased consolidation of radio programming formats, both in Quebec and the rest of Canada that came with broadcasters continuing to buy and sell each other. The most profitable formats, such as Top 40 and Classic Rock were favoured, offering more opportunities for a smaller percentage of Canadian acts. In Quebec, this content satisfied the cultural obligations of the policies, in terms of furthering *patrimoine*.

However, in Quebec, the broadcasters questioned this favouring of more established domestic artists, arguing that internationally successful, Top 40 artists were deprioritised in Quebec, due to the high quota level. In a submission to the CRTC in 2006, the broadcasters argued that due to the two-to-one quota of French language music to English, developing Quebec artists singing in English were ignored. This was not due to programming choice, as it was argued in English Canada, but availability (Hamilton 2006). In addition, broadcasters argued that it was isolating the market further, as these formats favoured a small amount of domestic artists, even in the French language. Jean-Yves Blanchet, then President of ADISQ, disagreed, stating that "it would be a huge setback for French music. It's not the big stars who would be taken off the air, it would be new artists, the next generation who might be stars in five years" (Hamilton 2006). In the end the quota was retained at 65% for French language content, much of it being filled by historically successful, catalogue artists.

This debate is important in measuring the structures that had emerged by the end of 2006 in Quebec. In Quebec, unlike the rest of Canada, the cultural objectives tied to CANCON, doubled with the necessity to also foster Quebec national identity and *patrimoine*, was not superseded by economic objectives. While the support – both from the state and the broadcasters – increased, there was no alteration in support and how the provincial government and the music sector supported these objectives. In Quebec, cultural protectionism was not devalued in pursuit of business interests; economic objectives were placed within cultural policies, such as the CANCON quota or an increase in public funding. However, a number of complications were not assessed. How new content was to be promoted in Quebec, and its relationship with language, the usage of catalogue content to satisfy the quota and the role of the

sector in both supporting talent development and *patrimoine* became increasingly complex. As a result, while the sector continued to produce and sell new content in Quebec, the split between catalogue content and emerging content varied with new acts experiencing difficulty garnering radio play, similarly to their Anglo-Canadian counterparts. In Quebec, like the rest of Canada, the consolidation of radio formats reduced the amount of varied content on radio, but in Quebec this was made more difficult, because of the plurality of cultural policies in place. In order to foster both the development of Canadian content and Quebec's cultural autonomy and narrative, content was required to support this level of protectionism. In the same article, Blanchet reveals ADISQ's position and its inherent contradictions. He states: "We must say, as a collectivity, we have the right and the necessity to protect our difference, and that happens through certain measures that allow artists to reach the public" (Hamilton 2006). However, protecting one's difference, in this case, does not always support artists' ability to reach the public. In this case, it can also inhibit such a practice.

In 2008, only four albums received chart status from Musicaction, compared to eleven in 2004 (Musicaction 2009, 24). In 2008, FondsRadiostar introduced minimum sales requirements, at the behest of broadcasters, to provide a greater return on investment for playlist additions. In addition to this, support was scaled back from 2005-2006 to ensure the fund retained operating capital. In 2008-2009, FondsRadiostar's financial commitments were \$1,739,910, compared with \$1,949,849 the previous year, \$3,315,015 in 2006-2007 and \$3,104,566 in 2005-2006 (FondsRadiostar 2009, 6). While the fund received 103 applications in 2006-2007, only 51 were submitted in both 2007-2008 and 2008-2009 (FondsRadiostar 2009, 7). Quebec's relative success in its domestic top 500 remained consistent, with 174 albums in 2008, 181 in 2009 and 200 in 2010 (ADISQ 2010, 3), yet the level of sales decreased. While ten albums sold 50,000 units in 2007, only two did in 2010 (ADISQ 2010, 4). This data is similar to figures from other regions, including the rest of Canada, the United States and France, all countries ADISQ compares its data to in its annual report. However, the fragility of the sector in Quebec is made worse by its relative insularity and reliance on catalogue as much as new music. While FondsRadiostar committed 90% of its support in 2008-2009 to debut or sophomore albums, the amount provided decreased considerably from 2005-2006. As a result, while domestic Quebec music retained a greater domestic market share

than that of English Canadian content, its success was relative to its support, and its market share, however dominated by cultural policy, remained stationary. In addition, the relationship between Quebec cultural policy – and the protection of *patrimoine* – in supporting the economic development of its music industries remained centred on domestic success in Quebec. The focus did not encourage or definitively support outside expansion, whether this was to English Canada or other French speaking countries. Instead, how the content was represented in Quebec remained the priority in terms of popular music funding. Here, a cultural focus overrode economic objectives, opposite to the development of popular music funding in English Canada. In essence, Quebec, in terms of how it supports its music makers and businesses, is its own subsidized nation, inexplicably tied to another larger, further subsidized nation.

## **Conclusion**

As a result of Quebec's funding structures, through both federal and provincial support, popular music funding in Quebec has developed differently to that of the rest of Canada. This is not only due to language, but also has roots in Quebec's relationship with Canadian nationalism. The popular music sector in Quebec, as outlined by Ollivier and Grenier, was influenced by the political atmosphere within the province, which differed greatly from the rest of Canada. As a result, Quebec developed its own popular music funding structure different to the rest of Canada because, in its cultural historiography, it is different to the rest of Canada, both in language and cultural expression. The concept of Quebec national identity, in many ways more definable than the concept of Canadian identity, becomes entangled in the music sector, impacting both domestic artist and business development. Through increased interventionism and domestic business development, Quebec has developed the most internally profitable sector in Canada, dominated by Canadian companies occupying a number of sectors, from print media to music festivals, record labels to retail outlets. However, such profitability is tied to a policy-led structure of defining and promoting cultural identity, often to a level where intervention evolves into entitlement and subsidy governs and dictates the activity of the sector as a whole.

In its music industry sector review in 2007, the province of Saskatchewan lauded the interventionism in Quebec as a model for the rest of Canada. In the introduction, its

author Joanne Crofford states: "Quebec's greatest strength lies in its funding and investment structure. It adopted ambitious financial models that provide investment tools for professionals in all of the province's cultural industries. The value Quebec places on its cultural industries has resulted in an economically strong industry sector" (Crofford 2007, 7). In pitching her strategy for the province, the author uses Quebec as an example, explaining; "The proposed structure to support the development of Saskatchewan's music industry adopts the commercial focus evident in both models. Specifically, the proposed structure incorporates many of the programmatic aspects of the Manitoba model, but closely reflects the wide scope of Quebec's cultural industry development model" (Crofford 2007, 7). This is often how Quebec is viewed in the rest of Canada. However, this description does not reveal the complexities behind Quebec's popular music funding structure and the complications, as well as successes, it has developed.

On one hand, this level of interventionism rigorously supports all cultural industries (including popular music). This is seen as a trailblazer and something that other provinces lack at such a level. On the other hand, the subsidy-rich system is seen as a magnified example of the challenges faced in Canada with popular music funding. Support, like in DBA at FACTOR, is often seen as an entitlement, one that leads to the belief that operating a music company is reason enough to be supported. Per capita, Quebec provides more support than anywhere else in Canada, but it does so through its cultural sovereignty, which is based on the reality that its culture, customs and *patrimoine* are not represented by PCH. However, culturally, Quebec is and always has been independent of the rest of Canada. Its inhabitants laud separate music stars, watch different television shows and listen to different chart hits than their contemporaries in Canada. And, it is this cultural duality that has influenced the expansive popular music funding history in Quebec, managing to be both tied to Canada and independent of it. This is contradictory, but is the manner in which subsidization operates in Quebec.

## **Chapter 6**

### **Current Affairs: The Problems with Ownership and Media Convergence**

#### **Introduction**

The radio industry's financial success in the last decade is, in part, due to general economic growth, but mainly due to regulatory changes which in 1998 allowed for greater concentration of ownership to enable it to withstand competition from other media, regional/local businesses' continued use of radio for advertising (unlike television broadcasters' reliance on national advertising) and conversion from the AM to the more popular FM band. In addition, stations are free to self-regulate with respect to the number of commercial minutes they want to air per hour. (Canadian Radio-Television and Telecommunications Commission 2010a, 207)

The above quote is taken from a February 2010 CRTC report, *Navigating Convergence: Charting Canadian Communication Change and Regulatory Implications*. The document, herein referred to as *Navigating Convergence*, is one of the most comprehensive reports to analyse media convergence of Canada's broadcasting sector and its impact on cultural policy. In chapter 4 of the report, it comments on the rate of media consolidation in Canada, stating: "Consolidation can have the effect of reducing competition in the marketplace, resulting in monopolies or oligopolies. This may compromise the commission's legislated objectives to achieve affordable pricing, universal access and a diversity of content choices" (Canadian Radio-Television and Telecommunications Commission 2010a, 210). The report continues:

Rules that seek to accomplish a diversity of voices and to minimize the market's natural tendency toward integration are coming under increasing scrutiny by stakeholders in the mid-term. Questions have been raised by stakeholders with respect to rules underlying eligibility for a broadcasting license in support of a diversity of ownership entities. Where regulated entities are limited in their growth by those rules, they will seek unregulated alternatives to achieve scale and scope. As discussed earlier, movement away from the regulated system implies a loss of revenue supports for Canadian content. (Canadian Radio-Television and Telecommunications Commission 2010a, 210)

This report is significant. It was commissioned after the commercial radio review in 2006 and approached criticisms lobbied at CRTC, including permitting increased consolidation. This corporate consolidation – providing companies in both English and French Canada with up to two stations per market and format along with other media portfolios – was overseen differently than Canada’s cultural policy governing Canadian content production, promotion and protection as written in *The Broadcasting Act*. This chapter will analyse and expand on these policy differences and how they have altered how CANCON relates to the nationalistic framework it was structure upon.

This is because the focus of this relationship has altered, moving from highlighting programming to financial provisions, where providing more money to the music sector became the most widely used form of supporting Canadian content development. This is best analysed by using CRTC’s 2010 study as the initial guide to expand on the current challenges in Canada facing the private broadcasters, the music businesses and the state regulators. This includes exploring regulatory issues concerning Canadian ownership of licenses and its impact on programming. This chapter will conclude with an analysis of Canada’s largest even media merger, one between BCE Inc. and Astral Media Inc., which began in 2012 and concluded in spring 2013.

### **Explaining Domestic Ownership Law in Canada**

An analysis of fifteen years of media convergence reveals significant challenges for all three parties involved - the state, broadcasters and the music sector. If Canada’s popular music funding structures are the result of the inception of CANCON policy, and CANCON is mandated through *The Broadcasting Act* of 1958 and 1968, one must evaluate if the two structures have fulfilled the initial objective of “safeguarding, enriching and strengthening the cultural, political, social and economic fabric of Canada” (Department of Justice 2012a, 3). In a section titled ‘Foreign Ownership’ in *Navigating Convergence*, the report outlines possible challenges: “The Commission has asserted...that convergence makes it increasingly difficult to separate network elements from content” (Canadian Radio-Television and Telecommunications Commission 2010a, 215). However, the solution, as per the report’s recommendations, is that “maintaining Canadian content assets in domestic

hands, in the commission's view, requires that existing foreign ownership restrictions be maintained" (Canadian Radio-Television and Telecommunications Commission 2010a, 215). Such recommendations are based on trusting the "domestic hands" that control "Canadian content assets" (Canadian Radio-Television and Telecommunications Commission 2010a, 215). This, as evidenced from the 1998 review through to time of writing, has produced difficulties.

At present, foreign companies licensing publicly owned Canadian airwaves is prohibited by the CRTC.<sup>28</sup> Foreign programming can be imported and aired, as long as overall programming satisfies CANCON quotas. This structure governing terrestrial radio predates the CRTC. It was established by the BBG in *The Fowler Commission*, by recommending that the state eliminate CBC's monopoly and permit private companies to license airwaves. This policy was ratified in *The Broadcasting Act* in 1958 and 1968 was influenced by early recommendations outlined in *The Massey Commission*. These were; "adequate coverage for the entire population; opportunities for Canadian talent and for Canadian self-expression generally; and successful resistance to the absorption of Canada into the cultural pattern of the United States" (Audley 1983, 186). At the time, the CBC controlled all broadcast policy, a situation altered by the recommendations in *The Fowler Commission*. When the CRTC began issuing licences to private companies, these three objectives outlined by *The Massey Commission* were assigned to these agreements, instilling a policy that only Canadian companies can operate these licenses. As a result, Canadian ownership of the licences became synonymous with the overarching cultural mandate governing CRTC policy. The enrichment, protection and promotion of Canadian cultural identity, as defined in *The Broadcasting Act*, was satisfied through ownership and administration as much as the creation and dissemination of the content. A Canadian company operating the license was as important to the regulator, in how the policy was initially constructed, as the content that was disseminated on the airwaves. This impacted how Canada's private broadcasting structure developed, as described earlier in *Navigating Convergence*. Forty years later, these three recommendations by *The Massey Commission* and the subsequent

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<sup>28</sup> This is limited to airwaves. Foreign interests are allowed to own stakes in cable broadcasting, broadband and mobile licences. From 14 March 2012, foreign entities were entitled to operate in markets with 10% or less of the market share. This is mainly reserved to mobile phone operators. *The Investment Canada Act* is aligned with *The Broadcasting Act*, prohibiting foreign ownership unless it aligns with Canadian interests (Hunter and Weber 2012).

policies in *Broadcasting Act* - only altered slightly in 1991 and consistent in its nationalized license policy - lie at the core of understanding the history and current structure of Canadian media convergence and its impact on popular music funding. Two separate structures were governed together – ownership and programming - impacting the development, histories and structure of two independent industries, radio broadcasting and music. However, ownership and programming are separate entities. Combining the two has become as challenging within CANCON regulations as it is beneficial to those impacted by the policy. The CRTC, in the report, called it a “balancing act”, arguing; “in order to survive, corporations must be allowed to make business decisions that enable them to remain competitive and profitable. However, this cannot be at the expense of Canadians who live (physically or socially) outside of profitable markets, or at the expense of a Canadian communications industry that serves local, regional and national cultural interests” (Canadian Radio-Television and Telecommunications Commission 2010a, 220).

Returning to Handler, Anderson and Berton in the introduction, the concept of being Canadian within Canadian content policy is based on a “formal universality of a socio-cultural concept,” which tries to posit singularity – one concept of being Canadian – over multiplicity, where many constructs converge simultaneously. This policy, one that attempts to define a concept that has multiple possible definitions, is enshrined in *The Broadcasting Act* and the regulations in how airwaves are administered. The mandate that prohibits foreign owned companies to control Canadian airwave licences is governed by the same policy assigning a programming quota. Ownership, in its inherent value to the development of Canadian cultural identity, is governed identically to programming. It can be argued that these policy structures have confused the original regulation in the 1968 *Broadcasting Act*.

The case study that will be introduced later in the chapter illuminates the complications between Canadian cultural and economic objectives in how broadcast license ownership influences Canada’s national narrative. In order to ensure that those broadcasting on Canadian airwaves abide by *The Broadcasting Act*, the CRTC sources concessions from both Canadian content creators and the broadcasters. However, in 1998, the priorities behind how this process was administered had changed. In this case, the largest media merger in Canadian history, the imperatives of Canada’s business community and cultural policies regulations were unable to

coalesce. Simply, the amount of licences one company could control was breached, leading to claims of media monopolization and a belief that Canadian content was being deprioritised on radio. Such debates have their roots in the earliest discussions concerning CANCON, but were altered in 1998 when mergers and acquisitions were permitted by the CRTC. In the fourteen years leading up to the proposed merger, Canada's media companies had consolidated extensively, providing a significant return to the creative industries. However, the diversity of programming on these stations was claimed to be insufficient by the CRTC.

This created a situation that best illuminates the complications that had emerged in the history of popular music funding in Canada. The music businesses supported the merger, as they were to benefit significantly from it, but the diversity of programming on airwaves, and the ownership of these licences to broadcast content was reduced as a result. As a result, the content itself was seen as being relegated within CANCON policy, as the system itself assumed the role of reinforcing 'Canadianness'.

### **Regulating Ownership and Programming Together**

In 1991, CAB issued a report on radio station ownership in Canada, titled *An Action Plan for Radio*. This report, commissioned by the Department of Communications, CRTC and CAB, outlined that in 1991 "private radio experienced an unprecedented after-tax loss of \$41m. Moreover, the report estimated that almost 60% of private radio stations were unprofitable in that year," mainly due to the infiltration of American stations in Canada (Department of Communications 1992). The main recommendation in the report, as outlined by CAB, was to loosen restrictions that prohibited broadcasters from owning more than one AM and FM station per market. Neither the report nor the CRTC response on 2 November 1992 argued that strict domestic ownership regulations were unsustainable in meeting the core mandates outlined by the CRTC (Canadian Radio-Television and Telecommunications Commission 1992). As a result, the following review in 1998 reduced these restrictions, but did so without loosening CANCON requirements. Now, CAB members were permitted to own multiple licences, but foreign investment in ownership structures remained prohibited. In addition, more support was allocated to develop Canadian content, through the 6% tax levied on consolidation that led to

the creation of RSF/FondsRadiostar and increased support to FACTOR and Musicaction. For the CRTC, the Canadian broadcasting system remained “effectively owned and operated by Canadians” (Department of Justice 2012a, 3). Broadcasters were able to expand their interests and the music businesses, in accepting greater consolidation, effectively received a pay-off every time Canadian media companies bought and sold one another.

The speed and extensiveness of media consolidation in Canada did not align with the recommendations in *The Massey Commission* and subsequent policies of *The Broadcasting Act*. It has been argued that alongside ownership consolidation, programming had also consolidated, further limiting opportunities available for a wider array of Canadian content on radio. Jody Berland expands on this, in her chapter “Radio and Industrial Time: The Case of Music Formats” in the *Critical Cultural Policies Reader*. She states: “Canadian history has long been shaped by a perceived affinity between the politics of radio and the possibilities of culture...there is a popular myth that Canadian radio is the best in the world. But as the airwaves fall victim to the politics of privatization, radio is becoming progressively more popular” (Berland 1993, 230-231). This comment, written in 1993 before legislation was passed by the CRTC, can be deconstructed through an analysis of consolidation. Canadian music businesses have long argued that broadcasters prioritize profitable content on playlists, and as consolidation increased this argument became more prevalent for the sector. As a result, consolidation has influenced the development of structures at odds with the policies defined in *The Broadcasting Act*. Whether a Canadian owns and operates the license has little bearing on programming choice. Instead, it is the attached tax on consolidation that has benefitted Canadian content development more than the programming on the Canadian owned and licensed airwaves.

To best analyse this development, it is best to return to the arguments aired to initiate consolidation. When the argument was first raised in 1998 during CRTC’s radio review hearings, CAB argued “current ownership restrictions make it difficult for radio to compete effectively with other forms of media for advertising revenue, and harm the industry’s financial performance” (Canadian Radio-Television and Telecommunications Commission 1998, 26). Often, advertisers were working more with foreign competitors, especially within the television industry. Consolidation and

a more horizontal cost sharing approach for the broadcasters were seen as a tactic to increase competitiveness. Promoting Canadian cultural development, in this context, was equated to supporting Canadian industry and business as well as Canadian programming. It was argued that more profitable broadcasting outfits would enhance Canada's cultural autonomy (Canadian Association of Broadcasters 2000). It was this argument, put forward by CAB that was accepted by the CRTC in 1998, albeit through compromises and restrictions. In essence, cultural obligations were twinned with, and often masked by, economic objectives. CAB stated that by internationalizing content and increasing the promotion of commercially viable music, Canadian content development and the nation's national narrative would be enhanced. This argument in the radio review can be seen to have influenced Canadian popular music policy from the introduction of the Canada Music Fund through RSF/FondsRadiostar.

In the published decision on 30 April 1998, the CRTC understood the possible drawbacks of increased consolidation. The commission states:

The radio industry operates in a competitive environment in which some of its competitors in other media have been allowed to consolidate. The commission acknowledges that increased consolidation of ownership will reduce the number of competitors in some markets. It is the Commission's view, however, that CAB's specific proposal for a revised common ownership policy could lead to an unacceptable reduction in the number of individual broadcasters, particularly in larger markets. In fact, this proposal could lead to a situation where only four markets in Canada would have more than two radio stations owners operating in any one language (Toronto, Vancouver, Edmonton and Winnipeg). The commission believes that such a reduction in the number of radio broadcasters could also lead to an unacceptable reduction in the diversity of voices and in competition (Canadian Radio-Television and Telecommunications Commission 1998, 36).

Therefore, the CRTC understood that permitting consolidation could negatively impact its cultural mandate. However, their decisions were economically focused. The CRTC attempted to encourage competition between the broadcasters, inasmuch as ensuring there was a greater number of companies competing for the licences. This policy, one intended to ensure that no one company monopolised broadcast licenses, was mandated in Canadian cultural policy. As a result, it was prohibited for

any company to control more than 35% of all licences. However, by allowing companies to buy and sell each other, the rate of consolidation in Canada would grow to challenge these policies, as fewer companies began controlling a larger number of station licences.

The decision to retain Canadian ownership throughout consolidation was further enshrined in 2003 with the publishing of the *Lincoln Committee on Canadian Broadcasting Policy* by the CRTC, herein referred to as *The Lincoln Report*. In its introduction, it makes clear its stance concerning the importance of Canadian cultural policy. It states: "The Committee believes that broadcasting is an essential preserve of the Canadian culture and imagination. Thus, it is opposed to increasing the level of foreign ownership in the industry. In essence, the Committee holds the view that once Canadians give up control over what amounts to our cultural sovereignty, we can never get it back" (Parliament of Canada 2003). The report continues: "Too much power is falling into too few hands. It has thus asked the government to announce a clear policy on cross-media ownership within a year. Until that time, the report calls for a moratorium on the awarding of new broadcast licences in situations where a cross-media ownership situation exists" (Parliament of Canada 2003). The report tabled 97 recommendations, including "a mandate review of the CRTC be conducted with a view to establishing clear limits on its powers to supervise and regulate the Canadian broadcasting system," and "that the government issue a clear and unequivocal policy concerning cross-media ownership" (Parliament of Canada 2003). As a result, it was recommended that Canadian companies retain sole ownership of licenses to preserve cultural autonomy, but such ownership be further controlled, as too much convergence had the possibility to negatively impact the same cultural autonomy. Companies with ownership of radio, newspapers, television and other media properties increased across Canada, from BCE Inc. in English Canada to Quebecor in Quebec.

Every provincial music industry association outside of Ontario and Quebec, acting as a collective lobby, voiced their "concern with [the policies concerning] new and emerging artists as well as the lack of variety on station playlists" (Canadian Radio-Television and Telecommunications Commission 2006b, 72). Once again, the argument that CANCON be focused on supporting new content was aired. The music sector, in this argument, equated CANCON with the support of emerging

music, as if they were one and the same. This was refuted by CAB by posting an argument that Canadian content is best supported through promoting more commercial, internationalized content. Once again, similarly to the initiatives taken up in the Canada Music Fund, the development of new Canadian content versus more commercially successful content was placed against one another.

This argument has its roots within *The Broadcasting Act* itself. In section three of *The Broadcasting Act*, the legislation states that programming should “encourage the development of Canadian expression by providing a wide range of programming that reflects Canadian attitudes, opinions, ideas, values and artistic creativity, by displaying Canadian talent in entertainment programming and by offering information and analysis concerning Canada and other countries from a Canadian point of view” (Department of Justice 2012a). There are no quotations or emphasis within the act; this wording is literal, ensuring that this supposed “Canadian point of view” is part of policy. As consolidation has increased in Canada’s broadcasting sector, the opposite has occurred, as programming diversification has become less of a concern to content creators, as long as financial support is allocated in exchange for such consolidation.

### **The Impact of Media Consolidation on the Music Sector**

In 2005, one year before the 2006 CRTC radio review, the Minister of Canadian Heritage, Liza Frulla, endorsed a parliamentary report titled *Protecting Our Cultural Sovereignty: Setting Priorities for the Canadian Broadcasting System*. In its introduction, the document states: “Our broadcasting system has provided, and must continue to provide, a public service essential to the maintenance and enhancement of our national identity and our cultural sovereignty” (Department of Canadian Heritage 2004d, 4). Focusing on measuring cultural sovereignty through broadcasting, similarly to *The Lincoln Report* two years earlier, the document analyses the state’s approach to managing both private and public broadcasting licences and programming, before making a series of recommendations to either reinforce or reform its priorities. The report focuses on Canadian culture and the importance of Canada’s national narrative, according to the state. Using Massey-influenced language, the document argues that “broadcasting, as a mass media, remains the best means to erase distance and create a common cultural experience

among Canadians” (Department of Canadian Heritage 2004d, 5) and “the government acknowledges the special role the broadcasting system has in reaching out to Canadian communities across the country” (Department of Canadian Heritage 2004d, 11). It does not discuss ownership, other than referring to *The Broadcasting Act* and its place in defining Canadian cultural policy. However, when compared to the decisions rendered in the radio review in 1998, the report is contradictory. The authors state that creating a “common cultural experience” is a mandate that Canada’s license operators must follow (Department of Canadian Heritage 2005, 5). However, such a common cultural experience, if supplied through a private organization whose responsibility is to its shareholders, can be seen to produce complications, as the definition of this experience once again challenges the very nature of Canadian identity conceptualization and the role of the state and private broadcasters in reinforcing it. For broadcasters, this cultural experience must align with profit motives, making it not ‘common’, but focused on a particular objective. The report’s findings, if placed within the context of how broadcasting has been regulated since 1998, does not align with the legislation asserting that Canadian airwaves must strengthen, enrich and develop Canadian content for the benefit of all Canadians.

This reaching out that is described in *Protecting Our Cultural Sovereignty* has become more focused on financial allocation than content programming, since consolidation was permitted in 1998. Instead of researching and measuring such complications, the report endorsed by Minister of Canadian Heritage Liza Frulla blindly supports Canadian broadcasting ownership as a whole, rather than understanding the impact such consolidation has had on Canadian content makers. Providing flat subsidies have become as synonymous with more support of Canadian content as the quota regulations, a trait ignored in *Protecting Our Cultural Sovereignty*.

The CRTC admitted, “in light of the growth in revenue and profitability that the radio industry has experienced since the 1998 review, an increased demand for Canadian music has not been demonstrated” (Canadian Radio-Television and Telecommunications Commission 2006b, 97). The solution, according to the commission’s findings, is “that additional emphasis should be placed on the development and promotion of Canadian talent through financial contributions by broadcasters to the development of audio content for broadcast” (Canadian Radio-

Television and Telecommunications Commission 2006b, 97).

In these debates, the concept of Canadian nationalism and the development of Canada's national narrative were not thoroughly approached. Instead, this was an economic decision delivered through cultural policy, one administered by a commission guided by the mandate of *The Broadcasting Act* and CANCON. However, an importance to protect its cultural sovereignty, as the document titled suggests, remained mandated by prohibiting foreign companies from controlling Canada's airwave licences. This, however, did not correlate, as the CRTC notes, in a greater desire for Canadians to consume more Canadian music, or at least a desire by CAB members to provide a more diversified offering in its programming. Instead, it was Canadian media businesses that benefitted from this cultural legislation, but this benefit was more economic than one that supports the mandate to strengthen, enrich and develop Canadian content.

As a result of the ability to consolidate, broadcaster profits increased substantially. According to Statistics Canada, profits increased by 37% in 2011 on 2010, to \$1.6b per year (Canadian Broadcasting Corporation News 2008a).<sup>29</sup> This trend has increased linearly since 1997. In that year, gross profits totalled \$862m, compared to \$1.2b in 2008 (Bonin 2008, 44). However, these statistics can be misleading, as outlined by Genevieve Bonin in her PhD thesis, *Accountability and the CRTC*:

Overall, there has been a trend of increased revenue, but with lower growth rates, which leads us to describe an industry in decline rather than an industry working toward further expansion with the possibilities provided by new technology, such as digital radio and the Internet. Part of this can be attributed to the recent economic downturn and lost advertising revenue base for radio stations as choice of advertising venues has increased with the Internet and other specialty and on-demand services (Bonin 2008, 45).

CAB argued that such profit is of benefit to Canadians, especially as consumers were moving to Internet radio and other technologies to consume content. This is itemized in a CAB memo to the CRTC in preparation for the 2006 review, under the title "Technology Changes Demand and Program Changes" (O'Farrell 2006). Here, President Glen O'Farrell argued that CAB members "no longer have a single,

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<sup>29</sup> This now referred to private radio profits, not CAB members' profits.

regulated system of radio services delivered over the public airwaves, free of charge to Canadians. Now, we have two systems: the regulated system of the past, which is now in direct competition – some would say collision – with an unregulated, parallel system of new delivery platforms for audio content” (O’Farrell 2006).

This global trend, one where terrestrial radio was challenged with digital music consumption, was utilized by CAB to defend their right to buy and sell each other and develop larger, more expansive business portfolios. As consumers have turned to music streaming services, online radio and other non-terrestrial structures, O’Farrell and his members argued that this alteration in listening habits destabilized growth prospects, even as profits have increased (O’Farrell 2006). Profit, in this sense, was in spite of technological advancements, and greater regulation to control their ability to expand their businesses would harm Canadian businesses. As a result, CAB submitted documentation to the CRTC distancing itself from its programming commitments. One such paper was titled *The Making of a Commercial Radio Playlist* in 2006. In it, station managers were interviewed, with some revealing their difficulties with meeting CANCON requirements. The report argues; “for the most part, program directors at Canadian commercial music stations balk at suggestions that levels should be raised. In fact, most would like to see measures introduced to mitigate the impact of current levels. Some argue that rigid rules regarding what counts need to be relaxed” (Gollob 2006, 8).

This argument is significant as it reveals, at once, how the debate concerning Canada’s content quota and what it is aimed to support, stagnated by the late 2000s. While the threats to Canadian business, in this case Canada’s private broadcasters changed, the resulting arguments have not altered significantly between 1968, when The Maple Music System was launched, until 2006. In 1968, the argument posited by the broadcasters claimed that there not enough suitable content to satisfy playlist demand. In 2006, this argument shifted to listening habits, claiming that playlist content must remain primarily commercially viable for broadcasters to compete with new digital technologies. Whether the challenge was foreign competition or Canadian consumers listening habits, the content itself was seen as having less worth in this context, because of its inability to compete – either with foreign imports, American encroachment or digital streaming. As a result, the role of CANCON in supporting the development of Canadian content creators, by 2006, has changed, even if the arguments to limit it remain much the same. This

has led to a deprioritising of content within CANCON in favour of more financial concessions. By shifting the focus away from playlists, CAB were able to argue that the development of their members' businesses, and the requirement that all licences be Canadian-owned, was satisfactory to protecting Canada's cultural sovereignty. Measuring one's adherence to CANCON, other than playing a minimum quota requirement, was now satisfied with greater financial assistance through a tax on mergers and acquisitions and further financial allocations attached to license renewals. Ensuring that one's programming reflected the mandate of *The Broadcasting Act*, as it remained law in Canada, was not included in this debate.

In the 2006 radio review submissions, each music industry body produced submissions concerning their view on the role of programming in satisfying CANCON. CIRPA argued; "there are more than 20,000 tracks released each year in Canada and on average radio stations add less than 70 of them. It is highly unlikely that the other 19,930+ of them are unfit for radio airplay" (Ferguson 2006b). This comment must be placed in context, as by 2006 releasing and distributing professional grade content was inexpensive. While inflated, Ferguson's comments claim that of the breadth of Canadian content available, CAB members chose to feature very few tracks. Such comments did not take into account the trends that had been developing since 2001, where those 70 tracks, in theory, were of a greater priority in cultural policy than the other 19,930+ and CIRPA, with other industry trade bodies, supported such a development. As greater funds became available for more commercially viable, internationalized content, Canada's popular music funding system, one designed in policy to support all 20,000 tracks, prioritized those of most financial worth to the sector. Ferguson argued from a cultural perspective, one that ignores the trend towards focusing on economic objectives, both through state and RSF/FondsRadiostar funding. In fact, those 70 tracks, and the artists that released them, had been enjoying more focus since the commercial radio review's decisions in 1998.

For CAB, requiring stations to air more CANCON than the market demanded, while facing tougher competition from outside sources, was seen to negatively impact their business. Instead, more financial concessions were proposed, rather than programming changes. In official documentation and the CRTC review in 2006, the music sector agreed with this hypothesis and Ferguson's comments were rejected. To both sides, more support would in turn create more music. However, this music

had more restrictive outlets in terms of commercial radio for market proliferation, and what this music was that would receive the most support favoured commercially viable, potentially international content.

In the end, it was decided that more support was to be provided to the music industry through a blanket tax on station revenue with CANCON maintained at 35%. However, the amount that stations were to pay was in favour of the broadcasters, with those stations earning less than \$650,000 responsible for a payment of \$500, between \$650,000 and \$1.25m a payment of \$1000 that increased to 0.5% of total revenue plus \$1000 if revenues exceeded \$1.25m (Canadian Radio-Television and Telecommunications Commission 2006b, 116). Before this regulation, CAB members contributed \$2.83m in 2004-2005 to Canadian content development (CCD). This regulation hypothesised that this would increase to \$4.10m (Canadian Radio-Television and Telecommunications Commission 2006b, 117). 60% of these funds were to be directed to FACTOR and Musicaction, with the other 40% left as discretionary.

However, these regulations to CCD were far less supportive than payments made after consolidation occurred, ones that were spread out over a seven-year period. \$12.24m was paid out in 2004-2005, due to transfers of station ownership (Canadian Radio-Television and Telecommunications Commission 2006b, 125). As a result, consolidation became the best source of revenue for both the broadcasters and the music industry between 1998 and 2005, even if such revenue was, by its very nature, unsustainable. This set of commitments and their structures were made law by the CRTC in 2006.

### **More Debates Concerning Ownership and Programming:**

The potential for diversity and pluralism is obvious but the issues of who creates and owns the content and the pipes that deliver it are still the same ones found in the traditional media world and can be subject to the same debate and argument about diversity of sources and concentration of ownership. The technology may be neutral but the content and its accessibility remain the crucial issues. (McEwen 2007)

The above quote comes from a study published in 2007 by the CRTC, analysing media ownership and consolidation practices in other developed markets in comparison to Canada. The position of the paper was to promote diversity and

pluralism by measuring the activities in Australia, the United Kingdom, Germany, New Zealand and other countries. In it, the paper concludes CAB's position as one that supports "that bigger is better; more efficient and more competitive. [CAB] will also argue that ownership has nothing to do with diversity and pluralism and that processes and regulations may be put in place that guarantees a diversity of viewpoints and opinion" (McEwen 2007). There are no independent conclusions in the report, but it offers a number of theoretical complications made apparent in CRTC regulations by 2007. In the end, the author offers a "final thought", stating:

Many countries mix the diversity discussion with a cultural discussion. Ownership and concentration circumstances are not just about access for different voices, opinions, and ideas, they are also about a nation's music, stories and literature and their accessibility to the citizen. The national diversity discussion is not just about democratic issues and viewpoints but a broad diverse cultural one as well (McEwen 2007).

These conclusions offer similar viewpoints to those concerned with Canada's cultural sovereignty and national narrative, but do not go far enough in assessing the value of Canadian media ownership in meeting these demands. Instead, the CRTC commissioned report outlines a number of options, including both greater control, foreign ownership allowances and a higher quota, without concluding that a collusion between ownership and programming often favours economic objectives over cultural, despite such legislation originating in cultural protectionist policy.

For the CRTC, defending the ownership rights of Canada's media companies was part of Canada's cultural policy mandate. However, by 2007 a number of complications began to emerge, as more mergers and acquisitions produced larger, more horizontally and vertically integrated media conglomerates in both English and French Canada. After the comparative analysis document published by McEwen and the CRTC, the CRTC held a number of hearings to debate this increased consolidation, titled *Diversity of Voices*. The reflections, findings and recommendations posited in this set of hearings would challenge the notion that greater consolidation – and with it greater financial disbursement to Canada's music companies – satisfied CANCON regulations and the mandates on *The Broadcasting Act*. The economic focuses that controlled the commercial radio review in 1998 were to become further solidified in how popular music was supported in Canada by the

end of 2007.

As of 2012, before the merger between BCE Inc. and Astral Media Inc., four conglomerates controlled 68% of broadcasting revenues in Canada – Rogers, Astral Media Inc., CTVglobemedia Inc (renamed BCE Inc. in 2011) and Newcap Radio (Bonin 2008, 54). This was the situation discussed in *Diversity of Voices*. The commissioned report, published on 15 Jan 2008, measured Canadian media market concentration. Over 1,800 comments were collected from Canadian businesses and members of the public through a campaign titled the *Campaign by Canadians for Democratic Media*, and 162 written comments were filed (Canadian Radio-Television and Telecommunications Commission 2008a, 4). The hearing focused on two main issues, “the plurality of editorial voices” and the “the diversity of programming choices offered to Canadians” (Canadian Radio-Television and Telecommunications Commission 2008a, 6). The ‘voices’ discussed in the report, according to the CRTC, were those of editors and programmers, mainly employed by larger corporations (Canadian Radio-Television and Telecommunications Commission 2008a, 7). In its findings, the CRTC noted:

With respect to market dominance, the commission recognizes that, while this concern is largely an economic issue relating to questions of competition, issues of dominance also have social and cultural dimensions. The gate keeping powers that can result from market dominance may affect the diversity of programming within the Canadian broadcasting system. What is carried, what is commissioned, what is broadcast - these are all issues that intersect with the question of market dominance (Canadian Radio-Television and Telecommunications Commission 2008a, 37).

This statement is significant, as the findings in the review did not measure the complications inherent in these comments concerning market dominance. In the end, it was decided, after studying 31 Canadian markets, that Canadians “currently have access to a reasonable plurality of commercial editorial voices in most local markets” (Canadian Radio-Television and Telecommunications Commission 2008a, 27). However, the CRTC was “convinced that the trend towards ownership consolidation in the media will continue as media owners respond to continuing audience fragmentation” (Canadian Radio-Television and Telecommunications Commission 2008a, 62), but that this consolidation was an acceptable condition to approaching such fragmentation, an argument posited by CAB. The concept of

market plurality, according to the CRTC, could still be achieved alongside growth in media consolidation while still protecting CANCON and its impact on Canadian identity.

Yet, this is the first time that the CRTC acknowledged, in their commission findings, that correlations could be argued to exist with the consolidation of ownership and its impact on Canadian cultural policies. By using the term 'dominance' and referring it back to social and cultural objectives, the CRTC revealed the potential impact such media convergence could have on Canadian cultural policy, such as the development of CANCON and the funding related to it. A number of concepts are reintroduced here, but not elaborated on. For one or more companies to dominate the airwaves, such domination is developed by accessing more media properties across a greater geographic spectrum in Canada. This trend, enshrined in Canadian cultural policy by a prohibition on foreign ownership of licences, can be seen to correlate such dominance with cultural and social plurality. More ownership of Canadian licences by Canadians, in this case, satisfies cultural policy. However, such domination, as outlined by the CRTC, is coordinated through economic objectives, rather than cultural. When content is placed within this structure and measured against the mandate of CANCON and *The Broadcasting Act*, a number of complications arise that are mentioned here, but to a point where mentioning it allows the regulator to avoid the consequences of expanding further on its complexities. The growing dominance of a limited number of companies did not correlate with a greater diversification of Canadian 'voices' or, in the case of the music sector, more varied programming opportunities. Instead, CANCON was satisfied with content most suitable to support this dominance, or economic development. Once again, cultural objectives collided with economic ones, and the end result favoured the development of Canadian business, rather than the diversification of Canadian 'voices', in this case.

However, the CRTC noticed that increased monopolisation required greater administration. Therefore, they placed further limits on ownership, capping the maximum amount of licences one may control at 45% (Canadian Radio-Television and Telecommunications Commission 2009a), with any ownership between 35-45% of broadcast licences being automatically referred to the Canadian Competition Bureau, a separate body to the CRTC. Anything under 35%, according to the CRTC, was deemed not to impact on Canadian competition, corporate growth or Canadian cultural plurality.

Other than CAB's responses, most submissions to the commission were critical of permitting greater consolidation. For example, Duncan McKie, then President of CIRPA, wrote to CRTC Chairman Robert A. Morin in their formal submission that "the creation of this publicly funded content is not enough if there are no exhibition opportunities. Artists have galleries, actors have theatres, and musicians need radio play to reach their audiences. In Canada, that radio play has been guaranteed through public policy, and both radio and Canadians have benefited from those policies. Canadians want to hear Canadian acts. They want Canadians to succeed musically both here and around the world" (McKie 2007). McKie, focused on ensuring his members were provided greater access to programming opportunities, relied on defining Canada's airwaves as a publicly owned resource, so his members, as taxpayers, were entitled to access such opportunities. His argument that "Canadians want to hear Canadian acts" (McKie 2007), however, was not supported with statistics. In 2008-2009, the share of Canadian content in the official charts remained stationary at around 20.7% of total sales (Department of Canadian Heritage 2009b, 4).

The tabled report placed a cap at the percentage amount one broadcaster could control, but offered no guidance to the continued issues concerning the diversity of Canadian programming at the time. In addition, three mergers that occurred in the eighteen months prior to the hearing, CTV and Toronto outfit CHUM, CanWest Corp and Alliance Entertainment and Astral Media and Standard Broadcasting, were not impacted by any new regulation (Zolf 2007). Each merger, however, provided money to the music sector, through payments to FACTOR and Musicaction, RSF/FondsRadiostar and discretionary CCD funds. What was programmed on radio had nothing to do with the increased subsidization the music sector received through each merger.

These hearings reveal the complexities between how Canadian media ownership and Canadian programming is legislated. Both are governed by Canadian cultural policy, through *The Broadcasting Act*, that states that Canada's airwaves are for the benefit of Canadians. As a result, ensuring that only Canadian companies are able to license these airwaves, this was seen as being of primary benefit to Canadians, in terms of enriching, protecting and promoting a diversity of content on radio. However, while the CRTC investigated how media consolidation impacted this diversity, even naming

a hearing to focus on it, the commission did not go further in investigating if it was not just consolidation, but Canadian-only consolidation, that minimized opportunities and diversification on these nationally owned airwaves. If this was the case, and this was not approached in *Diversity of Voices* or McEwen's study of broadcasting systems, as it was not proposed formally that Canadian ownership of the airwaves could be seen to reduce diversification of Canadian content in programming. The lobbies representing the content, including McKie from CIRPA, compounded these complications by arguing against consolidation, but ignoring the role of domestic-owned conglomerates in this debate. By prohibiting foreign investment in licences and mandating such limitation in Canadian cultural legislation, it was ownership and subsidization of content producers that grew more representative of CANCON, instead of the initial focus on programming. The system itself became as Canadian as the content it was meant to support. A station being Canadian-owned was of equal importance, in terms of commission rulings as the content programmed on it, as long as no company owned more than 45% of all broadcast licences. Instead, benefits packages – increased subsidization – were expanded, which permitted more companies to purchase competitors, as long as they did not control more than 45% of the market.

Ownership and programming were not separated in policy, leaving one to impact the other in how CANCON functioned within the music and broadcasting sectors. By the end of 2012, this had developed into a situation where mergers and acquisitions were creating Canadian companies deemed too close to the threshold ascribed by the Canadian Competition Bureau. This was made most evident by the proposed merger between BCE Inc. and Astral Media Inc. in 2012, an acquisition that was approved by the CRTC in June 2013. It was initially rejected in March 2013, pending a series of reviews that led to its approval four months later. This next section will expand on this merger as a case study to investigate the current state of the history of popular music funding in Canada, in relation to Canada's media companies. While the merger was approved in the end, I will not elaborate on this as it occurred after 1 April 2013, where this thesis concludes.

### **BCE Inc. and Astral Media Inc. Merger: Too Big to Fail**

In mid 2012, BCE Inc., Canada's largest media company, submitted a proposal to

purchase Canada's fourth largest broadcaster, Astral Media Inc. However, by 2012, any mergers of this size in Canada would have breached the new regulations introduced by *Diversity of Voices*, prompting immediate referral to Canada's Competition Bureau. If the acquisition were permitted, this would increase the total share of the combined company to owning an estimated 45% of all television licences in English Canada and 35% in French Canada (Beltrame 2012). Through the purchase, such an acquisition was anticipated to provide \$60.8m split across RSF, FACTOR, Musicaction, FondsRadiostar and community radio initiatives, plus an extra 0.5% of the spend left to the parent company as discretionary (Beltrame 2012).

In early 2013, the CRTC decided that the merger breached Canada's competition bylaws. Jean Pierre Blais, CRTC's commissioner at the time, stated: "This transaction would have resulted in an unprecedented level of concentration in the Canadian marketplace and we had grave concerns that BCE Inc. would be able to use its market power in an unfair manner and engage in uncompetitive behaviour" (Beltrame 2012). Canada's competition bureau was quoted as being "increasingly concerned" that BCE Inc.'s purchase of Astral Media Inc. would place too many assets within one broadcaster, with the watchdog saying it "could strike down the deal even if broadcast regulators allow it to proceed" (Ladurantaye 2012). Blais, in his statement, claimed that both local programming and the promotion of emerging artists was inconsequential in the merger proposal, and that approving the deal "could not have ensured a robust Canadian broadcasting system without imposing extensive and intrusive safeguards, which would have been to the detriment of the entire industry" (Parry 2012). Canada's cultural policymakers were placed between supporting Canadian ownership mandates or the diversification of Canadian programming.

Canada's music lobby did not formally reject the merger proceedings. CIMA issued a statement, focusing on where the money could be spent, rather than commenting on the merger itself (Johnston 2012b). The twenty-point letter, sent to CRTC Secretary General John Traversy on 7 August 2012, was concerned primarily with asset divestment and CCD allocation (Johnston 2012b). There was no comment on the level of ownership BCE Inc. would accrue with the acquisition, nor any comments concerning its supposed impact on its stations' programming. CIMA was concerned

with the calculations concerning the divestment, especially due to the fact that BCE Inc. would accrue increased online advertising through its newly acquired channels without providing extra revenue for the content supplied with the advertisements (Johnston, pers. comm). CIMA's board of directors was hung in their opinion, but concerns were raised in terms of market penetration, access to programming and divestment amounts. However, CIMA did not reject the merger; the ways the money was to be spent within the sector was of most primary importance.

In the end, Blais argued that his decision favoured "consumer interests over corporate interests" (Ladurantaye 2012). In the commission's decision to refuse the merger, it argued "BCE Inc. did not express a vision for radio and that it made no firm commitments regarding local and spoken word programming, or the promotion of emerging Canadian artists" (Haupt 2012). This can be argued as a realization that a separation had occurred between the current policy and what it was intended to support. The beliefs championed by *The Massey Commission* and *The Broadcasting Act*, the same beliefs that were developed into Canadian content regulations, were ultimately challenged by the requirement that Canadian airwaves be licensed to Canadians. The increased level of licence ownership by a fewer number of Canadians had developed into a debate where content creators began to question the reduction in programming opportunities made available as a result of consolidation. However, these concerns were placated through divestment, as long as the allocation of support was conducted in a manner lobbied by the music sector. In the end, the headline of CRTC's press release announcing the rejection of the merger stated that the "transaction is not in the interest of Canadians or Canada's broadcasting system" (Canadian Radio-Television and Telecommunications Commission 2012, 1). In its broadcasting decision, the CRTC argued that "the commission is not convinced that the transaction would provide significant and unequivocal benefits to the Canadian broadcasting system and to Canadians sufficient to outweigh the concerns related to competition, ownership concentration in television and radio, vertical integration and the exercise of market power" (Canadian Radio-Television and Telecommunications Commission 2012, 1).

The press release, affirming that the merger is not in the interest of "Canadians or Canada's broadcasting system" is revealing (Canadian Radio-Television and Telecommunications Commission 2012, 1). CRTC's own decisions produced this framework that enabled a merger of this size. By governing Canadian cultural

promotion and economic incentives through the same policies, the impact on cultural and economic objectives developed in opposition to each other. The manner in which the CRTC regulated Canadian cultural policies encouraged fewer Canadian-owned companies to acquire larger stakes in the market, even if this situation was producing complications towards promoting and enriching Canadian culture, through the objective of Canada's policymakers. The increased size of Canadian businesses did not translate to greater cultural plurality in the properties they controlled. Such ownership, while viable for stakeholders of these enterprises, was seen by the CRTC to impact programming and diversification. By referring to "Canadians and Canada's broadcasting sector" as being in support of the same legislation concerning Canadian ownership, these policy difficulties were laid bare. The CRTC regulated what it viewed as in the best interests of Canadians, while Canada's broadcasters rightly pursued what was in the best interests of their stakeholders. While these are not mutually exclusive, they had diverged in this situation to a point where the merger was refused. What has developed to be in support of Canadians and Canadian content development, as decided by CRTC policy, is different to what is best for Canada's broadcasters.

A second attempt at acquiring Astral Media Inc. was approved by the CRTC. The deal in June 2013, worth \$3.4b, forced BCE Inc. to sell over a dozen extra services, leaving the corporation with 35.8% of the English language market, a percentage deemed acceptable by Canada's Competition Bureau (Canadian Broadcasting Corporation 2013). The largest concerns debated involved pay television services, not commercial radio. In the end, over \$60m was divested to the music industry, completing the largest merger in Canadian history. At the time of writing, Canada's three largest broadcasters control 65% of all licenses administered by the CRTC (Winseck 2013).

Will Straw and Richard Sutherland, in *The Canadian Music Industry at a Crossroads*, state; "as the boundaries between industries weaken or disappear, so, too, do those which separate the Canadian market from others in the world. Unsurprisingly, perhaps, Canada's music industry has become just as integrated within a global market as have other industries" (2007, 142). These comments, written six years before, offer a different perspective to analysing the impact of this now accepted merger. In essence, such levels of consolidation are impacted by global integration, which encourages Canadian businesses and content creators to further

internationalize their content. This objective has influenced Canadian cultural policy since the commercial radio review in 1998, where the most commercially viable content is often the most supported, through subsidized star systems or funding for more established labels. This enables Canadian businesses to compete internationally, but it does not satisfy CANCON. Therefore, Canada's cultural policies, ones aimed to support, develop and enrich Canadian content for the benefit of Canadians, have altered to focus popular music funding more towards economic intervention than purely cultural subsidization. While they are not – or have ever been – mutually exclusive, this shift has not been measured in the context of the development of CANCON or the mandate of *The Broadcasting Act*. However, the consumption of music, now delivered through online streaming, satellite radio and other mediums, has developed a different relationship to terrestrial radio in how CANCON is mandated. While the concept concerning Canadian cultural protection and promotion remained enshrined in Canadian law, "the borders between nations have become more porous and those between industries have lost their solidity as well" (Straw and Sutherland 2007, 161). In Canada, the requirement that Canadian companies must control publicly licensed airwaves has not proven to diversify content programming and satisfy the mandate in *The Broadcasting Act*. Such loss of solidarity impacted Canadian programming over Canadian ownership, leaving the CRTC with no publicly voiced option than to first reject Canada's largest ever media consolidation, unless enough properties were sold off to permit its approval, six months later.

## **Conclusion**

By mid 2013, Canada's three largest broadcasters controlled more than half the market. In addition, RSF/FondsRadiostar, meant to expire in 2010, received a further \$30m in funding from Canada's largest ever media merger, securing its future for the time being. At the same time, the Canada Music Fund remains the core means of public support for FACTOR and many high-level Canadian labels, while funding programs continue to expand across Canada, including a \$45m, three year Ontario Music Fund, announced in spring 2013. However, little analysis has been conducted to measure the relationship of these sets of systems – Canada's popular music funding structure – with the reasons funding began in the first place, from the development of CANCON to the initiation of FACTOR. These funding systems have

assisted in the creation of an industry, one that delivers a number of successful artists, both commercially and critically. However, the relationship between Canadian content and the policies enacted to protect, support and enrich it have faced a number of challenges, which were made evident in the current relationship between Canada's broadcasters, music sector and government, as evidenced in the now accepted BCE Inc. and Astral Media Inc. merger. The development of Canada's national narrative and the influence of nationalism and nation building initiated a system where foreign control of Canada's publicly owned airwaves is prohibited. As a result, for Canadian businesses to operate and profit off licensing these airwaves, a number of concessions to support the content that is broadcast through them have been initiated, each meant to support both Canadian cultural plurality – Canadian identity as a whole – and Canadian business development. However, by 2012, these two objectives were not satisfied collectively, as a disparity emerged between how Canada's cultural policies supported business and social objectives. These complications were never addressed in the policies themselves, leaving each successive administration, business owner and content creator to argue for what benefitted them the most; and this became most often defined through financial means, rather than programming or encouraging plurality.

As a result, the history of funding popular music in Canada shows that some content is better and more suitable than other content, in terms of how the systems and rules are satisfied. Major-label funded, commercially successful content, such as Nickelback or Bryan Adams, is of more value to commercial radio and Canada's economy in general than more niche content. However, the definition of CANCON and MAPL, as proposed in the early 1970s, supposes all content that qualifies to be equal. Yet, the policies have developed to support more internationalized, commercially viable content over greater diversity, even if the policy that governs this states otherwise. With CRTC mandates, certain Canadian content, whether it may be a film or a record, is of value to Canadians, even if such value has never been quantified nor proven. However, such content that is of less value within the core CANCON policy, such as major label promoted pop music, is often of most value to private broadcasters. If that content is supported across more platforms as media ownership consolidates, the original value proposition within CANCON is altered. Therefore, an untenable situation occurs where social life, a cultural abstract, merges with social policy, an absolute. In other words, Canadian policy legislates an

abstraction – Canadian culture – to further legislate an absolute – Canadian business and economic development.

This is most evidenced by enforcing a law that all airwaves must be licenced and operated by Canadians. In its simplest sense, such a requirement would ensure that this is in the best interest of Canadians. Yet, what is in the best interest of certain Canadian businesses does not always align with what is in the best interest of Canadians, as the policy itself posits. As consolidation has increased, the pathways available for Canadian content on traditional radio have grown less open and CANCON has become further separated from the concept of being Canadian. However, at the same time, restricting these pathways has resulted in a number of new pathways emerging, through increased financial divestment to Canadian content creators and new technological tools to discover and promote content. With the popularity of Spotify, Songza and Rdio, CANCON is of less importance as there is no mandate that these services ensure their listeners consume 35% Canadian content in English Canada, for example. Yet, the CANCON debate and the relationship between Canada's broadcasters, music sector and government remain integral to how Canada, as a whole, expresses itself, both through content creation and its history of subsidization.

## **Conclusion** **Making Sense of Canadian Identity**

### **Introduction**

In the introduction, I argued that framing my arguments through a traditional literature review proved challenging in the context of this thesis. This is due to the amount of personal interviews and state documents I relied on for research purposes. However, looking back at this work provides a clear framework to base this history on. The history of popular music funding began long before FACTOR, with the framing of the concept of being Canadian by Massey and his commission. Popular music funding is an effect of this debate, with the history of Canadian identity formation being the cause. In one sense, one is Canadian if they believe, individually, that this description applies to them. However, this must be reinforced with a passport or identity card, both of which are administered by the state. However, national identity is both framed on an collection of individuals – I am Canadian if I believe myself to be - and a individual collective – If you own a document issued by the state prescribing you as Canadian, you are one - as Handler states. For CANCON, there are strict rules to meet in order to qualify. One must display citizenship or permanent residency and retain ownership of the work, either through music, lyrics or location. CANCON is prescribed; one can be Canadian and not qualify as CANCON, if their content is made with external structures. Yet, CANCON, or more importantly what it represents – Canadian content – is used to represent and defend not only the concept of being Canadian, but also the content that supports Canadian nationalism. If CANCON and the concept of being Canadian are intertwined, as I believe they are, one must conclude this framing by investigating if CANCON policy, as a tool to develop and sustain Canadian identity, has satisfied its objectives. CANCON is accepted, ubiquitous and a part of contemporary Canadian culture. However, it has been repositioned to satisfy more individualised objectives, such as station ownership or regulatory reform. While setup to support an individual collective, it has been misused by collections of individuals, such as corporate interests. For example, one organisation such as CRTC or CAB lobbies for a certain position, and if accepted, this position impacts the collective.

At the same time, Canadian culture has been influenced by foreign or external

imports, such as American influence and involvement, the politics of Quebec, immigration and a diversification of cultural offers and technological advancement. In our increasingly digitised music economy, national regulations are inapplicable, as CANCON is not adhered to online.

Therefore, if we return to Anderson, we can expand on this measuring of CANCON and the concept of being Canadian in relation to the history of popular music funding. In the context of the popular music industry, CANCON and nationalist policy has made the concept of Canadian a “universally legitimate value” (Anderson 2006, 30). The term ‘Canadian artist’ has meaning for those both inside and outside of the value judgment. However, if CANCON policy has experienced a “long, self-conscious search for theoretical clarity” (Anderson 2006, 30), there have been a number of “regrettable outcomes” (Anderson 2006, 30), including a homogenisation of commercial playlists and a lack of institutional clarity concerning the historical development of the structures. If CANCON is philosophically incoherent, as Anderson would argue, it has remained politically powerful, despite no agreed upon, universal definition of ‘Canadian music’ ever being devised. More music has been created, careers supported and art disseminated through the system, despite its intrinsic, unavoidable confusion.

While there is more money available for musical content creators in Canada than there ever has been, the policies that were utilised to release these funds have altered minimally since the 1960s. As a result, the concept of being Canadian – in reference to popular music funding – has become deprioritised via its ubiquity; whether one thinks they are or are not Canadian in an individual sense, the systems in place recognise one’s right to access such funds for the purpose of enhancing Canada’s collective identity. This is evident in the eventual acceptance of the BCE Inc. and Astral Media Inc. merger in 2013; despite the concerns voiced towards its impact on the relationship between diversity and Canadian content, an eventual acceptance emerged because this was deemed as suitable for those who define themselves as Canadian and accept the requirements within CANCON. In other words, a larger conglomerate that owns and, in essence, standardises programming is still Canadian, as long as it is accepted as being Canadian within CANCON regulations.

Therefore, in many ways, looking through this history reveals that protecting Canadian content is concerned with, as Berton stated, protecting one's right to subsidy as much as the right to create and be recognised, in one way or another, as Canadian. Whether this can be understood as being 'not American' or something separate, the history of popular music funding ends as it began. Nationalism, in this case, is as much about control of resources as it is about identity and here the resources are the right of access to finance to create music.

As a result, it is best to return to the three challenges introduced in the introduction to look at the system as a whole through this history. First, I argued that if popular music is utilized as a tool to promote national identity it cannot be effectively achieved through public funding initiatives. This is exemplified by the fact that while more support is available, the impact of the support on CANCON and national identity formation, at time of writing, is negligible, aided by the democratisation of music distribution through the Internet and Canadian artists' continued focus on international markets.

This has been impacted by the second argument that states that the quota impacts the distribution, promotion and identity of the music it is protecting. In Canada, commercial radio has continued to standardise its playlists. However, services not restricted by CANCON, such as Spotify or Rdio feature a wider array of Canadian content. As a result, this has further confused understanding of the success of CANCON and if such terminology could ever be posited, which is my third argument. If a Swedish streaming service offers more Canadian content than a locally owned terrestrial radio station, it is satisfying the core objectives of CANCON more; however, by not being Canadian-owned, it is inherently restrictive in reference to policy, as Canadian ownership and programming are equally important in asserting and defending CANCON.

### **Theorising The Value of This History**

More Canadians have created, produced and disseminated content than they would have without such support, and this content has assisted in building and reasserting a definition of being (and being seen to be) Canadian, despite no standalone definition existing. However, the focus of financing content over airing or

diversifying programming opportunities, especially in the past fifteen years, requires rethinking. "Currently, there are artists that have received over \$900,000 in their careers from FACTOR alone," states President and CEO Duncan McKie. "I bet if you aired that at the initial board meeting in 1982, everyone would have thought that to be inconceivable. That is four times the initial budget of FACTOR for one band alone" (pers. comm).

Artists have received these amounts, prompting criticism from outside on how FACTOR's allocations are handled. For example, in January 2013, a blog called *Slagging Off* began publishing, often incorrectly, the amounts certain artists receive, prompting further criticism from some Canadian artists. The author Paul Lawton, a member of Alberta act The Ketamines, comments on a blog written by Stuart Duncan of FACTOR-funded independent label Out of This Spark. Duncan stated on 2 April 2013; "unfortunately like a lot of labels of my size, people had given up on FACTOR a bit, and don't pay close enough attention to it anymore" (Duncan 2013). Duncan stated that he received between \$10-15k from FACTOR throughout his businesses, but his rate decreased, a result blamed on the DBA structure and the high success rates of those who qualify. Lawton, through his *Slagging Off* blog, received both significant criticism and acclaim in Canada, prompting blog posts proclaiming he was "the most hated man in the Canadian music industry" (Cross 2013) or that he was telling the truth, bringing light to the fact that funding relied on who one knew, as "of the 10 bands who took home the most FACTOR funding in the past decade, all 10 were either from or represented by people who lived within 17 kilometres of the FACTOR office" (Berry 2013).

In the blog, Lawton states:

One thing I keep hearing in defence of FACTOR funding is that if we eliminate the funding, Canadian music will be swallowed up by our American counterparts, because FACTOR allows Canadian music to stay competitive. The same argument is often made about CANCON requirements. The truth is grey. Canadian music will still be made and Canadian music will still get popular. Propping a few dozen bands/labels up with the majority of funding gives them a competitive advantage to ward off American music, but also (and most importantly) Canadian music (Lawton 2013).

Lawton returns to the same argument aired in the early 1970s by Canada's private

broadcasters. This is the argument that Stan Klees, Walt Greilas and Pierre Juneau rallied against. For CAB members in the early 1970s, comments were aired claiming that Canadian music would still be made without subsidization. However, the structure of the global music industry that Lawton and others live within is markedly different to the industry in the early 1970s. With national restrictions not applicable to online consumption, the role of Canadian content protectionism in supporting its development, enrichment and promotion for the benefit of Canadians is growing increasingly difficult to police. This debate, which includes the understanding and questioning the role of foreign ownership of Canadian airwaves, the current structure of Canadian content regulations and the evolution of funding administrations, is contained within Lawton's arguments, but never approached critically. As a result, the antagonism towards Canada's support structures often returns to those who have and those who have not, and the histories they have contributed to the making of Canadian culture play in the current music and broadcasting sectors in Canada.

By placing an economic focus – the need to internationalize one's content and compete at such a level – over a series of cultural protectionist policies – a need to understand and communicate a sense of Canadianness through this cultural form – state funding of popular music and the regulations that governed these programs became less transparent. To Lawton, supporting Canadian music means supporting a type of music, certain genres or artists. The same can be said, over time, of the work of FACTOR and other administrations. However, what this music is and why it is supported differs, depending on the program and political requirements set up with the funds themselves. As a result, Lawton complains that some artists receive too much, even if those artists satisfy a number of objectives the administration places on them. These objectives, in this case, do not align with this view of CANCON and what it is meant to represent.

This representation relates back to Canada's relationship with nationalism, its national identity and how its cultural policies have been crafted and manipulated by the state to reinforce the state's federalist objectives. Canada, while fragmented within, has been seen to develop a strong musical brand since the early 2000s, proving that these support structures, if seen from outside, are working. Yet, many of those interacting with the programs within express difficulty and frustration, even if it is their content that is represented to strengthen the Canadian brand. If

Canada's brand has value, then there is a responsibility for these funding structures to reinforce it. Or, does this detract from other core responsibilities, such as business development of applicants, or quantitative measurement of their usage of the funds? For this, it is best to measure, after five decades of policy, if Canada's brand adds value in this context.

### **Does The Canada Brand Add Value?**

Over four decades since the introduction of Canadian content regulations, the Canadian music industry has incubated a number of internationally successful artists who have benefitted from subsidization and/or broadcasting regulations. Artists like Carly-Rae Jepsen, Michael Bublé, Deadmaus and Nickelback are international stars, along with The Arcade Fire, Broken Social Scene, Tim Hecker, Caribou and Final Fantasy, but it is difficult to attribute this success directly to funding. Furthermore, Canada's private broadcasters, working within CANCON regulations since 1971 and mandatory CCD contributions since 2006, have become more profitable, accruing \$6.58b in revenue on average (Canadian Association of Broadcasters 2011). Canada's popular music funding programs, if all provincial support structures are included, is worth over \$100m per year, with FACTOR and RSF/FondsRadiostar providing over \$25m per year to applicants alone.

In addition, the common argument in the 1960s and 1970s from the broadcasters that Canadian music is of little value compared to foreign competitors has changed. Canadian musicians and the systems that support them are internationally recognized. On 3 November 2012, British music magazine *This is Fake DIY* published an article, titled "How Canada Values Its Music." It writes; "Canada, being swallowed up by America to the point where confusing a Canadian with an American isn't even a proper joke anymore, is so keen to protect its culture, to promote its national identity, that it appears to go much further than the rest of the world when it comes to financially assisting its musicians" (Warren 2012). This article is both in favour of and against the policy, interviewing artists and businesspeople, such as artists' Chains of Love or Greg Ipp that had applications rejected, while also praising that the state invests in the popular music sector. Alan Davey, Chief Executive Officer of Arts Council England writes positively about the Canadian set of structures in *The Huffington Post*. He claims these systems are a personal influence on his

beliefs towards talent development, ones demonstrated in the Momentum Music Fund in England, a program he helped author. "FACTOR has played a huge role in the success of the Canadian music scene, from launching the careers of internationally recognized artists such as Feist and Arcade Fire to contributing to the thriving local music scenes of Toronto and Montreal. This kind of investment - giving artists the right kind of support at the right stage of their career - can play a really significant role in allowing musicians to continually renew and reinvent their work" (Davey 2012).

Both articles, published in the second half of 2012, argue the Canadian brand is one of a country that values its music to the point that "Canadian music", an abstract description, has enough tangible meaning to be lauded as a standalone entity. To these writers, Canadian music has an identity, however one prescribes such identity to be. In each article in these British publications, the concept of what Canadian music is not identifiable. For *This is Fake DIY*, the article is titled "How Canada Values Its Music." This attributes that Canada, as a whole, knows what 'its' music is and that music, as a whole, is agreeably valued. Those conclusions, ones that attribute or suggest a concept of being Canadian, and how it relates to popular music funding in Canada, remains complex. If the concept of being Canadian includes a belief that music, whatever it is, is valued, then the history of popular music funding in Canada has not conclusively validated such a belief. In the case of popular music funding, there are no concrete, singular conclusions. Instead, how Canadianness is engineered, and its relationship to the system – both institutionally and individually – remains inconclusive. In some manners, the objectives that convinced the state to support popular music in Canada have been satisfied. In other manners, these objectives have changed, leaving those objectives before it missed and often ignored.

From *The Massey Commission* to when CANCON was implemented in 1962 for television and in 1971 for radio, both policies were attempts to introduce a concept of what being Canadian, culturally speaking, represented. These questions incorporate the very nature of Canada as a nation-state. The country has always been on a "quest for nationhood" (Edwardson 2006, 1), rather than an assertion of nationality through creed, religion or edict. Canada has been defined as an amalgamation of regions, dialects, languages and geographies, a country that is not

American, what it is not, rather than what it is. Therefore, what 'nationhood' represents in Canada, and therefore mapping the quest that implemented policies and structures to assert such nationhood, remains difficult to ascertain.

When using popular music funding as a case study, the difficulties increase. Measuring the chronological impact of Canada's policies, towards the music and broadcasting sectors, remains challenged by Canada's place in the global music sector, both in the 1970s and 2010s. Ascribing a formulated Canadianness as a variable to success is subjective, as the majority of Canadian artists who have achieved international success do so with foreign support, either from multinationals or international management firms. Therefore, when a Canadian artist like Justin Bieber achieves international stardom - an artist managed by an American company with teams in New York, London and Los Angeles - his citizenship is what retains his Canadianness, although his music is internationally written, produced and marketed. However, when assessed by MAPL qualifications, Bieber fails to meet the criteria, much like Bryan Adams' did on *Cuts Like a Knife* in 1992. While Adams petitioned to have his CANCON qualification instated, Bieber and his team have not instituted any such campaign, because such criteria bears little importance to the market value of his music, Canadian or not. However, such an example is as much an exception as the norm. Canadian pop star Carly-Rae Jepsen can be seen to have benefitted more from Canadian content regulations. Jepsen recorded for several years independently, financed by Vancouver-based 604 Records, a label funded by FACTOR (and now MEC) and co-owned by Chad Kroeger, frontman of Nickelback, a band that was also part-funded to produce its early recordings. Jepsen found international fame through Canadian radio, when Justin Bieber heard her song, "Call Me Maybe", on commercial radio.

In the introduction, I quoted Eric Hobsbawm in *Nations and Nationalism Since 1780*, in his description of the term 'nation' as infinitely subjective. In terms of Canada's state policy concerning cultural output, and its relation to popular music, this can be argued to be the case here. In his chapter, "the government perspective", Hobsbawm argues that "state-run patriotism is not necessarily ineffective, since the very existence and functions of the modern territorial citizen-state constantly involves its inhabitants in its affairs, and, inevitably, provides an institutional or procedural 'landscape' which is unlike any other such landscape and is the setting for

their lives, which it largely determines" (1992, 86). In essence, patriotism develops in a nation through the repetition of state-run services making the nation ubiquitous, or part of everyday life. In Canada, this has both defined and challenged the concept of the Canadian nation. For Ramsay Cook, in his introduction to *Canada, Quebec and the Uses of Nationalism*, he quotes Mavis Gallant's *Home Truths*, who argues, "a Canadian is someone who has a logical reason to think he is one" (Cook 1995, 8). Therefore, whether Justin Bieber benefitted directly from Canadian content regulations or not, if he supposes himself a Canadian, he is one.

However, such assertions conflict with the mandate of *The Broadcasting Act*, specifying the need to culturally enrich and develop domestic content for the benefit of all Canadians. This is difficult to assert in the case of Justin Bieber, as his content is developed, produced, marketed and managed by foreigners. Yet, his likeness and brand is Canadian, as so it says in his passport. Here, Bieber and his team produced international content for a domestic and international audience that is simultaneously Canadian and not Canadian. For Carly Rae-Jepsen, the set of structures borne out of Canadian content regulations supported her career development, even though international acclaim came through multinational involvement. Her album is recorded with Canadians and was originally released on a Canadian label, albeit distributed through Universal Music, a multinational. Both artists are Canadian in terms of citizenship, but Rae-Jepson qualifies for MAPL, while Bieber does not. Both are Canadian, in some cases, and not Canadian in others.

While it is difficult, in some cases, to label artists definitively Canadian across their entire business ecosystem, this history has shown that as a result, institutions have filled this gap to recognize Canadianness in some cases. While Bryan Adams, Justin Bieber, Arcade Fire, Nickelback and Carly Rae-Jepson, along with a multitude of other Canadian commercially successful artists work with management, labels and other business interests outside of Canada, the foundations of Canada's funding structures, from the Canada Music Fund to FACTOR, have remained stationary since their creation. For example, Berton remarks in *Why We Act Like Canadians*, "we tend to build up institutions rather than individuals...here again we part company with American show business tradition" (1987, 107). Here, it can be argued that the existence of popular music funding in Canada is more successful in asserting the concept of 'being Canadian' through the institutions that support the artists. Despite

being a number of independent, often non-communicative administrations, these programs are seen as Canadian, a Canadian system of popular music funding.

It is this set of structures that have been both a success and a failure simultaneously. If one analyses the current state of popular music funding against the initial recommendations tabled in the late 1960s, one can see a definitive shift in purpose over time, as commercial radio's diversification and programming obligations with CANCON have grown less important compared to the subsidization their business interests create for the music sector. Positively, Canada has a larger, more internationally successful and active set of popular music businesses now than it did in 1971, and seed investment from both public and private sources has been a factor in initiating this growth. However, this has led, in some cases, to artists and labels being trapped in a culture of funding that defines their business activities as much as their output, often limiting opportunities as much as creating them. Regardless, in this history of popular music funding, Canadian music, whatever it may mean to represent, has been indelibly changed through this policy interventionism.

### **Where Is This All Heading?**

Canada's music businesses are unique in that their profitability is significantly reliant on a secondary sector, Canada's broadcasting sector. Increased profitability for Canada's broadcasters meant, in many cases, a significant windfall of support back to Canada's music businesses, which consequently increased their reliance not only on the funding, but also the success of this secondary sector. In addition, this windfall has resulted in a quid pro quo relationship, where the music sector makes allowances to broadcasters to ensure a steady stream of support, further complicating the make-up of why the popular music is funded in Canada.

Throughout this history of cultural regulation, the consumption of Canadian music by Canadian consumers – especially English Canadian consumers - has remained relatively stationary. This fact produces a number of questions, as despite four decades of interventionism, both through nationalistic, culturally focused and business minded, economic means, Canadians still listen to similar amounts of Canadian music since such statistics were compiled. Never has Canadian music, outside of Quebec, eclipsed 25% of total market share, despite CANCON's 35% requirement or licensing regulations, prohibiting foreign ownership of broadcast

licenses. Instead, what has become more Canadian, in this sense, are the organizations and structures that govern these systems, rather than any increased results that prove that Canadians listen to more Canadian music, regardless of how much Canadian music is produced. By prohibiting foreign ownership of broadcast licenses, Canada's media spectrum has seen a number of Canadian owned and operated conglomerates emerge, each with extensive domestic business interests across media properties, including television, radio, newspapers and Internet service providers. These companies, such as BCE Inc. and Rogers, have grown to be represented as equally Canadian as the content disseminated through their channels, a result influenced by the same regulations that mandated, in 1971, that a certain amount of Canadian content be aired on their ancestor's properties. Yet, while this ownership has consolidated and the number of properties owned by these companies increased, the consumption, in sales, of Canadian music has not. In addition, commercial radio retains criticisms claiming it supports the bare minimum in reference to its CANCON diversity.

However, such judgments can be seen as unimportant, as the regulations that defined CANCON in law did not explicitly state that chart success was the key method of evaluation. Furthermore, while these statistics argue that consumption has remained stationary, they do not include online streaming, listenership of the 100% CANCON CBC Radio 3 digital station, concert attendance and the usage of Canadian music in synchronization, gaming and library music. CANCON, and the policies that initiated and govern it, are not dynamic enough to retain the same prevalence now than they did in 1971. This precludes why money is now more important, in how policy impacts the production of Canadian content, than the policy itself. Further consolidations are permitted, such as the BCE Inc. and Astral Media Inc. merger in June 2013, as long as the allocation delivered to the Canadian content production – music and other cultural forms - is protected. Content production has increased steadily since FACTOR was inaugurated in 1982. Regardless of its popularity, the production itself satisfies initial policy demands. However, when broadcasters objectives are included, this evaluation becomes more complex, convoluted and unresolvable. This story leads back to its beginnings, however different the music and broadcasting sectors are currently, to 1971.

In this dissertation, I have tried to outline that popular music interventionism in

Canada is an experiment in trial and error, with each trial assuming different objectives, from satisfying a concept of being Canadian to ensuring the profitability of Canadian businesses, both domestically and internationally. As a result, the same trial and error process was applied to establishing a theoretical framework to base this dissertation. As a Canadian living abroad for a decade, being defined and perceived as Canadian perplexes me, as I am perceived to represent a tangible, identifiable set of cultural and nationalistic variables formed of a nation I live 4,000 miles away from. This is the basis of why I chose to investigate the concept and misuse of 'being Canadian' and what it means for Canada's popular music industries and entwined interventionist policies. Taking this approach has produced as many scholarly challenges as it has opened up methodological avenues. As a result, unveiling this history has led to a number of conclusions, often in conflict with each other. Providing financial support to create, develop and market art, whatever this art turns out to represent, positively impacts the expressive ability of citizens. However, the manner in which Canada has explored these situations has created a number of challenges that often detract from the importance of the creator. Ownership of a business, however profitable, does not satisfy cultural policy, that supposes a public right – the availability of culture - over a private one, the profit of an individual organization and its stakeholders. In Canada, this has not been coalesced in how Canada subsidizes its popular music makers and businesses.

Therefore, judging whether state intervention in Canadian popular music is good or bad cannot be resolved by this dissertation. There are valid arguments on both sides. By allowing more musicians to produce art, create employment opportunities, foster businesses and facilitate cultural exchange, such investment has produced tangible results. That said, the structures in place have developed in an awkward manner, one that has eroded the core mandate that initiated the policies in the first place. This is not only because the sector has evolved from 1971 to 2013. Logistical alterations aside, supporting Canadian businesses and defining, developing and promoting a concept of Canadian identity are not mutually inclusive, a trait Canadian policymakers have ignored. Now, it may be seen that the Canadian music industry is at another crossroads, one different to the situation Richie Yorke described in 1971. How it proceeds is to be determined, both by the current structures music makers and businesses see themselves in, but also how Canada, as a nation, mandates how it protects Canadianness, through both cultural expression and economic

development.



## **Appendices**

### **1.1 Reflexive Commentary**

One of the most difficult challenges in writing this dissertation was ensuring that my closeness to the topic did not impact the neutrality of the work. Throughout the research I worked full time within Canada's popular music funding structure, developing relationships with the people I quote and the programs I evaluate. In this case, the complexities, ethics and structure of each interview, and its accompanying biases are difficult to shield from the arguments contained in my dissertation. The history of Canada's music funding system is, in its core, not a combined, complete or even cogent set of events. However, the arguments and structure in this dissertation are, as I see them, the complete opposite of this. I tried to impart structure and linearity in these disparate activities, despite the biases. In order to ensure that this structure is not perceived at the expense of what actually happened, it is best to provide further clarity into the political structure, subsequent relationships and industry aesthetic that I encountered when I researched and wrote this dissertation.

In Canada, as I state early in the introduction, very few voters know that a Canadian funding system exists in the first place. Most diplomats I encounter abroad are unaware of the system, including most of Canada's European Ambassadors, as it was my job to educate them when I met them through my role at CIMA. It is a niche issue with a small budget and an even smaller set of objectives. As a result, there is a level of informed secrecy at play here, in such that those involved feel that if the state understood the size of the structure, it would give them reasons to garnish it. This is not the case, but it does explain why FACTOR never published their repayment rates, yet ensured that funding was strategized on an economic basis, especially since the Conservative government took over in 2006. When interviewing managers and labels, very few revealed the amount they received, which to me is a side effect of the system itself. Nothing is inherently straightforward and everyone has their independent motives – and often, interviewing those who give and receive money creates difficulties in measuring and accounting for such biases.

This reveals the challenges within ethics and subjectivity in my interview process. In "Ethics, Reflexivity and Ethically Important Moments in Research", Guillemin and

Glynn from the University of Melbourne investigate this as a juxtaposition between reflexivity and research ethics. They argue that there are two frameworks within research ethics and interviewing. They are “procedural ethics, which usually involves seeking approval from a relevant ethics committee to undertake research involving humans and ethics in practice, the everyday ethical issues arise in the doing of research” (2004, 263). For my research, it was not possible logistically to seek approval from an ethics committee for each qualitative interview, so my thesis was framed on ethics in practice and informed consent, ensuring that each interviewee agreed on their comments being included in the dissertation. The challenge here was providing evidence for my claims, as any evidence offered would be qualitatively biased. No matter what piece of primary research – state document or personal interview – a bias exists. Denzin elaborates on this in “The Elephant in the Room, Or Extending the Conversation About the Politics of Evidence.” He states: “The politics and political economy of evidence is not a question of evidence or no evidence. It is rather a question of who has the power to control the definition of evidence, who defines the kinds of materials that count as evidence, who determines what methods best produce the best forms of evidence and who criteria and standards are used to evaluate quality evidence” (2009, 142).

I want to answer the questions that Denzin poses in his analysis of ethics in evidence gathering through, in my case, interviewing and researching state documents. The first question, focused on the power of definition, was a challenge to manage in my research. Each state report was framed on the ideologies and objectives of the political party in office, and many schemes were introduced with secondary objectives, such as political manoeuvring or voter attraction. In addition, certain parties in the music industry disagreed with others, and professionally I often sided with one over the other. This created a structure that defined power as the party I agreed with, which I was acutely aware of when writing this dissertation. As a result, any personal opinions were removed from the writing, except in the conclusion, as any concept of power was transferred to the document being analysed or interviewee. The second, third and fourth points, questioning the materials used to define evidence and the methods and standards used to evaluate evidence, also posed challenges in ensuring this dissertation satisfied ethics queries. Much of the material I refer to has never been compiled in such a way, so I attempted to separate the types of materials used to provide more guidance for the reader and

present evaluative methods in as simple a manner as possible, focusing on, economics and how they intertwined. This is why I evaluated the system on the basis of its relationship to CANCON, rather than its efficacy in breaking bands or supporting businesses. This is because any evidence that proclaims value judgements on the system is flawed. I stated this within my dissertation, as defining success depended on whom you asked. As a result, my evaluative structure was based on understanding the relationship with CANCON. By taking the focus away from any value judgments on the system itself, I feel my relationship and position within the structure can be defended, as well as the methods I use in my research.

In terms of subjectivity in my personal interview schedule, it is important to ensure that I explain the ethical challenges I experienced when conducting these interviews. For the most part, interviewees were supportive of either the music industry's objectives or the broadcasters objectives. Furthermore, those with positions in public office or higher profile industry roles tended to guard their words more carefully, such as former ministers or leaders of large associations. However, in these interviews, a few people were more biased than others, and it is best to reveal and explain these individuals. Chip Sutherland, for example, provided a number of frank, to the point quotes that were critical of the systems in place, because his position as executive director of Radio Starmaker Fund allows him the freedom to speak in such a way. Duncan McKie, now President and CEO of FACTOR and one of the chief protagonists in this debate, had a number of biases that were made apparent throughout the interview process, as well as conversations I had with him off the record. He was critical of FACTOR's administration under Heather Ostertag. Others were less critical of Ostertag, including Brian Hetherman, who took over FACTOR after her, only to leave the post less than a year later.

It must be stated that McKie's opinions towards the system mirror mine. As a result, I believe my perceived bias and actual relationship with McKie contributed to the fact that when asked to be interviewed, Heather Ostertag declined the invitation. This was extended to her via email not long after she announced her retirement from FACTOR and at the time, my role with CIRPA/CIMA was associated with McKie, and I believe there may have been trepidation with some of the questions I would pose. This is unfortunate, as the silent witness in my research is Ostertag. She was the President of FACTOR for nearly 20 years and before that, worked at CTL. I am sure

her opinion and biases would have contributed expansively to my research and I do believe, due to my placement within the industry, she chose not to participate in this project.

I believe the reason Ostertag declined to be interviewed is because she perceived an illusion of objectivity in my purpose. This term, coined by Yale Professor David Armor, is analysed in an article in Harvard Business Review, written by Banaji, Bazerman and Chugh. They state:

Most of us believe we are ethical and unbiased. We imagine we're good decision makers, able to objectively size up a job challenge or a venture deal and reach a fair and rational conclusion that's in our, and our organisation's, best interests. But more than two decades of research confirms that, in reality, most of us fail woefully short of our inflated self-perception. We're deluded by the 'illusion of objectivity', the notion that we're free of the very biases we're so quick to recognize in others" (2003).

I believe that my research was challenged by such an illusion of objectivity, as there were instances, such as Ostertag's decision not to be interviewed, that my professional standing in the industry and opinions would create bias. The authors identify four challenges to objectivity. They are "implicit forms of prejudice, bias that favours one's own group, conflict of interest and a tendency to over claim credit" (Banaji, Bazerman and Clugh 2003). I do believe that these challenges infiltrated my research, but I believe I approached such challenges and outlined any biases implicitly in my research. However, I was not able to convince Ostertag that this illusion of objectivity would be managed and because of that, I was unable to speak to an important subject in this debate.

Other than this, no other industry representative refused to be interviewed. I attempted to speak to Richie Yorke a few times, as he is now retired and living in Australia, but was unavailable scheduling wise. We did exchange a few emails through his assistant about my research to fact-check information concerning the Maple Music Junket. In terms of conducted interviews, each one was pre-scheduled, on the record and formally announced. There are no comments in my dissertation that were said to me off the record.

Furthermore, another challenge I encountered was a fear that upon the publication of this dissertation, the findings within it would prompt the state to rethink the system as a whole. This was communicated to me on a number of occasions. This has not been the case, but if such biases were aired, complications may ensue due to such opinions being treated as fact. This was reiterated to all interviewees that this was not the intention of this research and each comment was carefully handled to ensure what was said was just that. This is not a PhD of opinions, grievances or criticisms; this is an exploration into a hidden history that is unique to Canada and its popular music industry. The risks individuals involved undertook throughout this history, from the creation of CANCON to the development of FACTOR, CMF and RSF are unique to Canada, and with such uniqueness comes independent opinions of what could be enhanced, improved, reduced or eliminated. I attempted to treat these opinions with respect throughout the thesis and reveal opinions and biases as they occurred, rather than allowing them to influence the core theoretical framework of the thesis itself.

The term 'history' is included in the title of my thesis, because it is chronicling a history that is my intention with this work. While this PhD is submitted within the field of cultural studies, I believe it is equally placed within historical anthropology, as its structures influenced the manner in which I wrote the dissertation. To me, as stated in Kalb, Marks and Tak's analysis of historical anthropology in *Focaal*, "Anthropology here functions as a vehicle for the movement away from social history and historical sociology, and towards a new cultural history. The goal seems to be to write cultural histories of epochs, but increasingly also of groups and subgroups" (1996, 7). My historical aim is of tracing a cultural journey through popular music funding which had not been attempted before, and I took equal guidance from the field of cultural studies as I did from historical anthropology. As a result, the last three chapters of the thesis were more difficult to write. This is due to the fact that more changes occurred in Canada's system between 2012-2013 than did so since the beginning of the Canada Music Fund in 2001. Archiving and theorising a history as it is occurring is counter-intuitive and inherently flawed. One cannot chronicle a history as its unfolding, and this produced complications in how to treat this material fairly, especially when those I was close to those embroiled in the alterations to the system at the time (and still are).

This is why I combined chapters 4 and 5 and eliminated a number of pages where I felt I became too close to the material. For example, when the personnel changed at FACTOR, it impacted my professional situation and relationship with the organisation. My employer left and a new CEO of CIMA, Stuart Johnston, was appointed. This brought with it policy changes, alterations and new opinions. Johnston became a trusted advisor and mentor who confided his opinions to me, despite not being able to do so publically in his role as Canada's chief negotiator and lobbyist for the independent music industry. Therefore, I chose to only include Johnston's published statements in this PhD, as this was the opinion of his professional role, which takes precedent in this debate. This was the same for McKie, who was now politically neutral in his role as FACTOR's President and CEO and whose opinions provided to me off the record could never be included in this research.

I know that the challenge with this material is my closeness to it. Much of the policy decisions that I write about were developed while I was working with the individuals involved, both actively and passively, and personal reputations and activity within the sector informed how one answered the questions I posed or reacted to the research I presented them. I have attempted to present a balanced view of these sources and outlined within this study where the documentation may be skewed or politically motivated. In addition, many of my interviewees often recalled circumstance by memory. When and where this appears to be politically motivated, I clearly outlined.

Writing this dissertation was a reflexive exercise. Writing about my job, so to speak, was difficult, but I do not believe my day-to-day work infiltrated the treatment of the subject. It is impossible to state that none of my personal experiences and relationships are not included in the work, but as a researcher separating myself from the topic was a constant challenge. I believe this work stands up to facing it.

## **1.2 Process for Informed Consent**

Below is the process for informed consent I abided by when conducting personal interviews for this dissertation. For each interview, I followed a standard practice that was agreed upon in full and in advance by the interviewee.

1. An email or phone call request was sent out informing of the research topic and PhD title.
2. A date was set for an interview on Skype or via email. There were few direct interviews in person that were singularly dedicated to this research. Most conversations had with the interviewees outside of this research were off the record.
3. Either via email or in person, each interviewee agreed to be interviewed, on the promise that they get to approve their quotes and comments before publication.
4. After a draft of the section was written, the interviewee was emailed once more with the section draft, asking if they approved of the comments included.

### **1.3 Sample Questions**

I asked different questions depending on whom I interviewed, but the objective for all of them was similar; to secure their opinions on what actually happened, their thoughts towards the material I was writing and their opinion on the history of popular music funding in Canada as a whole. Sample questions included:

1. Do you believe that this legislation was in the interest of the artist or the administration?
2. Do you feel that Canadian identity, or the concept of being Canadian, factors into your beliefs towards the systems in place?
3. What are your beliefs, biases or objectives towards X piece of legislation, report or document?
4. Can you explain your actions concerning the activities pertaining to X?

### **1.4 Organisational Map**

Below is a list of interviewees, when they were interviewed and their location, as well as notes concerning their known biases, if any. I have included their name and title, importance to the PhD, location of the interviewee, method of interviewing and some specific information from each specific interview.

**Bain, Brent:**

Brent was the former Head of Submissions at FACTOR until he resigned to form his own management company, Co Pilot, in early 2014. He has one of the most extensive knowledge of FACTOR's programs, having worked under both Heather Ostertag and Duncan McKie. He was interviewed via email and he is based in Toronto, Ontario.

**Interview Schedule:**

26 August 2011

28 September 2011

8 February 2012

**Bonnetta, Jonas:**

Jonas Bonnetta is the principle songwriter and band member in Evening Hymns. I worked with him on European expansion between 2010 and 2012. I interviewed him for chapter four to comment on FACTOR reform structures. He was interviewed in person before one of his concerts in London. He is based in Ottawa, Ontario.

**Interview Times:**

4 March 2013

**Copps, Sheila:**

Sheila Copps is Canada's former Minister of Canadian Heritage for the Liberal party in the late 1990s. She was responsible for leading many of the changes during the transition from SRDP to CMF, plus introducing Trade Routes and PromART. I emailed her from her website contact and we spoke over the phone once, for 40 minutes. She is based in Ottawa, Ontario and is now a philanthropist and political advisor.

**Interview Times:**

11 July 2012

**Crossman, Jeffrey:**

Jeffrey Crossman was the senior trade commissioner at the Canadian High Commission in London when I began working with CIRPA in 2008. His work

promoting Canadian music export activities predates mine and he was the first person to encourage me to pursue working in music export at the time. I spoke to him off the record several times throughout this research but only interviewed him once formally, via email. This was to fact-check the Trade Routes and PromART section. He is now based in Toronto, Ontario and has a non-music industry role at DFAIT.

**Interview Times:**

14 March 2012

**Davey, Alan:**

Alan Davey is the CEO of Arts Council England. He is a keen observer of Canadian music policy and has used its history to initiate programs in England, including the Momentum Music Fund. He was interviewed to provide more information on assessing Canada's global brand in the conclusion of the dissertation. He was provided a detailed draft of the dissertation and assisted in the editing of the final draft. I interviewed him in person, in his office, on the date in question. He remains a close friend and confidante and we had many off the record discussions about my research, none of which are included in the dissertation.

**Interview Times:**

1 April 2013

**Dewar, Nicki:**

Nicki Dewar was the senior trade commissioner for arts and culture for DFAIT, based in Winnipeg, Manitoba. She created the Canadian Blast brand and worked with Jeffrey Crossman as the Canadian affiliate. I worked with her on a number of events in 2009, including CMJ in New York and The Great Escape. I interviewed her to fact check the Trade Routes and PromART analysis in person in Winnipeg during a visit I took to provide workshops for Manitoba Music. She is now retired and still lives in Winnipeg.

**Interview Times:**

1 May 2012

**Falk, Mike Petkau:**

Mike Petkau Falk is the lead singer of Les Jupes and owner of Head in the Sand, a studio and label based in Winnipeg, Manitoba. I've worked with him over the past four years internationalising his roster and seen him apply for funding through both regional and national programs, successfully and unsuccessfully. He is also on the board of Manitoba Music and an active player in the Winnipeg-based industry. I interviewed him for the section focusing on artist opinions. He still lives in Winnipeg and both interviews were conducted through email.

**Interview Times:**

21 April 2012

3 November 2013

**Finklestein, Bernie:**

Bernie Finklestein is one of Canada's most successful music managers. He began working in the early 1960s managing Mandala, Kensington Market, Bruce Cockburn and many others. He was one of the founders of CIRPA and played a role in founding FACTOR and VideoFACT. I met him through my work at CIRPA/CIMA, where he was on the board of directors. He has since retired and published a memoir, which I reference, titled *True North*. I interviewed him for both facts and opinion, as is one of the longest serving members of the Canadian music industry. He now lives in the rural Ontario and is semi-retired but still managing Cockburn. I interviewed him over the phone twice in one week in 2012 and once again in 2014 for fact checking purposes.

**Interview Times:**

16 July 2012

23 July 2012

6 February 2014

**Grant, Jenn:**

Jenn Grant is one of the most successful singer-songwriters from Eastern Canada. She has released four albums and sold over 75,000 units in Canada. However, her success has yet to concretely translate to other markets. I interviewed her once via email and once in person, when we met at Nova Scotia Music Week. We have become friends over the years and I have tried to assist her international development, but have not been successful. Jenn has applied for funding herself and through the labels she has been signed to, including Six Shooter Records, whose owner, Shauna de Cartier, is the current Chairperson of CIMA.

**Interview Times:**

2 August 2012

3 November 2013

**Grenier, Line:**

Dr. Line Grenier, from the University of Montreal, is the foremost academic in analyzing the history of Quebec's popular music industries. I interviewed her once over the phone to fact check and discuss the 'crash' of Quebec's music industry in the late 1970s and subsequent recovery – with the help of state support – in the mid 1980s. Her help clarified a number of issues.

**Interview Times:**

2 November 2012

**Hetherman, Brian:**

Brian Hetherman is one of the longest serving music managers in Canada. He has served on the board of the Music Managers Forum and at different times in his career, been the executive director of both FACTOR and Radio Starmaker Fund. In both instances, his stint at each funding organization did not last more than one year. He has experience running funding programs and applying for them, through his management firm, Cerberus Artists. We have worked together frequently in the

past and we have known each other since my first assignment for CIRPA/CIMA, PopKomm in 2008. He lives in Toronto. I interviewed him in person in 2011 and via email in 2012.

**Interview Times:**

28 September 2011

12 July 2012

**Janes, Jon:**

Jon Janes is the frontman from Newfoundland based folk troupe, The Mountains and the Trees. He and I worked together frequently for a few years, as he successfully toured the United Kingdom and Europe three times, each with support from regional music industry associations. He has since left the music industry professionally and has not released a recording since 2012. He lives in Halifax. He was interviewed via email in 2012 and at Nova Scotia Music Week, the same day I interviewed Jenn Grant, in 2013.

**Interview Times:**

14 August 2012

3 November 2013

**Jenson, Kennedy.**

Kennedy Jenson is the former executive director of Alberta Music. She left her post in 2013 and left the music industry. I interviewed her for fact checking purposes over the phone, from her home in Edmonton.

**Interview Times:**

22 April 2012

**Johnston, Stuart:**

Stuart Johnston is the President and CEO of CIMA. He took over from Duncan McKie when he resigned from the post to join FACTOR. I have worked with him in depth since late 2011, as his UK and EU representative. He was interviewed for a number of reasons surrounding CRTC opinion pieces, submissions to government, CIMA's position in policy and specific fact checking. We speak every week, so there was a large amount of informal conversation concerning this research, but he was formally interviewed 8 times throughout this process, via phone, email and in person. He lives in Toronto.

**Interview Times:**

19 March 2012

21 April 2012

13 May 2012

18 July 2012

11 May 2013

18 July 2013

25 July 2013

16 September 2013

**Leblanc, Larry:**

Larry Leblanc was the chief correspondent for Billboard magazine throughout the 1970s, 1980s and 1990s. Furthermore, he wrote extensively for Canadian Publisher Magazine, a number of broadsheets and studies for PCH. He also authored the FACTOR Story, which I referenced. He is a very outspoken person, often disagreeing with the actions of some music industry associations and funding organisations, including voicing his opposition to DBA as a concept. I interviewed him twice over the phone and both conversations lasted over an hour, with topics ranging from the creation of FACTOR to the activities and policies within the Canada Music Fund. I also interviewed him once via email. Larry lives in Toronto and still authors a blog, interviewing music industry executives.

**Interview Times:**

25 August 2011

21 April 2012

6 March 2013

**Mair, Al:**

Al Mair was the owner of Attic Records, one of the most successful Canadian labels of all time. It released material from April Wine, Loverboy, Anvil and Triumph. It was founded in 1974 and played a role in the creation of CIRPA, FACTOR and later, Radio Starmaker Fund. Al was one of the most vocal members of the music industry, remaining active in all policy decisions and changes through a Chairmanship of CIRPA, FACTOR and Starmaker. He voiced a number of biases towards how programs were coordinated, but his unwavering support of the systems, as a whole, is well documented. I referenced this in an op-ed piece he wrote for the National Post during a renewal of CMF. I interviewed him over the phone and spoke to him informally on many occasions. He is based in Toronto.

**Interview Times:**

31 August 2011

24 September 2011

26 October 2011

13 December 2011

**Mangan, Dan:**

Dan Mangan is a singer-songwriter based in Vancouver. He has emerged as one of the most successful independent Canadian musicians in the past decade. I worked with him in depth for two years, developing his career in Europe. He applied for all funding himself for the first five years of his career, succeeding only 20% of the time, according to his testimony. Now, his applications are handled by his label, MEC-supported Arts & Crafts. I interviewed him in person when we were on tour together in Paris in 2011 and via email in 2012. He lives in Vancouver.

**Interview Times:**

27 November 2011

4 April 2012

**McKie, Duncan:**

Duncan McKie is the President and CEO of FACTOR. Before that, he was the President and CEO of CIRPA / CIMA. He was the first person to hire me in the Canadian music industry, to coordinate UK and EU activities for CIRPA. Since then, he has become a good friend and my mentor and we speak weekly about all sector issues, from CRTC to PCH, FACTOR and regional initiatives. Admittedly, I have a bias of respect towards Duncan, but I tried to retain complete neutrality in our formal interviews. Duncan's biases are noted in his comments in the dissertation, where he wished them to be. He fact checked all content before publication. Each interview was prescribed and organized outside of work hours; a few were completed in person (where noted) and the rest over Skype. Duncan lives in Toronto.

**Interview Times:**

21 September 2011 (in person)

21 May 2011 (in person)

4 February 2012

23 April 2012

26 July 2013

4 March 2013 (in person)

14 April 2013

3 June 2013

**Murphy, Donna:**

Donna Murphy is the VP of Operations for CIMA. She began at CIRPA as an executive assistant in the late 1970s and remains at the organisation at time of writing. She has been responsible for all operational activities concerning our UK

and EU initiatives I managed, so our relationship is very close. She was interviewed to fact check statements concerning CIRPA's activities in the late 1970s. In addition, Donna provided all CIRPA newsletters and archival material for research purposes, as it is stored at their offices. We spoke informally many times but I only formally interviewed her twice, both via Skype. Donna lives in Toronto.

**Interview Times:**

17 August 2011

14 February 2012

**Muth, Gary:**

Gary Muth is a former executive director of CIRPA. Before that, he worked as a concert promoter and label manager, working with The Rolling Stones, The Police and other acts in Canada. He was one of those leading CIRPA during the developing and initial release of the DBA program, so I spoke to him to fact check what occurred during that period, to the best of his memory. We spoke over the phone. Muth is no longer working in music and lives in Toronto.

**Interview Times:**

24 August 2011

**Pelletier, Gilles:**

Gilles Pelletier is the Head of Strategic Development at SODEC. He was interviewed to fact check and gain information for the Quebec chapter concerning the history of SODEC, access to research materials and to target other potential interviewees. Before the interview, I had never met him. Our conversation over the phone lasted 30 minutes and focused on the political structure and responsibilities of SODEC. He lives in Montreal.

**Interview Times:**

18 May 2011

**Roman, Duff:**

Duff Roman is one of the most active and important protagonists in the history of Canadian popular music funding. He began as a radio broadcaster with CHUM and was instrumental, from a broadcasting perspective, to initiate FACTOR. It was his lobbying (along with a number of other individuals) that launched the organization, convinced broadcasters in Quebec to launch Musicaction and later, merge it with the Department of Communications. He was interviewed over the phone three times, each for more than 30 minutes, to discuss the challenges and structures in place at the time when FACTOR was being developed. He is a staunch supporter of the organization and made that bias known during our interviews. Duff is now retired and lives in Toronto.

**Interview Times:**

5 September 2011

8 February 2012

4 March 2013

**Rosen Earl:**

Earl Rosen is one of Canada's oldest and most well known music managers and label owners. His label, Marquis Classics, was co-founded with his wife, Dinah Hoyle, who worked at the Department for the Secretary of State in the late 1970s. They met during the lobbying process that led to FACTOR. Rosen is a former executive director of CIRPA and FACTOR and worked with Duff Roman, on the music industry side, to initiate FACTOR. I interviewed him over the phone twice and once in person at MIDEM, exploring a number of issues in my dissertation from the founding of CIRPA to FACTOR, CTL and later, Starmaker. Marquis Classics is still in operation and Earl lives in Toronto.

**Interview Times:**

21 May 2011 (phone)  
14 September 2011  
30 January 2012 (MIDEM)

**Saxberg, Catherine:**

Catherine Saxberg is the current executive director of the Canadian Music Publishers Association. Before that, she was an interim director of Radio Starmaker Fund, in its initial stages. I interviewed her once over the phone to discuss and fact check how the fund was created and developed in its first few years.

**Interview Times:**

6 January 2012

**Stasiuk, Sara:**

Sara is the former executive director of Manitoba Music and the head of the National Advisory Board (NAB) at FACTOR. I interviewed her to fact check comments made by Duncan McKie in discussing the reforms made at FACTOR in 2012 and 2013. She was interviewed over Skype from her home in Winnipeg. She is now the Director of Operations at Six Shooter Records.

**Interview Times:**

22 April 2012

**Sutherland, Chip:**

Chip Sutherland is the current executive director of Radio Starmaker Fund. He took over in 2001, after serving as its legal counsel. In addition, he manages a number of artists, including Feist. He is an outspoken critic of Canada's music funding strategy and was open about this in our interviews, each conducted over the phone. He acknowledged the temporality of the fund and its ability to impact artists positively and negatively. He was also a critic of FACTOR's administration under Heather

Ostertag and championed Duncan McKie as her replacement. He lives in Halifax and manages the fund remotely.

**Interview Times:**

6 January 2012

10 April 2012

24 September 2012

**Sutherland, Richard:**

Richard Sutherland is a professor at Mount Royal University in Calgary. Before his professorship, he completed a PhD thesis providing the most extensive detailing of the Canadian popular music funding structure, written from the perspective of copyright maintenance. I borrowed a significant amount of research from Richard, who completed his theoretical framework as a research clerk at CIRPA in 2007. I interviewed him twice formally and spoke to him informally on a number of occasions, mainly to fact check dates, times and key individuals.

**Interview Times:**

24 August 2011

18 July 2012

**Straw, Will:**

Professor Will Straw of McGill University is one of the foremost music industry academics in Canada. He is one of the rare individuals who writes theoretically and scholarly about Canada's music industries, and I utilized a number of his articles and theories in my dissertation, especially in investigating Canadian identity and its relationship to popular music. I interviewed him twice over the phone in one week, to discuss his articles, personal thoughts and my research at the time.

**Interview Times:**

3 March 2013

7 March 2013

**Wanagas, Larry:**

Larry Wanagas is one of Canada's most respected managers. His company, Bumstead Group, has managed some of Canada's most famous artists, including The Trews, the 2<sup>nd</sup> most funded band in Canadian history, according to my calculations. He founded the Music Managers Forum in Canada and served as the boards of CIRPA and RSF. I interviewed him over the phone to discuss the reforms at FACTOR in 2012.

**Interview Times:**

18 July 2012

**Van Breeman, Edo:**

Edo van Breeman is the lead singer of Brasstronaut and co-founder of now defunct indie label, Unfamiliar Records. He has a troubled history with FACTOR, having many applications rejected (and some approved) over a five-year period. I have also worked with his band in their UK and EU development. I interviewed him over Skype to discuss his applications, which were ongoing at the time. He made clear his oppositions to some of FACTOR's policies, including DBA (which existed at the time). He lives in Vancouver.

**Interview Times:**

22 April 2012.

3 November 2013

## **Works Cited List**

This works cited list has been separated into categories to aid the reader in evaluating the breadth, range and quality of sources consulted in this research. The categories are: Government documents and trade association publications, journals, newspapers, published sources, other thesis and unpublished sources, such as blogs.

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