

WHY SEEGER SANG

Honor, Family, Legacy

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I

“Not an honorable profession”

At the beginning of his 2001 memoir, *Staying Tuned*, the broadcast journalist Daniel Schorr reports that “in high school... I settled on journalism as my vocation in life,” then goes on to relate this anecdote:

The *New York Times* allowed me to do occasional music reviews and articles for the Sunday music page. Once, I was invited to meet with Olin Downes, the most famous critic of his time. In the subway on the way to Times Square, I read a Downes review of a Carnegie Hall performance by the violinist Josef Szigeti. Downes had written that Szigeti’s tone was fine, but that the “profile of his tone” left something to be desired. Awed by the dimension of musical understanding that this indicated, I asked Downes what the line meant. Cheerfully he said, “Don’t give it a second thought. That’s just the kind of bullshit you put down when you’re up against a deadline.”

I decided that being a music critic was not an honorable profession.¹

“... not an honorable profession.” Too harsh? Just joking? Surely, the youthful Mr. Schorr knew about the exploits of Joseph Pulitzer and William Randolph Hearst, celebrated newsmen whose sensationalist and tendentious “yellow journalism” had, *inter alia*, hurled the USA into war with Spain. So how could journalism – political journalism – be an “honorable profession?”

Downes’ phony observation about the “profile” of a violinist’s tone – and the mystification-intimidation inflicted on the high school kid who took this bullshit as “musical understanding” – is everyday fare for anglophones who traffic regularly in European Art music. I vividly recall the gleeful sarcasm of friends of mine, sometime during the 1980s. They were a piano-violin duo whose recent recital had gotten an enthusiastic review in a suburban paper: the pianist had played with “rhythmic élan and exquisite intonation.” The music critic, you see, didn’t know what intonation is. *Oh, dear*. My friends’ pleasure in getting a favorable review having been vitiated by the fact that the reviewer was a *poseur*, they now took great delight in ridiculing music critics generally; there are more than Daniel Schorr, yes, many more, who think being a music critic is not an honorable profession.

¹ *Staying Tuned: A Life in Journalism*, by Daniel Schorr. Pocket Books, New York, 2001; p. 8

Daniel Schorr, of course, went on to a journalism career that was not just honorable, not just distinguished, but for some of us, was downright heroic. Nobody my age can forget Schorr's tenacious reporting of the Watergate affair, the relentlessness with which Schorr's reporting cut through Nixon's mendacity, dirty tricks, and administrative cover-ups. Nobody my age can forget that Richard Nixon put Daniel Schorr on his "enemies list," nor can we forget why he (Nixon) did such a thing, or forget the public's reaction to such a perfidy. Yes, Daniel Schorr was one of my heroes – a man who fused his profession with patriotism and a rigorous sense of honor. So at this late date I will not – cannot – begrudge Schorr his decision to eschew a career in music criticism in favor of a career in political journalism. I am glad that Daniel Schorr was not dissuaded from his youthful decision by what he knew of yellow journalism. I'm glad he didn't switch to a career in civil engineering, or forensic medicine, or dairy farming...

Daniel Schorr is, alas, no longer among us. I myself am, alas-alas, of advanced age. **However.** In this essay I propose to address a disquietude of my own that is articulated in Schorr's lightly dismissive quip. Schorr's phrase "not an honorable profession" is one that today characterizes musicological – especially ethnomusicological – scholarship in America. At this point I will raise no further complaint against the ilk of Olin Downes, who died in 1955 and whom Schorr presumably never engaged in open debate. I will instead frame my discussion as a response to a present-day music-scholar who, if perhaps not "the most famous critic of his time," is a highly celebrated professor and by now the senior scion of America's foremost musical family. I am reacting to a public lecture titled, "Who owns music and why you should care," given by Anthony Seeger. The lecture was presented a few years ago at UCLA, where Seeger was identified as "Distinguished Professor of Ethnomusicology." His lecture is a discussion of copyright and/or intellectual property (IP) law, as those modalities might be applied internationally with respect to the singing of "indigenous" people. The thrust of the lecture is that innovative international legislation grounded in enlightened ethnomusicological scholarship can protect the economic and cultural interests of third-world peoples. World-Music is in very good hands, Prof. Seeger seems to say. After a recital of various ethical-legal conundrums, he concludes what he calls his "little homily" by inviting his audience to sing, to the tune of "This Land is Your Land," his own remarkably hokey set of lyrics -

- ♪ *If that is your song and this is my song*
- ♪ *Perhaps we should sing together and try to get along*
- ♪ *Around the world, people are working*
- ♪ *To create practices that will work for you and me.*

I recently discovered a *youtube* recording of this lecture on the internet,² and I cannot remain silent. For me, the “Who Owns Music” lecture compels a re-visiting of Daniel Schorr’s devilish quip about Olin Downes. Forget about music journalism: today, it’s academic ethnomusicology – Anthony Seeger’s profession – that is “not an honorable profession.” During the ascendancy of Anthony Seeger’s academic career, the study of ethnomusicology has migrated from its early aspirations toward science (“sciencing about music” was one of its early slogans) through a brief fascination with a more “humanistic” reflexive epistemology to, most recently, an anti-intellectual form of cool-hunting that is deeply enmeshed with disinformation, toadyism, and cronyism. Ethnomusicology today is riddled with sycophancy, disinformation, intimidation, and illegality – far, far worse than the old-fashioned music criticism of Olin Downes.

A paragraph, here, regarding my own standing from which to make such an unpleasant charge. I am presently (August, 2021) a 78 year old retired bachelor with a Ph.D. in anthropology (1984) from Indiana University. One of my teachers there was Alan P. Merriam, who had been a prominent ethnomusicologist until his death in an airplane-crash, 1980. Upon Merriam’s death, Anthony Seeger was hired to be his replacement, thus becoming chairman of my doctoral committee. My research was an ethnomusicological examination of Euro-American “classical” music -- the first such study in the history of ethnomusicology (prior to my research, ethnomusicology had been categorically associated with music outside that tradition: “non-Western” music). I did fieldwork in a music conservatory -- a community of living persons for whom classical music (“Bach, Beethoven and Brahms”) is contemporary lived experience. Among other things, my research focused on sociolinguistic features of the argot of conservatory musicians, calling attention to the considerable extent to which music -- “itself” -- is constituted in verbal discourse.³ Such a finding might be understood as (indeed I believe it IS) an

² <https://www.youtube.com/watch?v=5tSsQls1d8A> (visited July 2, 2020)

³ E.g., Music is “not an *a priori* phenomenon of the natural world, but it is experienced as though it were.” Pg.181

existential threat to the tenets of “Seeger’s Dilemma,”⁴ a two-word academic shibboleth which has long underwritten the intellectual charter of ethnomusicology. My dissertation was revised and published (1988) under the title *Music, Talent, and Performance*. A boisterous reaction came quickly. The book was “one of perhaps four key ethnomusicological texts of the past twenty years,” said ethnomusicology Professor Deborah Wong, shortly before she herself became President of the Society for Ethnomusicology (SEM). Hers was hardly a unanimous opinion,⁵ although the book quickly landed me a faculty appointment in an Ivy League university (Brown). I had hardly opened my first office e-mail, however, when suddenly my scholarship became the target, not of animated and forthright discussion and debate, but of misleading innuendo and disinformation; my personal deportment became the target of what can only be called character assassination. Such is the basis of my charge that ethnomusicology is not an honorable profession.

Ethnomusicology is a discipline devoid of great books. Ethnomusicology has no book comparable with *The Origin of Species*, *Nuer Religion*, *Syntactic Structures*, or *Metahistory*. No ethnomusicological book should be compared with Thayer’s *Beethoven*, Foner’s *Reconstruction*, or Piaget’s *Origins of Intelligence in Children*. UCLA Ethnomusicologist Timothy Rice is quite right in observing that ethnomusicology is “a derivative discipline, dependent on borrowing theory from anthropology and other fields, and rather weak in generating its own theories.”⁶ This fact rather vitiates a notion such as “Distinguished Professor of Ethnomusicology.”

In his “Who owns Music” lecture (as in various earlier publications), Prof. Seeger urges ethnomusicologist to attend to “music law.” “In my field,” he says, “in the field of ethnomusicology and I think in musicology too, the most profound idea about what is the minimal musical idea of whether something is identical or different, these aren’t being decided in the classrooms, these are being decided in the law courts.” This is probably true, because in recent years

⁴ All ethnomusicologists (but probably ONLY ethnomusicologists!) are familiar with this phrase, coined by Marcia Herndon. It invokes Charles Seeger (1886-1979), grandfather to Anthony. It posits as first principle the notion that verbal discourse is essentially and necessarily extrinsic to music itself. See Marcia Herndon’s “Analysis: the Herding of Sacred Cows?” in *Ethnomusicology* 18/2, (1974), and Seeger’s *Studies in Musicology, 1935-75*, U. of California Press, 1977.

⁵ On the other hand, her opinion was far from eccentric: notions of the intellectually sensational from several ethnomusicological luminaries (MacAllester, Rice, Tilton) were countered by similarly prominent (Koskoff, Nettl) statements of reproof. The book started some intense arguments; it touched an academic nerve.

⁶ RICE *Ethnomusicological Theory*, P. 103

the musicological professoriate has proactively degraded -- “dumbed down” -- its own scholarship, replacing legitimate humanistic epistemology with disinformation, toadyism, and cronyist *bonhomie*. Prof. Seeger tells his UCLA listeners, “we know how to talk to people; we know how to listen to them, respect what they say.” It’s B.S. Contrary to his cheerful claim, what Tony and his cronies (i.e., “we”) know best is secrecy and intimidation. “They’re scared of that gang.”

Scared of that gang – that’s how Dr. John Doe, a professor of historical musicology at a highly regarded Midwest university, described his ethnomusicology colleagues recently. He very quickly followed with ‘OMG don’t use my name if you quote me.’ “They” are indeed “scared of that gang.” Ethnomusicologists play dirty; ethnomusicologists fight dirty; they do so in order to conceal their own dishonesty and imperialistic disposition. In spite of Prof. Seeger’s corny plea to “sing together and try to get along,” a spirit of vindictive intimidation, furtive cronyism, and abject toadyism governs ethnomusicology’s professoriate. Tony Seeger’s is the most hallowed name, but today’s ethnomusicological firmament includes numerous doyens of darkness: Feld, Titon, Barz, Cooley... Theirs is not an honorable profession -- and they know it.

J’Accuse: Over the past couple of decades, Anthony Seeger -- he who would be “Distinguished Professor” -- has befouled a hallowed American name. Along with sundry colleagues, he has succored scholarly disinformation, malicious defamation, and sycophancy in academia; he has looked on approvingly (and/or looked away conveniently) while an assemblage of academic toady-cronies has -- proactively, willfully, and systematically -- stifled forthright intellectual debate through a combination of intimidation and harassment, thereby stunting the intellectual growth of ethnomusicology and ethnomusicologists, accomplishing this behind the wall of an almost preternatural secrecy.



II

Celebrity and Disgrace

Before going further, I want to identify myself with a woman I have never met, had never heard of until recently. Her name is Andrea Constand. A few years ago, Andrea Constand came in for a good bit of news media attention: at a time when she was quite unknown, she made a shocking and sensational accusation against an American culture-hero: Bill Cosby. I would hardly be the first to comment on Ms. Constand's audacity and courage in initiating such a horrifying accusation against such an elevated celebrity. The celebrity of Bill Cosby *then* exceeded that of Anthony Seeger *now*, and the moral depravity concealed behind the Cosby celebrity was more horrifying than Anthony Seeger's sordid professorial deportment – but I submit that the comparison is valid, and that Prof. Seeger's professional deportment deserves the word “sordid.”

I suppose I might identify myself with any of the women who, around the same time, made “me too” sexual misconduct accusations against male media-celebrities: I might identify myself with an accuser of Harvey Weinstein, Roger Ailes, or Charlie Rose; I might identify myself with an accuser of Matt Lauer, Donald Trump, or Bill O'Reilly; I might identify myself with an accuser of Roy Moore. In each of those cases, individual women made “David v. Goliath” charges against men in positions of great power and authority – and power is a major issue in what I will be discussing, here. But Bill Cosby was different from those others. Prior to Constand's accusation of sexual assault, Bill Cosby had seemed to be the quintessential symbol of domestic American male decency (rather as, it seems to me, Anthony Seeger is viewed by his colleagues as a soft-spoken model of academic probity). Unlike Weinstein or Ailes, unlike Trump or O'Reilly, Cosby had been a role-model for middle-America: Constand's accusation of Bill Cosby was more than just an attack on an individual male (two legs, two testicles, two arms...). In a very real sense, Constand's accusation was an attack on American culture.

The disgrace of Bill Cosby triggered incredulity and heartbreak. Many of Cosby's fans refused to believe Constand's accusation. Comedian Chris Rock's reaction was representative: “I hope it's not true,” said Rock. “That's all you can say. I really do. I grew up on Cosby. I love Cosby, and I just hope it's not true.”

Say it ain't so, Joe.

But it is so. Notwithstanding Cosby's appellate court victory in June of 2021, Constand's charge was a real victory for the American community, a victory for "We, the people." The exposure of a false hero is often difficult and usually unpleasant, but it is always a victory. Andrea Constand, among others, had overcome, and we are all the better for it. With this essay, I express my aspiration to her condition: Anthony Seeger is a false hero. He has befouled a hallowed American name. He is a leader of an academic profession rotten with corruption.

Chris Rock says he grew up on Bill Cosby. Well, I grew up on Pete Seeger. Pete Seeger was MY role model – not for playing baseball, that's true, but certainly for music, citizenship, and patriotism. Pete Seeger needs no introduction from me, but I simply must relate this anecdote. Around the year 2000, I happened to hear a radio interview with Pete Seeger; he was talking about his father, the musicologist Charles Seeger. Pete was saying that as a young man, Charles Seeger had adhered to the idea that disciplined training in European classical music was a valuable element in the moral education of American youngsters. As he told of this, it seemed to me that Pete's voice betrayed a sense of incredulity. Now. Can anyone imagine Pete Seeger singing *Die schöne Mullerin* or *An die ferne Geliebte*? Can you imagine Pete Seeger as Rodolpho? as Don José? If you can, your imagination is one heluva lot better than mine. Listening to that interview, I thought back to a passage I'd read recently in which a classical pianist named Olga Samaroff had been quoted as making much the same argument: trained musicians don't commit crimes, Samaroff had said; prison inmates given musical training while incarcerated stay out once released.⁷ It's an attitude, I realized, that had informed my own childhood, but as Pete Seeger obviously knew, it's cockamamie. Pete Seeger knew a thing or two about musical elitism and cronyism. He may or may not have known the truth about Olga Samaroff – that in order to enhance her concert career she had changed her name (originally it was Hickenlooper) to something that would sound more like "Rachmaninoff"⁸ – but Pete Seeger knew that snobbery is the scourge of the beautiful in music. Pete Seeger knew that musical training isn't a password to good citizenship. It's the other way around. Good citizenship begets beautiful music. That's why Pete Seeger sang.

⁷ Olga Samaroff (1880-1948) was one of the pre-eminent pianists of her era. See p. 3 in *Disciplining Music*, by Katherine Bergeron and Philip Bohlman, University of Chicago Press, 1992

⁸ I didn't make that up!

A bit of good citizenship would go a long way toward making better ethnomusicology.

It's worth remembering, it seems to me, that although Pete Seeger didn't begin his career singing *Liedkreise* by Schubert and Beethoven or *arie* by Puccini and Bizet, he also didn't begin his career singing protest songs like "The Bells of Rhymney" or "Waist Deep in the Big Muddy." No, Pete Seeger began his career singing pretty little ditties like "Go Tell Aunt Rhody" and "Wild Mountain Thyme." Burl Ives did that stuff as well as Pete Seeger did, maybe better. It's worth realizing, in other words, that if Pete Seeger hadn't gone on to compose and sing songs like "Where Have all the Flowers Gone" or "Those Three are on my Mind" – if he hadn't given that heroic testimony before HUAC in 1955, or worked tirelessly to clean up pollution in the Hudson River, if he hadn't led thousands of Americans in singing "give peace a chance" on the mall in Washington DC – then he wouldn't, well, he wouldn't have become Pete Seeger. Pete Seeger knew, and taught the rest of us, that the struggle against injustice – the exercise of honor – can be an essential element in beautiful music, that the quest for social justice can be central to a wonderful career choice.

Pete Seeger sang to prove that the truly beautiful in music emerges in the exercise of courage and compassion, in the search for peace and justice. Pete Seeger sang in support of those who suffer from violence and injustice, come high or come low. He sang to show that as Americans we can find a better way. He sang in the hope that you & I would sing with him, and that we shall overcome. Singing with Pete Seeger, we came to realize that *we can do better*, and that the struggle for justice can arouse a joyful musical experience.

Alas, but Pete Seeger died a few years ago, and as Shakespeare's "Tony" observes so famously, the good that men do is oft interred with their bones. So let it be with Seeger: academic evil has been foisted upon us under the aegis of a hallowed name. Pete Seeger sang lyrics like "God bless the truth/the friend of the poor," but his nephew Tony – a graduate of the college whose motto is *Veritas* – silently scoffs at the search for truth within his own academic



bailiwick. I was Tony Seeger's first doctoral student: I once thought knew him fairly well. Tony has partied and sung songs in my home; I have partied and sun songs in his (after which occasion I had a playful chat with one of his kids). Notwithstanding his cheery claim to respect what people say, Tony Seeger has for two

decades refused – obdurately and repeatedly – to address far-reaching academic-ethical-legal-moral transgressions within his academic community.⁹ During this period Tony has averted his distinguished professorial eyes from manifest libel, academic disinformation, personal harassment and more, perpetrated by his cronies, his cronies’ cronies, and his cronies’ cronies’ toadies.

There’s none so blind as those who won’t see.



⁹ My last communication from Tony came in either 1999 or 2000. I had just e-mailed him my 6000-word essay, “Ethnospeak,” in which I criticized ethnomusicologists’ insatiable fascination with primitivism and their programmatic avoidance of basic economic matters. *Ethnospeak* closes with this challenge:

“shortly after I was hospitalized for brain surgery, Anthony Seeger published a brief article in which he urged ethnomusicologists to educate themselves regarding what he called “music law” (Ethnomusicology vol. 36/3, 1992). Now rises Henry Kingsbury, Tony’s former student, to ask if ethnomusicologists’ concern for law will soon be addressed to that mass of collective silence that has lately congealed protectively around the cavalier scofflaw corruption of some of its most influential practitioners.”

To this Tony replied, as I recall, within 72 hours: he was in the outback of Brazil, where computer connections, he said, are unreliable and keyboards sticky; a substantial reply would have to wait. That was twenty years ago. Sundry attempts to arouse him from this torpor met with silence.

III

Family & Legacy

Tony is Pete Seeger's nephew. He's a terrific banjo player, knows lots of songs. There seems little doubt that, if he had wanted to, Tony could have made a successful career following in the footsteps of his elder kinsman as a performing musician -- regaling audiences with songs from the America vernacular (a parallel with Arlo Guthrie seems inescapable). Tony, however, made his life as a government bureaucrat and university professor.

I never met Pete Seeger, although my parents did. My parents were friends of Cy Hamlin, a neighbor who designed the *Clearwater*, Pete's Hudson River sloop (Hamlin's boat, by the way, was the *Pied Piper*: get it?). In 1969, my mother got a lovely thank-you note from Pete Seeger: when the maiden voyage of the *Clearwater* brought her to Kennebunk, my mother gave some of her amazing Joe Froggers (molasses cookies) to the crew, but apparently Pete absconded with the whole can as he drove from Kennebunk to his home in Beacon, recuperating from a sudden bout of laryngitis (Pete had been on stage for the Kennebunk concert, but hadn't sung). My mother was very protective of that thank-you note: Pete Seeger had mystique in our house. Perhaps I shouldn't begrudge Tony the pride he obviously takes from being the nephew of a great man (I don't remember a public lecture by Tony Seeger in which there wasn't explicit reference to his famous uncle; there are several, for example, in his "Who Owns Music" lecture). And yet, Shakespeare's Juliet may be raising more difficulties than even she realizes when she asks, "What's in a name?"

As it happens, I also have in my family a celebrity who, although lately less famous than Pete Seeger, once played a major role in the history of American political morality -- a more important role, I'm pretty sure, than that of my latter-day folksinger-hero. I'm referring to Mary White Ovington (1865-1951), founder of the NAACP. To me she was "Aunt May" -- her younger sister was my paternal grandmother (my middle initial is "O"). I met Aunt May exactly once -- I was seven. She was failing, and died a month or two later. It is with a distinct sense of rue that I think of her: partly this is because I knew this historic figure only as a doddering invalid, in sharp contrast with her sister, whom I would know for ten more years as a gregarious, mentally robust grandparent playing a lively role in my upbringing (among other things,



Grandma was a very good pianist: it took me quite a while to catch up with her).

But there is a more important – more *adult* – reason why I remember Mary White Ovington with a sense of chagrin as much as pride. In the years of my adolescence and early maturity, I did NOT follow in the footsteps of my illustrious great-aunt when it came to matters of racial injustice or national politics. Unlike so many of my college classmates, for example, I was not on any of those “Freedom Ride” buses that went down to Alabama and Mississippi during the civil rights movement. I often think that I should have been there, but the truth is that I wasn’t. I’d grown up in an all-White seacoast town in Maine. To be sure, I’d been raised to understand that racial “prejudice” was a bad thing, but the horrific violence of slavery, the Klan, and Jim Crow were peripheral to my youthful experience. Much of what I now know of Aunt May has come to me not so much from my family as from history books. Here’s one passage with exquisite relevance here:

Ovington was a socialist from a well-heeled family... she was a stubborn woman who strained her family’s tolerance as she doggedly transformed herself from dilettante to fighter. She rejected the mannered, 1880s Brooklyn Heights society in which she was raised: its balls, card games, fox hunts in the country, and long, chaperoned Sunday walks with suitors... Her parents were at a loss to understand her. “Do stand by me if you can,” she begged her increasingly distant mother.¹⁰

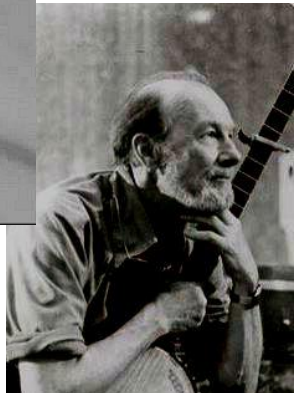
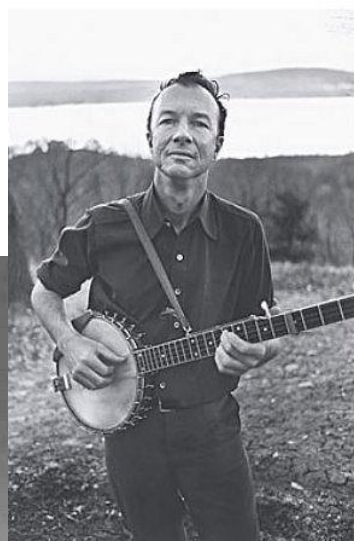
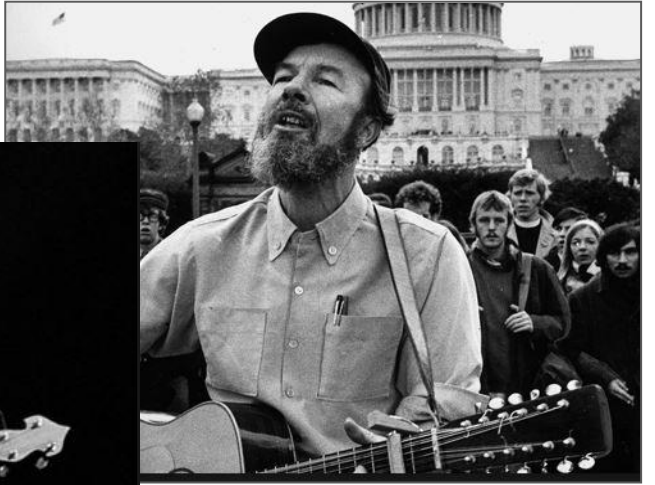
See? I come from the family from which Mary White Ovington bolted in order to become one of the great civil rights leaders in our nation’s history. Valiant historic figures do not necessarily acquire their moral-political traits from their familial predecessors, nor do they transmit them to familial successors. May Ovington’s political morality had had little enough to do with *her* parents, uncles, or aunts (or a certain great-nephew!). In her case, political conscience had been aroused by oratory of Frederic Douglass. I had wonderful parents, but to me Aunt May was just one of my aunts – she was the famous one, yes, but when I was a youngster nobody in my family went to political demonstrations. No, my political passions weren’t aroused until a few years later, when a kid named Dana Frost was killed in Viet Nam: April 1966 – he was twenty, I was twenty-two. Dana and I had spent youthful-blissful-joyful

¹⁰ *Miss Anne in Harlem: The White Women of the Black Renaissance*, by Carla Kaplan, Harper Perennial, 2013, pp. 50f.

summers working at the same summer hotel in New Hampshire; I worked in the kitchen, he was a bell-hop. Dana's death was a life-shattering blow. My sense of personal responsibility, citizenship, and humanity had little enough to do with Mary White Ovington – much more, they came in recoil from Dana's death, and from "the New Left." It was in my young adulthood that I learned about – and learned *from* – the peace movement, the civil rights movement, the "women's lib" movement, the environmental movement... And few things were more engaging in those days than singing events of Pete Seeger. ♪ *Well, I've got a hammer* ♪ *And I've got a bell* ♪ *And I've got a song to sing* ♪... Like countless others, I began to sing my new values; I bought a guitar, rising rapidly to the level of "beginner." It is much less important to me that I am related to Mary White Ovington than that I became a Pete Seeger fan -- so I'm not going to sit by quietly while Pete Seeger's magnificent legacy gets debased by his cheerfully pusillanimous nephew, the "distinguished professor of ethnomusicology." In the spirit of Andrea Constand, I rise to **Sing Out!**

I myself think there were some folksingers (Joan Baez, Phil Ochs, Odetta) who were superior to Pete Seeger as vocalists, and others (Bob Dylan, Joni Mitchell) better lyricists. I once listened to an argument as to whether or not Pete Seeger was the greatest of all banjo players (I kept out of this one: it involved Bela Fleck). Such things are debatable. Nobody, however, who heard Pete Seeger in his maturity could doubt that there was one skill in which he was utterly nonpareil: bringing his audience into the music-event. He did this partly with his calm and informal patter (personal reminiscences and commentary about an upcoming song), but much more by his remarkable ability to coach the audience in singing. Into his impressive knowledge of folklore he wove delightful strands of folk-love, deftly arousing the musically reticent ("some of you seem to be having trouble letting go of your academic objectivity"), or calling out in advance the next line of lyrics ("... We'll walk hand in hand..."). Occasionally he would generate a chorus of modest contrapuntal complexity ("Why don't you folks on this side of the aisle sing the first part, and the other side can sing the other part... you guys in the balcony, you can sing either one, or maybe just fill in the harmony..."). The auditorium now shaking in four-part harmony, the guy who once told HUAC to go to hell breaks into a falsetto-coloratura solo on stage.

This train don't carry no slackers, this train. That's why Pete Seeger sang.



IV *Twilight Zone Law*

In his “Who Owns Music” lecture, Tony urges ethnomusicologists to pay more attention to issues of ethnomusicology and law. In this section I discuss some issues of ethnomusicology and law, although in a manner quite remote from what Tony wants us to be talking about.



Here on the left I have reproduced a photograph of Rhode Island’s one and only U.S. District courthouse, home of **The Law**. Visually, it’s an un-remarkable government building. Comparable courthouses are to be found in numerous US locales: there’s one in Cedar Rapids, IA, for example, others in Medford, OR, Scranton, PA, and Oklahoma City... Wherever one may be, a US District courthouse stands as the bricks-and-mortar seat of American law. Such courthouses host all trials of federal cases, whether criminal or civil, arising within the relevant district. These courthouses stand as architectural icons of America’s most ballyhooed legal values: “equal justice under law,” for example, and “the right to due process,” or “no person is above the law.” Within such un-remarkable buildings are enacted some of America’s most remarkable rituals (“all rise”), are recited some of her most hallowed oaths and exacting commandments (“nothing but the truth, so help me God”), are repeated some of her most tortured incantations (“so find you all?”). The solemnity of such oaths and incantations, not to omit mention of the nationwide distribution of these edifices, amply illustrate an observation of ethnomusicologist Thomas Turino: “people of all times and places have gone to great effort to enact elaborate rituals and ceremonies.”¹¹ Few things in American life are more enveloped in ceremonial rituals than legal proceedings in a federal courthouse. Behold *Ein feste Burg*, a temple of ritual and ceremony. The building may seem un-remarkable, but it’s a mighty fortress of ritualized American justice.¹²

Except when it’s not.

¹¹ Turino, *Music as Social Life*, University of Chicago Press, pg. 2

¹² “Nothing provides the occasion for revitalization of contemporary standards so much as their elaboration and application in a sensational case.” – Harold Edgar, in *Encyclopedia of Crime and Justice*. V. 3, Pg 1038

In the spring of 2004, in the above-pictured temple of American justice, I was participant-observer in a multi-day ritual pertaining to American law -- and pertaining also to ethnomusicology. That spring, the articulation of law and ethnomusicology produced a truly bizarre, *Twilight Zone* ritual -- the jury-trial of a federal civil rights lawsuit. For this event I myself was in the role of “plaintiff *pro se*.” The word “plaintiff,” of course, identifies me as a party in the lawsuit. I was suing Brown University: under the Americans with Disabilities Act, I was alleging illegal conduct in and around Brown’s ethnomusicology program (my contract had been terminated; I was claiming that this was discrimination and retaliation). The Latin phrase, “*pro se*” (“for oneself,” or “by oneself”), is legal argot indicating that I was acting with no lawyer.¹³ One practical significance of my having no lawyer is that there were numerous times where I didn’t understand what I was expected/forbidden to do/say. I had not been trained as a lawyer; a federal courtroom was a strange place for me; I was very much an “outsider.” Throughout the trial, I spent an inordinate amount of energy looking furtively around the room for cues, hoping not to do or say something wildly inappropriate. So, although I was a central protagonist in the event, I was at the same time an onlooker. I went through a rather sharp learning curve. At the beginning of the trial, for example, I knew almost none of the courtroom rituals (and there are many) pertaining to “hearsay.” By the end I had learned enough of them that, had I known them sooner, I firmly believe I would have won my case.

Tony Seeger and I were both trained as anthropologists. Anthropologists are famously fond of studying the rituals of exotic/remote cultures. Anthropologists’ preferred method for studying cultural rituals is often called participant-observation. *Amen.*

Some three decades before the trial of *Henry Kingsbury pro se v. Brown University*, Anthony Seeger, then a doctoral student in his twenties, had been participant-observer in a ritual among the Suyá Indians of west-central Brazil, a ritual called The Mouse Ceremony. “The Mouse Ceremony,” he wrote later, “is a rite of passage in which a young boy begins his initiation into the male oriented activities of the village... [it] focuses on the relationship between an adult man and the boy to whom he has transmitted his own name... Although one boy is the focus of the ceremony, each performance of it also reaffirms the relationships of all men with their name receivers... Every performance also

¹³ In this context I will omit discussion of why I was unable to retain a trial lawyer. This circumstance was a significant characteristic of *The Twilight Zone*.

reestablishes certain relationships between human beings and animals... and between the Suyá and the cosmos they have created.¹⁴

Having already noted that I went through a learning-curve during the 2004 trial of *Kingsbury v. Brown University*, I will point out that Tony Seeger went through a comparable learning-curve while living among the Suyá. “When we first arrived,” he writes, “they treated me like a child – which I was.¹⁵ I could not talk. I could not see as they saw...”¹⁶ Then came Tony’s learning-curve: “every trip up river [was] a history lesson,” he writes. “I [was] often quizzed about places we pass[ed], as [were] young boys making their second or third trips.”¹⁷ “They were treating me like a twelve year old by the time we left,” he tells us. “I could paddle, fish, and hunt about as well as a twelve year old...”¹⁸

In the 2004 trial of Brown University, it wasn’t the participant-observer that was acting like a native twelve-year-old -- it was the adult natives, officers of the U. S. District Court. For example: moment before the judge appeared for the second day of proceedings (4/27/04), a klatch of federal courtroom officers gathered in the middle of the room while one of them (I think his rank was “Marshall”) whispered – for all to hear – an obscene joke. The joke’s punch line focused on the nature of female genitalia; it entailed the proposition – I’m not making this up – that clitoral orgasm can be triggered by a bumpy ride in a stagecoach. *Haw-haw-haw, tee-hee-hee, har-har-har!*¹⁹ Guffaws were still subsiding (*nyuk, nyuk...*) when someone in the room bellowed “**ALL RISE.**” Now and with a laborious excess of juridical solemnity, a black-robed judge ascended gravely to the throne, while our klatch of ageing twelve year olds scurried hastily to their respective courtroom-corners.

Of course, among people who really are twelve years old, dirty jokes are usually little more than audacious adventures in boastful ignorance. For our klatch of federal court jesters, however, ignorance regarding female anatomy was not the issue (one of them, I knew, was a recently-remarried grandmother). Obscenity, here, was hardly boastful ignorance; the orgasm joke was a staged skit for

¹⁴ See *Why Suyá Sing*, by Anthony Seeger, Cambridge Univ. Press, p. 2

¹⁵ Not. Tony was in his late twenties.

¹⁶ *Nature and Society in Central Brazil*, p. 11

¹⁷ *Why Suyá Sing*, p. 11

¹⁸ *Nature & Society in Central Brazil*, p. 11

¹⁹ Tony Seeger notes that the Suyá were fond of “saying an obscene phrase very rapidly for me to repeat then bursting out laughing when I said it.” (*Nature & Society in Central Brazil*, p. 11)

which I was the audience-of-one (*wise up, Kingsbury -- you won't be gettin' none of your Apple-Pie-and-Equal-Justice bullshit in here*).

Tony Seeger says he wants ethnomusicologists to pay more attention to issues of law. I don't think so. I really don't.

I heard no more clitoris jokes in court. There were, however, numerous occasions when, while waiting for the judge to appear, our courtroom klatch was joyfully savaging juridical decorum: one of them rambunctiously cavorting around the room, regaling the other with tales of skinny-dipping in Little Squam Lake last weekend, or a party where someone got drunk-as-a-skunk and peed his pants. There was no way to ignore this stuff, impossible to behave appropriately. If I tried to maintain courtroom solemnity I became a ridiculous dweeb; if I joined in their burlesque I trivialized my own legal presence.²⁰

Maybe there was nothing unusual in this. Maybe they *weren't* trying to get me rattled. Maybe they tell dirty jokes in courtrooms in Cedar Rapids and Oklahoma City; maybe that skinny-dipping stuff was just good fun.

Yeah, right -- and maybe I'm Pete Seeger.



²⁰ All of this, of course, was done in the moments prior to the entrance of the judge.

V

Twilight Zone Civility

One day several years ago – it was on or about August 24, 1994 – I was in the law office of Providence Attorney Steven Dennis (at that time, I was being represented by legal counsel; attorney Dennis was representing me in the earliest stage of my disability rights litigation). Earlier that summer, there had been a series of apparently unsuccessful negotiations around my legal complaint, around my recuperation from brain surgery, and around my possible reinstatement to active duty following a period of medical leave. Brown’s academic semester was to start in a few days; all indications were that I was not going to be reinstated. In a tone of melancholic despondency, Attorney Dennis suggested placing a last-ditch phone call directly to the university’s General Counsel, Beverly Ledbetter – it can’t do any harm, he said. He placed the call, and spoke on the phone for a minute or two. As he hung up, he looked over to me and expressed surprise: “they’re going to reinstate you,” he said. “She says it’s been a big misunderstanding. She says it’s because of a voice-mail they got from you saying you didn’t want to work for a place that mistreats its workers the way they’ve mistreated you.”²¹

That’s a real nice plate-glass window ya got, Professor Kingsbury – it’d be a shame if something bad happen to it, an awful shame. Are you SURE you wanna keep going with that lawsuit?

Attorney Ledbetter was informing me that she had been tapping my phone; she was quoting me back to myself, using phrases she knew I would recognize. There had been no “misunderstanding;” I had not left a voice mail message for anyone at Brown University. Twelve months earlier, however, I had been on the phone making self-pitying remarks about not wanting to work for an institution that mistreats employees the way Brown was mistreating me.

This needs to be said twice. In August of ‘93, (precisely twelve months prior to my meeting with Attorney Dennis) I had been stunned and dismayed to learn that university administrators had declined to reinstate me to active duty after I’d recuperated from brain surgery – so I phoned a friend in Boston for commiseration. It was on this 1993 call that I lamented about not wanting to

²¹ My use of quotation marks in this passage constitutes literary license: I did not record this conversation, nor did I make written notes. On the other hand, my memory of this conversation is sharp and clear, and I did discuss it with other people numerous times in the immediate aftermath.

work at a place where I was being so mistreated. A year later, while I was in Attorney Dennis' office, Brown's General Counsel quoted me back to myself. She had been monitoring my phone calls for at least a year, and was informing me of her power to do this.

My reinstatement to active duty the next day (8/25/94) was to be a momentary victory for me; I had won a round in my litigation-mediation; I had called Brown's bluff. Ledbetter was retaliating, trying to intimidate me. I had prevailed in this phase of my litigation, but she was telling me that even so, I was in well over my head. Another year later (late in 1995), my 89 year old widower father began receiving terrifying phone calls in which he heard recordings of my voice that to him sounded as though I were being strangled – then, *click*. It quickly became apparent that my father's phone in Maine was tapped as well.

I had long been familiar with tales of the FBI's electronic surveillance of famous gangsters (Jerry Angiulo, John Gotti, Raymond Patriarca) and political activist celebrities (Martin Luther King Jr., John Lennon, Arthur Miller). The realization, however, that this sort of stuff was now targeting me and my father triggered an abrupt self-transformation. I re-envisioned myself: *Who am I to have aroused this stuff?* I re-envisioned my academic superiors: *What kind of people does this stuff, and what connections enable them to pull it off?* I reflected on the famous tautology, "Ethnomusicology is what ethnomusicologists do" (*H'mmm*)... I re-envisioned ethnomusicology and the Ivy League.²² I made up an adaptation of the lightbulb joke genre: *How many ethnomusicologists does it take to shovel Brown shit? (All of them).*

I'm reasonably confident that nobody thinks me comparable with John Gotti. I'm pretty certain nobody associates me with John Lennon – although Lennon described himself as becoming "paranoid" upon learning that his phone was tapped during Nixon's presidency.²³ But now that I've invoked the FBI and the mafia, for a more instructive perspective on this circumstance I would invoke remarks from someone who, like me, is an academic ethnomusicologist: UCLA's Timothy Rice, who comments on the "official suspicion" (i.e., surveillance) aroused by his ethnomusicology fieldwork in Communist-ruled Bulgaria in 1969. Writing in the 1990s, Rice reflected on

²² My father had been a Harvard alumnus, and was quietly thrilled with my faculty appointment at an Ivy League school.

²³ See the 2006 film, "The US v. John Lennon."

the awesome power of Communist ideology and practice... I ... confronted for the first time the official suspicion that in those days accompanied any American working in a Communist country. We were obviously being kept track of... and that recognition was deeply troubling.²⁴

I now submit my doubt that the “power of... ideology and practice” was anywhere near as “awesome” for the youthful Timothy Rice in Bulgaria during the Cold War as it has been for the ageing Henry Kingsbury in America over the turn of the millennium: two decades of tapped phones, crank calls, maliciously punctured tires,²⁵ and a booby-trapped social life. I respectfully submit that for each and any anecdote that Mr. Rice might relate regarding “deeply troubling” surveillance he experienced from Bulgarian Communists, I could relate several regarding my own surveillance and harassment right here in New England. I would also present the following point of contrast:

- A. If ever and whenever the youthful Timothy Rice might have become “deeply troubl[ed]” by the “official suspicion” his work aroused in Bulgaria, he certainly would have had the reassuring knowledge that within a few months his fieldwork stint would be finished and he would be out of Bulgaria, safe and soundly at home in his own native land, his mother country – the land of the free.

- B. For me it’s no field-trip. It’s right here in my native land, the USA, my home. Now a quarter century since I learned that my phones are tapped, a quarter century since I turned fifty, every indication is that this nightmare will see me into the grave. There is no plane ticket (Sofia International to Heathrow, then on to JFK) that will fly me out of this mess; I’m not behind the Iron Curtain. Over these years, America itself has for me become a dystopian *Twilight Zone*. It’s not just a matter of what Timothy Rice calls “being kept track of.” No, it’s vandalism to my computer, my home, my garden; it’s remarkably un-funny booby traps; it’s countless punctured tricycle tires. Privacy no longer exists;²⁶ anxiety

²⁴ *May it Fill Your Soul: Experiencing Bulgarian Music*, by Timothy Rice, University of Chicago Press, 1994, pp. 18f

²⁵ Because of a 1991 brain injury, I no longer drive a car or ride a bike; my mode of local transportation is a tricycle. From 2014 until the present, my tricycle tires have been mischievously punctured some fifty times. The first few of these were knife-slashes near the wheel rim, most have been pin-pricks.; occasionally, a thumb-tack has been left in the tire. I don’t leave home without an extra inner-tube-changing kit (extra inner-tube, air pump, etc.) Conversations with the Kennebunk Police resulted in numerous sympathetic shoulder-shrugs.

²⁶ Through the latter 1990s I sometimes gained a little privacy by using public pay-phones; the advent of ubiquitous cell phones put a stop to that.

is the tenor of my time. Inexplicably, personal friends are behaving evasively and out-of-character.²⁷ Remember, please, that I'm not talking about Bulgaria during the Cold War. No, I'm talking about present day America: MY America, YOUR America, America the Land of the Free and the Home of the Brave; America the land of Thomas Jefferson, Eleanor Roosevelt, Joe DiMaggio... Over the past quarter century I have felt hopelessly trapped: an extraordinary form of loneliness, incurring substantial deficits to my mental and spiritual health. There are *macabre ostinato* thoughts of suicide (*who will find my body? But my house is such a mess! and what will happen to the cat?*). There have been times when I have quite lost my personal-social-moral bearings.²⁸ Take it from me, Dear Reader: the awareness of being maliciously harassed by someone who is monitoring your phone calls is an experience to tax the mind and deplete the soul. *Pace* John Lennon, paranoia has nothing to do with it – and Timothy Rice's diaphanous phrase “deeply troubling” simply doesn't make the point.

Over the years I have expended considerable psychic energy in balancing incredulity with direct perception (*this can't be happening, nobody I know would do this -- but it IS happening, so somebody IS doing it*). I have decided that my nemesis is a secret society; in honor of Ivy League secrecy, I have named it “Bull and Skones.”

It was shortly before falling into this *Twilight Zone* that I had been the first doctoral student of Anthony Seeger, later to become “Distinguished Professor of Ethnomusicology.” It seems worth wondering when and how Pete Seeger's nephew first learned of my amazing circumstances. It's conceivable that he didn't know about them as early as 1994, although I very much doubt this: even in those days Tony was one of America's most *au courant* ethnomusicologists (he had recently been president of the Society for Ethnomusicology, where rumors fly faster than frightened foxes). It seems even

²⁷ My experience of friendship has been dramatically diminished by my experience of electronic and human espionage. I now experience a close friend as a person who knows me well enough to cause me great pain. This perversion of friendship, coupled as it is with electronic surveillance, is what energizes my choice of the phrase “Twilight Zone.” For comparison, see *The File*, by Timothy Garton-Asch (about friendships in East Berlin in the period of the Stasi.)

²⁸ In a pre-trial deposition, for example, I at one point knowingly lied while under oath (for legal technical reasons, I'm fairly sure this wasn't *perjury*, but it certainly was a terrifying inversion -- up is down, wrong is right -- for a terrified litigant who couldn't get a lawyer.

more unlikely that Tony was unaware of my electronic harassment when he gave a visiting lecture at Brown in 1995, and if he didn't learn about – and have a hand in – this skulduggery well before Y2K, then my name is Barack Obama. Tony knows more about Bull and Skones than I do: all I know is its name, and I made that up! In light of the fact that Tony carries the surname – and for some, the legacy – of America's most beloved folksinger-activist, his cheerfully obdurate silence is unseemly.

Most unseemly.



VI

Public Secrecy

In my earlier discussion of the 2004 trial, I omitted mention of one salient fact: the trial was secret. This too needs to be said more than once. The U.S. Supreme Court has ruled that a secret trial is unconstitutional, but the 2004 federal trial of Brown University was brought off in complete and total secrecy.

No news report of this trial was ever published or broadcast -- anywhere. Throughout the trial, no onlookers were in the courtroom gallery. None of my former music department colleagues made the 30-minute walk from the Orwig Music Building to the Federal Courthouse. Award-winning ethnomusicology professor Marc Perlman, for example, missed the whole thing. So did celebrated musicology professor Rose Subotnik, band director Matt McGarrell, and all manner of clerical, technical, and custodial personnel in the music department. These people missed not only the banter about orgasm and skinny-dipping: they weren't there to hear the judge make himself a party in the case.

THE COURT: Objection. Sustained.²⁹

Nobody from my own family, nobody from my circle of personal friends (people who faithfully come to my piano recitals, scholarly lectures, and birthday parties) came for so much as fifteen minutes of trial proceedings. It was *The Twilight Zone*. *Nobody was there*. No future historian, rummaging through local archives, will discover long-lost chronicles of this extraordinary trial; the trial is being removed from history. Few people today know it happened. They are keeping mum.

It was in the case of *Richmond Newspapers, Inc. v. Virginia*, 448 U.S. 555 (1980) that the Supreme Court ruled that a secret trial is unconstitutional. The *Richmond Newspapers* case derived from a murder trial; defense had moved for secret proceedings and the prosecution raised no objection, so the trial judge ordered proceedings to be closed to the public. At this point, the press ("Richmond Newspapers") appealed the court's secrecy order. The upshot was that the public (i.e., the press) was ruled to have its own interest in a case -- not an interest in the *outcome*, but an interest in the *fairness of the*

²⁹ I didn't make this up, either. It's on page 14 of the court transcript, 5/3/94. I invite skeptical readers to even IMAGINE a transcript entry "THE COURT: Objection. Overruled."

proceedings. “The crucial prophylactic aspects of the administration of justice cannot function in the dark,” wrote Chief Justice Burger. “No community catharsis can occur if justice is done in a corner or in any covert manner.”

The secrecy surrounding the 2004 trial of Brown University did not result from a court order. Some people will object to my use of the word “secrecy” -- they’ll say there was a trial and nobody came: no big deal, lots of trials get no news coverage. Sally Smith didn’t get her name in the paper for playing *Minute Waltz* at a school assembly, either. Nothing to see here.

I demur. Indifference is not the reason why few people know about the 2004 trial of Brown University. The reason is secrecy.

My Merriam-Webster defines *secrecy* as “the condition of being hidden or concealed;” the dictionary’s first definition of *secret* is “kept from knowledge or view: HIDDEN.” Sissela Bok, in her widely-read book, *Secrets*,³⁰ says that “concealment, or hiding, [is] the defining trait of secrecy.” This is simple enough, and in this chapter I will discuss actions of concealment and hiding that became essential characteristics of the 2004 trial. To be sure, secrecy is not necessarily dishonest -- computer passwords are secret; so is my cheesecake recipe. The secrecy surrounding the 2004 trial of Brown University, however, involved proactive, collective, dishonesty. It was secrecy which, as Bok notes, “allows lies to go undiscovered and to build up.”

Brown University, of course, is one of America’s most prestigious institutions of higher education. Established prior to the Revolutionary War, Brown belongs to the “Ivy League,” an elite identity connoting the highest standards of academic excellence. Brown’s students are screened and selected in an extraordinarily stringent and competitive process. Once admitted, undergraduates follow curricula in myriad disciplines of the liberal arts & sciences, while graduate students write theses and dissertations on esoteric topics from the highest levels of scholarship. Brown University is elite -- *la crème de la crème*.

Brown’s august aura is hardly insignificant; none of the above can be ignored or left unsaid. The crux of the matter, however, is that Brown University’s campus newspaper engaged in some remarkably dishonest secrecy -- a cover-up, a news embargo -- around the 2004 trial. Benjamin Franklin famously said that three can keep a secret if two of them are dead. *Hoooo, boy*, how little did he know!

³⁰ *Secrets: On the Ethics of Concealment and Revelation*, by Sissela Bok, Vintage books, 1984. P. 6

Known locally as “the BDH,” *The Brown Daily Herald* appears five days per week throughout the academic year. It reports primarily on campus events (concerts, plays, visiting lectures, intercollegiate sports, student government, a fraternity ruckus...). In the spring of ‘02, the BDH gave day-by-day, blow-by-blow coverage to the corruption trial of the local mayor. Typically on an inside page, the BDH will have a single article on this-or-that issue in national or global politics. In general, however, the beat of the BDH is campus life, not politics. Each spring, it produces a wonderful “April Fool” edition, the effect of which once precipitated the dousing of this man’s genitalia with scalding coffee -- its clever foolery tending strongly to support the notion that the BDH is, as it claims, editorially independent of the university administration, managed and produced entirely by Brown’s undergraduates, precocious marvels that they are. Events surrounding the 2004 trial of *Henry Kingsbury v. Brown University*, however, militate forcefully against acceptance of such a proposition.

Here on the right I am reproducing the front page of the 4/30/04 issue of the BDH. In appearance, it’s an extraordinarily ordinary issue. Under the byline of student reporter Ben Grin, the day’s lead story (“RIAA files lawsuit...”) tells of a newly-filed federal lawsuit in which the university is being ordered to reveal the identity of two of its students -- they are being charged with anonymously-illegally sharing internet music files. The report tells us that there are 477 “John Doe” defendants from 16 universities, two of whom are Brown students. The BDH story also reports on commentary solicited from spokespersons for RIAA as well as Brown University. This story is typical of BDH reportage, covering as it does town-gown tensions that are newsworthy without being sensational. There is, however, something profoundly wrong with this ordinary-looking issue -- profoundly wrong.



The 4/30/04 BDH makes no mention of the ongoing trial of *Kingsbury v. Brown University*, then in its fifth day (the orgasm joke had been a couple of days earlier, 4/27). On 4/29, judge and jury in the *Kingsbury v. Brown* trial had been listening to testimony from Professor Jeff Todd Titon, director of Brown’s graduate program in ethnomusicology and supposedly one of the nation’s ranking ethnomusicologists. Prof. Titon had been testifying about, *inter alia*, the possibility that one of his ethnomusicology students might in fact have been a CIA operative. This, he testified, was a “potentially scandalous

situation,” one that “would damage the credibility of the program and the university.” Nothing to see here? Prof. Titon’s testimony went without notice in the BDH. A few days later (5/5/04), the presiding judge dismissed my case altogether: Brown University had prevailed in the trial of a federal lawsuit. The campus daily said nothing.

This is shameful. It should also be shocking.

It is my presumption that the story about the RIAA lawsuit was, in and of itself, factually accurate. The absence, however, of reportage on the *Kingsbury v. Brown* trial transforms the RIAA story into dishonest journalism -- a ruse, a cover-up. The story about the RIAA lawsuit gave unsuspecting BDH readers the impression that they were getting forthright reportage of the day’s news. They weren’t. Staffers at the BDH knew full well that the *Kingsbury* trial was under way; a decision had been made that the trial must be kept secret.

Let’s have a closer look. The second paragraph of the RIAA story ends with this sentence: “According to court documents, the case will be heard by U. S. District Judge Mary Lisi.” Now: court documents are held in the clerk’s office, so we know that our BDH reporter went to the clerk’s office on 4/29. To sharpen this point, I am reproducing another snapshot of the courthouse, this



time modified by arrows I’ve added with a photo-editor. The horizontal arrow pointing leftward indicates the ground-floor location of the clerk’s office. The arrow descending from the sky toward the second floor indicates the place where the *Kingsbury v. Brown* trial was in progress. We now see that our BDH reporter was perhaps 200 paces from the room where, at that very moment, the *Kingsbury v.*

Brown University trial was in session. It’s hardly credible that the BDH reporter, perusing RIAA lawsuit documents filed with the clerk that very day, didn’t know about myriad *Kingsbury v. Brown University* documents that had been piling up -- in that very same office -- for more than two years.

My suit had begun twenty-seven months earlier,³¹ when I filed a formal-legal “Complaint” (2/4/02) with this very clerk of court.³² Many comparable documents had been filed in the interim. Brown’s “Answer, for example,” had been docketed on 3/18/02;³³ in nine more months (1/31/03), Brown had filed a “Motion for Summary Judgment,” arguing at great length that my lawsuit was devoid of merit and unworthy of trial. In another few weeks (2/25/03) I’d filed a “Memorandum in Opposition to Motion for Summary Judgment,” in which I tried to vitiate Brown’s Motion. All of these were extensive, tightly-argued documents, presenting the legal positions of the two parties. Each was a matter of public record. Staffers in the clerk’s office would’ve granted the BDH reporter access to any or all of them. So: is it credible that the BDH reporter knew about the RIAA lawsuit but not about *Kingsbury v. Brown University*? No, it is not. Is it credible that he knew about *Kingsbury v. Brown* but had concluded, “nothing to see here?” No, it is not.

One of these documents deserves special mention. On 9/30/03 -- six months before the BDH story about the RIAA lawsuit -- a magistrate judge assigned to the *Kingsbury* case had filed a 55-page “Report and Recommendation” with the clerk, recommending that Brown’s Motion for Summary Judgment be denied. He had written, *inter alia*,

I find that Plaintiff has made a substantial showing that the reasons given by Brown for not renewing his contract were false... I also find that there is evidence in the record which would permit a rational factfinder to conclude that Brown retaliated against Plaintiff... by reprimanding him for alleged sexual harassment.

To repeat: after seven months of examining and analyzing hundreds of pages of legal documents, the federal court had found substantial evidence that Brown University had been violating the law. Three months later, on 1/14/04, the magistrate’s Report and Recommendation had been officially accepted by the trial judge: Brown’s Motion for Summary Judgment was denied. Brown University -- itself -- was going to be on trial in federal court.

³¹ *Black’s Law Dictionary* defines the word **suit** as “any proceeding by one person... against another person... in a court of law...” (emphasis added). My **litigation** against Brown had begun way back in 1994, but for many years, proceedings had been before the Rhode Island Commission for Human Rights (i.e., not a court of law), and was therefore not technically a **suit**.

³² It had been just such a “Complaint” that precipitated the 4/30/04 BDH story about the RIAA lawsuit. A 2/5/02 BDH headline such as “Kingsbury Sues Brown over Alleged Discrimination & Retaliation” would have been parallel.

³³ Of course, Brown’s 3/18/02 “Answer” would have been equally newsworthy (“Brown Rebutts Kingsbury Accusations”).

Nothing to see here?

That spring (2004), staffers at *The Brown Daily Herald* were fully aware of the *Kingsbury v. Brown University* lawsuit, fully aware of the federal trial.

Unfortunately, however, they were collectively, proactively, and energetically engaging in cover-up, concealment dedicated to the protection of corruption and dishonesty in ethnomusicology at Brown University. In substantiation of this assertion, I present two report-sketches.

Sketch #1: On the afternoon of April 16, 2003 (one year prior to the federal trial), I barged unannounced into the office of the BDH, where a solitary woman was beginning the day's project of producing tomorrow's issue.

This was Kavita Mishra, the paper's "Senior Editor."³⁴ I hope I wasn't excessively rude with her; I certainly was cross. I told Ms. Mishra I was a former faculty member at Brown and that I was suing the university under the Americans with Disabilities Act.



Mishra

My litigation had been pending for nearly a decade; in 1999 the BDH had engaged in overtly dishonest reporting, and since that time had fallen obdurately silent: there appeared to be a news-embargo. At first, Ms. Mishra seemed to be taken aback, but very soon she was insisting that my worry was unfounded, that the BDH would indeed be reporting on my federal litigation.

Back in Maine the next day, I e-mailed her with a request that the BDH print my *Open Letter to the Brown University Community* ("I am suing Brown University, and think you should know about it," etc.) She replied immediately.

Unfortunately we do not publish letters without direct relevancy to a recent story. But we are definitely covering your case and will be publishing a story about it next week. You will be able to see it in the online version.

The statement that "we... will be publishing a story about it next week" establishes two signal facts. First: Ms. Mishra had promptly told her BDH colleagues about my visit; everyone had been alerted to my lawsuit; my intrusion had precipitated a group discussion. Second: in less than 24 hours, this discussion had resulted in an editorial decision: the BDH would immediately begin reporting on my lawsuit; there would be no news embargo. "We" (not "I," not "they," not "someone") would be covering the *Kingsbury v.*

³⁴ She appears, however, to have been a second-semester Junior in April of '03.

Brown University case, and it was “definite” (not just “possible,” not just “likely”) that “we” would be doing it. Period. Full stop.

Another signal fact, however, is that Ms. Mishra’s promised “story about it next week” never appeared. Notwithstanding the fact that “**we are definitely covering your case,**” no report of the *Kingsbury* lawsuit would ever appear in the BDH. Period. Full stop.

One referent of Kavita Mishra’s “we” was a woman named Juliette Wallack. On



Wallack

the day when I barged in on the paper’s “Senior Editor,” Juliette Wallack was its “Metro Editor.” One year later, she’d become Editor-in-Chief. Juliette Wallack was Editor-in-Chief of *The Brown Daily Herald* throughout the *Kingsbury v. Brown University* trial. Ostensibly, it would have been Ms. Wallack who decided -- despite

Kavita Mishra’s “**we are definitely covering your case**” -- that the BDH would give no coverage to the federal trial of *Henry Kingsbury pro se v. Brown University*. Ostensibly, it would have been Ms. Wallack who made the decision to report nothing about Jeff Titon’s testimony regarding the CIA, but give front-page coverage to the RIAA lawsuit. Ostensibly, such is the authority of the “editor in chief” of a daily newspaper. Ms. Wallack, however, appears at that time to have been a second-semester junior, probably about twenty years old. I don’t think she made such a decision by herself, I really don’t. Even if Ms. Wallack retained the authority to tell her BDH underlings not to write about the federal trial, she didn’t have the authority to tell Professors Subotnik and Perlman to stay away, or my sundry friends and neighbors from Providence and Boston, the ones that come to my birthday parties and piano recitals. Somebody-something else was involved in these decisions. I just don’t think Ms. Wallack had that kind of authority or responsibility.

Sketch #2: Four-plus years prior to my barging in on Kavita Mishra,³⁵ there had been a curiously devious front-page article in the BDH. This article³⁶ correctly informed readers that the Rhode Island Commission for Human Rights had just completed three days of a formal hearing on my case,³⁷ but then made a telling blunder: “this week,” said the BDH, “the commission

³⁵ Believe it or not, my litigation went on for over ten years, from March of 1994 to May of 2004.

³⁶ “Commission for Human Rights hears Discrimination Case,” BDH, 2/26/99.

³⁷ This hearing was tantamount to a courtroom trial: Brown University deans and professors had been subpoenaed and were testifying under oath in proceedings designed to conclude with a legally binding ruling.

heard arguments from lawyers for both sides.” Oops: by that time I was acting without lawyer -- the reporter, Brown freshman Brooks King, was bluffing, hadn’t attended the event. Instead, he had cribbed an archived BDH report on an earlier stage in my litigation. The earlier article (9/17/97) had included mention of not only my then-lawyer but also a sexual harassment accusation made against me by a student with possible links to the CIA. In his 2/26/99 article, Mr. King recycled the report of the sexual harassment charge. “The university,” King wrote, “alleged the reason for Kingsbury’s dismissal [was that he] sexually harassed a female graduate student.” Mr. King kept mum, however, regarding what he’d just read about the CIA.

In the weeks and days leading up to the 1999 hearing, I had fairly flooded the BDH mailbox with press releases announcing the event. On the first day of the hearing (2/23/99) I immediately noticed the absence of a BDH reporter, so during the lunch-break I had a friend place a voice-mail message with the BDH (this, so that I could wolf down a cheeseburger). The BDH had been given ample notice of the hearing. However, in a personal communication to me,³⁸ Mr. King claimed that “we were simply not aware of the date and time of the hearing until it was over” (perhaps his dog eats his homework, too). He also insisted that “I can assure you I will be present at the hearing on April 13, 14, and 15” (he wasn’t). The truth is that Brooks King and his BDH cohorts knew full well the date and time of the hearing. They also knew, however, that the specter of the CIA was almost certain to come up. This is why no reporter was there.

The Human Rights Commission didn’t hear “arguments from lawyers for both sides.” No, it heard a senior Brown University administrator acrimoniously fending off the fact that a recent Brown University Ph.D. had taken up the study of ethnomusicology only after professional work experience at Radio Free Europe. The Commission saw documents showing that

- In 1983 this student had graduated *summa cum laude* and *phi beta kappa* from Tufts University with majors in English, Russian, and Spanish;
- in 1985 she had earned a Masters degree from the Paul H. Nitze School of Advanced International Studies (Johns Hopkins), majoring in Soviet Studies;
- in 1986 she had worked in Munich as a research analyst for Radio Free Europe/Radio Liberty;

³⁸ Personal letter from Brooks King to me, 4/6/99.

- in 1986 she had been a staffer in the US State Department in Washington, DC.³⁹

It was only after this experience in cold war propaganda that this woman matriculated at Brown (1987) to prepare for fieldwork -- in Fidel Castro's Cuba, of all places -- in ethnomusicology, a subject she had not studied previously.⁴⁰ Such facts aroused my suspicion that she might be a covert operative at the CIA.⁴¹ So I presented this chronology to my first witness, Brown's Associate Provost Newell Stultz.

"I regard this line of inquiry on your part as absolutely scandalous," growled Dr. Stultz. "I think one can have a legitimate academic interest in any area of the world; and to pursue them in a way that is academically legitimate and offensive,⁴² does not connote any kind of surreptitious or illegitimate political linkages on the part of the investigator."

Dr. Stultz, of course, knew full well that for many well-educated people, including families who pay upwards of \$55,000/year in Brown University tuition, this woman's background *did indeed* connote "surreptitious and illegitimate political linkages." Dr. Stultz knew, for example -- and knew that THEY knew -- that "Radio Free Europe was created and grew in its early years through the efforts of... a CIA front organization."⁴³ It would have been small consolation for Dr. Stultz that there could never be irrefutable proof of these 'surreptitious linkages,' because their irrefutable plausibility would ensure something worse: an animated stream of gossip among the intelligentsia -- gossip that might bring irreparable harm to the reputation of one of Brown's academic programs, raising doubts about the legitimacy of academic ethnomusicology, doubts that could be combated only through the imposing of an omnipotent discursive taboo.

Having already outlined my reasons for believing that the twenty-year-old Editor-in-Chief of Brown's campus daily was probably not solely responsible for the fact that her paper gave no coverage to the federal trial in 2004, it seems

³⁹ This information was taken from the woman's doctoral dissertation, published by University Microfilms.

⁴⁰ As an undergraduate, she had ignored Tufts' active undergraduate program in ethnomusicology.

⁴¹ I will not completely ignore a bizarre 1993 Music Department rumor to the effect that this woman had attached a sexual harassment accusation to my convalescence from brain surgery, a story which quickly proved to be one of entrapment. Eventually she did file a charge, which the university invoked in terminated my employment.

⁴² I have copied the transcript quite literally. I think, however, that either Dr. Stultz misspoke or the stenographer misheard him. I think Dr. Stultz probably meant to say "inoffensive." That makes more sense to me.

⁴³ I take this to be common knowledge. The quotation is from *Wikipedia*.

only appropriate that a similar disclaimer be offered to Brooks King, who apparently was only a scrubby-cheeked freshman in 1999, when it appears that a daemonic astrological constellation presented him with an ethically-impossible journalistic obligation. None of this, however, alters this essential truth: the 2004 trial of Brown University was conducted in secrecy, secrecy resulting from collective action.

In closing, a hypothetical scenario. I have already pointed out that I prevailed in court over Brown's Motion for Summary Judgment. Imagine, now, that I had studied the ***Federal Rules of Evidence*** sufficiently to have prevailed also in the trial itself, that I had learned how to present the evidence I had, and actually won my suit. Imagine that the court, ruling in my favor, had ordered Brown University to reinstate me onto the faculty, award me back pay, monetary damages, etc. Remember, Dear Reader, that all of this would have happened in secrecy: nobody knew the trial had taken place, so nobody would have known the university was under a court order to make me "whole." I respectfully submit, Dear Reader, that Brown could/would have ignored such a court's order, and done so with impunity.

Welcome to *The Twilight Zone*.

VII

Of Pandering, and Poppycock

In this chapter I describe two circumstances that throw this secrecy into relief.

First. During the first week of the secret trial, senior Brown University administrators succeeded in publishing self-aggrandizing vanity pieces in not one but two newspapers -- the BDH and *The Boston Globe*. On the morning of April 28, 2004, the BDH allowed the university administration to post an unctuous-sanctimonious homily about the administration's recent actions to protect "the delicate bonds of our community."

How does our insistence on freedom of speech, inquiry and thought coexist with the high value we place on diversity, tolerance and understanding difference? The answers are not always as simple as we would hope, but they might be guided by an understanding that the freedoms that we insist on to facilitate teaching, learning and scholarship place a special obligation on all of us to treat one another with dignity, respect and civility. If we are to realize the full benefits of Brown's diversity, then we must identify methods of addressing matters that continue to threaten our campus climate.⁴⁴

Second. The Gold Medal for journalistic pandering, however, goes to *The Boston Globe*, which had, ironically, just won a Pulitzer Prize for its reportage on the sex scandal in the Catholic church. Also on 4/28/04 (the morning after the orgasm joke), the *Globe* lined its op-ed page with a 600 word essay by Brown President Ruth Simmons titles "Facing up to our ties to slavery." It began,

PUBLIC DISCOURSE in the United States -- including that on many college campuses -- is so saturated with emotional venting, name-calling, and one-sided statements that fewer and fewer people are willing to discuss serious ideas in an open setting.

This is really rich. Here we have the leader of a major university community. For more than two years, this community has been imposing total secrecy on legal proceedings against the university itself. And here she is, lecturing the public on not being willing to discuss serious ideas in an open setting. I'm not making this up! Here's a little more:

⁴⁴ "A Few Words from Brown's Administration," by Brenda Allen and David Greene, *The Brown Daily Herald*, 4/28/04, pg. 11

Brown University's new Committee on Slavery and Justice, a faculty and student investigation of an uncomfortable piece of our university's -- and our nation's -- history, is designed to foster discussion of the difficult subject in ways that prepare students to engage in and promote the meaningful exchange of ideas... The purpose of this undertaking is to enable a group of scholars to investigate the origins of Brown University, with attention to the educational insights such a study might provide our students and the wider community.

No less than Donald Trump, Ruth Simmons is master of the shiny-object-method of distracting attention from unpleasant reality. When President Simmons established (NB: through administrative fiat⁴⁵) an academic research project on the origins of her own university, she wasn't "facing up to" something. No, she was diverting attention from what was going on, here-and-now, in the federal courthouse, getting her community sufficiently worked up about the historiography of eighteenth century America that it was unlikely to notice the corruption in her 21st century administration. President Simmons was creating a "shiny object." Sure enough, eighteen months after the *Globe's* printing of Simons' op ed, Brown's "Committee on Slavery and Justice" produced a 100-page report whose narrative focused on, *hello*, a shiny object: a handsome 18th century clock, donated long ago to the university by descendants of the clock's original owner, a colonial-era mariner named Esek Hopkins. Admiral Hopkins, they'd discovered, had piloted an infamous 1765 voyage of a slave ship named *Sally*, in which some 100 newly captured Africans averted a life of slavery in America only by perishing, mid-voyage, in a grisly-ghastly-grotesque crime against humanity. What's more, the *Sally* had been owned by Nicholas, John, Joseph, and Moses Brown, industrial magnates who were early benefactors of what is now Brown University. All of this engendered a spate of academic navel gazing:



What should the university do with [the clock], now that we know more about its origins? Is it appropriate to display it? Should we remove the plaque honoring Esek Hopkins? How are we, as members of the Brown community...to make sense of our complex history?

⁴⁵ Various sources note that Brown's slavery committee was created by a letter from President Simmons dated 4/30/03, inviting-recruiting people to be on this committee. This was nine weeks after Brown's lawyers received my Memorandum in opposition to their Motion for Summary judgment (2/25), from which they learned that their attempt to get my case thrown out was likely to fail: the case was headed for trial. *Quick, find a shiny object.*



The Boston Globe, 4/28/04, pg. A13

I have read *The Brown University Report on Slavery and Justice* in its entirety. It is a fascinating and remarkable piece of revisionist history: few could read it without learning much that is of value. It would not be wrong, I think, to characterize some of the historical scholarship in this book as *brilliant* -- as long as we remember that “brilliant” is a synonym for “shiny.” Esek Hopkins’ clock is Ruth Simmons’ shiny object, no less than “crooked Hillary,” Hydroxychloroquine, and Hunter Biden/Burisma have been shiny objects for Donald Trump. The *Report* most certainly is NOT “facing up to our ties to slavery.”

Brown University’s tie to slavery is the size of its endowment. This, in comparison with the much smaller endowments of historically black colleges. A bit of Google-searching (summer, 2021) produced the information that at the end of Fiscal Year 2020 the endowment of Brown University stood at \$4.7 billion. A little more searching produced the information that Bennett College, a historically black college in North Carolina whose endowment (\$15 M) is less than one-third of 1% of Brown’s, had lost its academic accreditation because of financial hardships. Prepared with this information, let’s reflect on one of the most ancient laws of the occidental world:

Deuteronomy 14: 28. At the end of three years thou shalt bring forth all the tithe of thine increase the same year and shalt lay it up within thy gates. **29.** And the Levite (because he hath no part nor inheritance with thee) and the stranger, and the fatherless, and the widow which are within thy gates shall come and shall eat and be satisfied that the LORD thy GOD shall bless thee in all the work of thine hand which thou doest.

The law governing ancient Israelites commanded the faithful to set aside 10% (the “tithe”) of the year’s gains to provide for the town’s mendicants (priests, orphans, widows). This was not just a suggested option for voluntary do-gooders. No, this was law, an edict of the LORD thy GOD: “thou shalt.”

In Fiscal Year 2019, Brown’s endowment had been \$4.2 billion; this grew to \$4.7 billion in FY 2020 -- an increase of \$0.5 billion, or \$500 million. The “tithe” of \$500 million would be \$50 million. I submit that the logic of Deuteronomy 14 implies that the academic community might be better served if Brown University were to set aside \$50 million in order that those academic mendicants “which are within thy gates” might be provided for, and that if Brown is serious about facing up to its ties to slavery, then the plight of HCBUs like Bennett College are of more significance than the provenance of a shiny

18th century clock. *The Boston Globe*, however, eagerly took Ruth Simmons' bait. The word is PANDERING.

One final contextualizing souvenir. Some nine years after the secret trial, a well-organized gang of local rowdies succeeded in shutting down a planned Brown University lecture. Protesters infiltrated the audience in sufficient numbers as to easily be able, through shouting and chanting, to prevent the speaker from giving his presentation. The event was a fiasco; it quickly became a national sensation. Christina Paxon, Ruth Simmons' successor as Brown's President, promptly issued this public lamentation:

This is a sad day for the Brown community. I appreciate that some members of our community objected to the views of our invited speaker. However, our university is - above all else - about the free exchange of ideas. Nothing is more antithetical to that value than preventing someone from speaking and other members of the community from hearing that speech.⁴⁶

This isn't just poppycock -- it's dishonest poppycock. When on 1/14/04 the federal court denied Brown's Motion for Summary Judgment, it was tantamount to giving me an invitation to speak in a public forum -- rather like the university inviting a public figure to present a lecture on campus. The court was also authorizing me to command public responses from university officials. And however reprehensible those rowdies were when they shouted down the invited lecturer, they weren't nearly as effective in "preventing someone from speaking and other members of the community from hearing that speech" as had been the case when Brooks King, Kavita Mishra, Juliette Wallack, and staffers at *The Brown Daily Herald* imposed a preternatural secrecy on the 2004 trial of Brown University. The antics of the campus rowdies were fully reported in the BDH and the national media; so were the controversial views of the notorious sabotaged-invited speaker. That week, the national news media were awash in phrases such as "stop-and-frisk," "institutional racism," and "unconstitutional."

The day when New York Police Commissioner Ray Kelly came to speak at Brown, the winds of political speech were blowing a gale; those campus rowdies were just fanning their own political flames. But the day when Ethnomusicology Professor Jeff Titon testified in federal court, well...

Folks tend not to keep a secret of stuff they're proud of.

⁴⁶ Public statement from Brown University President Christina Paxon, 10/29/13.

VIII

Kicking Down...

Much of this essay was drafted during the presidency of Donald Trump. It's a time when I and others have been worried that the American republic may actually fall -- fall before Trump's assaults on institutions of law and democracy, his perpetual and infantile (or demented) mendacity, his bullying assaults on the press and contempt for the environment, his racist and sexist bigotry; worried about his shocking fealty to the murderous Russian dictator, and manifest admiration for others of a similarly murderous ilk. I myself worry about Trump's followers, the most prominent of whom swoon shamelessly over The Mad King, while others insist, lemming-like, on their "right" to crowd into massive public gatherings wearing no protective mask, many of them insisting that the pandemic is "a hoax." I worry about Trump's incessant barrage of bombastic insults and name-calling, the horrifying toadyism of his circle of advisors, cohorts, and associates -- people who surely know the truth about this man but cannot, will not, and do not speak out. And of course, about the attempted *coup d'état* of 1/6/21, and its *sequelae*.

However. In this portion of my essay, my contention will be that bullying and obsequious toadyism are little less characteristic of academic ethnomusicology than they are of Trump-land.⁴⁷ Academic ethnomusicologists live in fear of Tony's Cronies, perhaps not much less than White House staffers live in fear of Trump. Academic ethnomusicology is a community in denial, denial in this case being the normalization of kicking down and sucking up. "We know how to talk to people," says Tony Seeger. Baloney. Tony's "we" knows how to stifle discussion, how to keep secrets. "We know how to listen to them, respect what they say." B.S. "We" know how to scare the crap out of 'em.

For example. A few years ago I received a remarkable letter from Steven Feld, a highly celebrated ethnomusicologist. To put it mildly, Dr. Feld was livid -- belligerent. He had seen, printed in the journal *Ethnomusicology*, an ad for my self-published booklet, *The Truth of Music*. He was accusing me of "disgusting smear," and various other things. "If you had a modicum of professional integrity," he wrote, "you could have written or called to engage me with your



Feld

⁴⁷ I will leave for others the extent to which ethnomusicological toadyism has contributed to toadyism in the White House.

questions. Instead, you decided to fabricate baseless notions slandering my work... The sloppiness of your assertions is more than annoying... I dare you to come forward with any document to validate this sleazy insinuation.” There was an unambiguous innuendo that a lawsuit was in the offing (“you are stepping over the line into legal territory”) unless I made retractions and an apology to, *inter alia*, him and “the Kaluli people.”

In fact, I had already written; he had already replied⁴⁸. I made no apology. I made no retraction. I sent this letter.

October 12, 2006

Dear Steve,

I challenge you to a public debate.

I dare you to come out into the open, to debate *publicly* those very issues of ethics and professionalism that you complained about -- so vehemently but so privately -- in your 1600-word letter to me of August 5, 2006. In that letter, you were responding to an ad of mine that had appeared in a recent issue of *Ethnomusicology* (50/2, 2006).

Privately, you characterize my ad as "open slander," "rubbish," and "disgusting smear." Privately, you dared me to come forward with documentation of what you said I'd said (as you know, I immediately sent you a copy of the book, which apparently you may not have read). Privately, you say I owe "a serious apology" to you and to the readers of *Ethnomusicology*.

Publicly, I demur. I think ethnomusicologists should be able -- and, I might add, *allowed* -- to contend with ethical problems for themselves, and should be allowed to do this on the basis of open collegial debate. They shouldn't need you to protect them from inconvenient reality. I also think a scholar of your exalted public stature should be held to account for such inflammatory and pejorative rhetoric as you used in your insulting letter. In that letter, you hinted darkly at a defamation lawsuit (although none has been forthcoming), and demanded that I respond. Well, Mr. Distinguished Professor of Anthropology and Music, I have answered you -- and now you have fallen silent. It would appear that I have called your bluff.

I challenge you to an open debate.

I suggest a Kingsbury-Feld debate as a session at the SEM convention in October, 2007, in Columbus, OH; I suggest two twenty-five minute statements, then two ten-minute responses, and a concluding Q & A.

I await your response.

Henry Kingsbury

⁴⁸ Yes, I still have his earlier reply.

A few days later came his response. “Henry, thanks but no thanks – no purpose would be served by my participating in your circus.”

In the interest of brevity I will avoid a re-rehearse of my blow-by-blow of the mano-a-mano between me and Steve Feld. For the moment I will limit myself to five salient points. First: I have long been of the opinion that the writings of Steven Feld are characterized by a taint of primitivism. Second: after my earlier (1993) exchange with Feld, I raised this issue in a book manuscript (*Ways of Hearing*, 1994) which I submitted to Wesleyan University Press. Third: the manuscript was rejected on the basis of its criticism of Feld (“**both readers were uncomfortable with the attack on Steve Feld, not because he is above criticism but because the racism ascribed to him seems unwarranted**”). The rejection letter said the manuscript could be reconsidered “*in a few months*” -- presumably, once the Feld critique had been removed. Fourth: it was obvious that the decision to reject the manuscript had been influenced by surreptitious intervention from Feld himself.⁴⁹ My fifth point involves a curious twist on the notion of plagiarism, so for comparative purpose I am reproducing on the next page two text-excerpts: the left panel is from my *Ways of Hearing* manuscript; it’s the so-called “attack on Steve Feld.” The right panel is my candidate for plagiarism; it was published by Feld himself a year later (U-Chicago Press).

SPACE LEFT EMPTY

⁴⁹ Numerous written and aural records still exist that could prove this matter beyond reasonable doubt.

“I and at least some of my colleagues have felt invited to infer from Feld's writings that in the face of “big oil” production projects, the Kaluli are a bit like the puffins destroyed by the Exxon Valdez, or the cormorants caked with oil in the Persian Gulf. With respect to the important connections which Feld points out between avian life in New Guinea and the Kaluli people, Feld's readers are liable to be thinking that one more zoological species is about to be destroyed by Chevron.”

Ways of Hearing, 1993 ms.

“*Voices of the Rainforest* presents a unique soundscape day in Bosavi, one without the motor sounds of tractors cutting the lawn... without the sounds of radios... and without the recently intensified and almost daily overhead buzz of helicopters... ¶ Does this mean that *Voices of the Rainforest* is a falsely idealized portrait of Bosavi, romantic at best, deceptive at worst? Certain critical viewpoints could position it that way, and an honest response could only accept why those concerns are voiced and acknowledge the currency of their politics.”

Music Grooves, by Charles Keil & Steven Feld, University of Chicago Press, 1994, p. 286

Let's review: I made Steve aware of my misgivings in November '93. He incorporated the substance of *my* critique into *his* 1994 publication. He then worked behind the scenes to prevent that critique from being printed under my own name. That's plagiarism. Does Tony Seeger really want ethnomusicologists to pay more attention to intellectual property law? I don't think so, I really, **really**, don't.

Steve Feld knows full well that he has been selling his readers a picture of “primitive man.” He also knows, however, that by oh-so-graciously acknowledging *hypothetical* critique from “certain critical viewpoints” he shields himself from *real-world* criticism over which he has less control. I don't know whether any of those “certain critical viewpoints” ever made their way into print, but I do know that throughout the 1990s, I was several times able to get a knowing laugh from ethnomusicologist by suggesting that oil-drilling in PNG probably threatens real human beings a good bit less than they threaten the relevance of Steven Feld's widely-ballyhooed ethnography.⁵⁰

⁵⁰ I have never been “famous,” but in the days when my ‘Talent’ book was new I had considerable academic notoriety: a debate between me and Steve Feld would've packed the hall.

A year or two later, I found myself in an e-mail correspondence with Fred Lieberman, a respected academic ethnomusicologist (and apparently a strong friend of Steve Feld). Most of that correspondence is not relevant here, but one thing he said was utterly unforgettable: "Steve Feld can fight his own battles," said Lieberman at one point. But Steve Feld *can't* fight his own battles. His refusal to debate after viciously insulting me and threatening a defamation suit proves this. Steve Feld was the first Ethnomusicologist to win a MacArthur ("genius") Fellowship -- an award widely seen as a mark of postmodern American Enlightenment. In Ethnomusicology, however, a MacArthur Fellowship can be the mark of craven bully.

If there's anything more dangerous than a great scholar who can't fight his own battles, it's a great scholar who has no need to fight his own battles. Steven Feld doesn't have to fight his own battles. He (like many of Tony's Cronies) has a cadre of lackeys and fellow-travelers willing to fight his battles for him. Let me explain. A few days after receiving Steve's "thanks but no thanks" note, I submitted a posting to SEM-L, the listserv of the Society for Ethnomusicology. The text of my submission was simply an announcement of my challenge to debate Steven Feld.

10/18/06

Greetings --

This is simply to announce my "Open Letter to Steven Feld" (challenge to an open debate) following on the recent sparks-filled exchange between Feld and me concerning the advertisement that was published in the most recent issue of ETHNOMUSICOLOGY. I have posted my open letter at

<http://www.truthofmusic.net/challeng.html>

Henry Kingsbury

This submission was denied, censored, never posted. I was told that my submission had been rejected because it was a personal attack: "Personal attacks are not appropriate for the list," said Alan Burdette, SEM's Executive Secretary. "One purpose of the SEM-L is as a forum for debating ideas. Debating an individual is another matter." It's hard to resist sarcastic jokes about Burdette's breathtaking absurdity (perhaps he doesn't see a difference between shouting "*en garde*" and stabbing someone in the back?) but the thing to be emphasized, here, is that dishonesty has become official policy, just as dishonesty was/is official policy at *The Brown Daily Herald* and in the

presidential administration of Donald Trump. Ostensibly, Burdette was an administrative executive, a neutral bureaucrat setting forth ethical principals governing the Society's activities. His statement, however, was so grotesquely absurd that anyone could see that the mission of the bureaucrat was protecting an egotistical celebrity, protecting Steve Feld. My submission to SEM-L was censored in order to prevent people from finding out that someone of my notoriety was challenging Steven Feld to a public debate.⁵¹ I was claiming that Steven Feld's intellectual authority should not be above question. Such a claim is an existential threat to SEM; it had to be stifled.

In academic ethnomusicology, corruption is baked into the cake -- simultaneously personal and institutional; herein lies one significance of Burdette's absurdity. Here's another example of "baked-in corruption;" alas, it requires another anecdote.

Thus: the Society for Ethnomusicology has an annual award named after the late Alan Merriam (I mentioned him above; he was one of SEM's founders, and my first ethnomusicology teacher). The award is given to the ethnomusicological book judged to have been that year's best, as decided by a judging committee of highly regarded ethnomusicologists. It's a competition with fairly simple and well-published rules (books can be submitted by the author or someone else; there is a deadline for submitting a book, an address where it is to be sent, etc.). I decided to submit *The Truth of Music*, my newly self-published booklet, to the competition. I had no delusion that I would win the prize, but I did think that sensibilities of highbrow rectitude and basic decency would compel committee members to at least read and respond to my book. I sent in four copies accompanied by a formal letter. The judging committee declined even to acknowledge my submission; ethnomusicology's preening proud refused to engage their former colleague in any way. I later learned⁵² that this committee was comprised of Professors Timothy Rice (UCLA), Judith Becker (U-Michigan), Marc Perlman (Brown) and Deborah Wong (UC-Riverside). Unlike Alan Burette, two of these judges (Perlman & Wong) knew me personally; all knew of my 'Talent' book and my earlier professional activity; all would have known about my lawsuit.

We know who you are. We are not speaking to you.

⁵¹ Mr. Burdette and I never met -- neither of us could have picked the other out of a line-up. And although his reason for censoring my submission wasn't that it was "personal attack," neither was he retaliating for my having stolen his girlfriend or peed in his coffee. He censored my submission because it was his administrative function. *Somebody* has to clean the toilet-bowl.

⁵² *SEM Newsletter* 41/1 (2007,) p.6.

These are Tony Seeger's people, people who, he says, "know how to talk to people, how to listen to them, respect what they say." No. These are people that have learned the art of Kicking Down.



IX

... and Sucking Up

In Canto XVIII of *Inferno*, Dante Alighieri assigns sycophants to a lower region of Hell (8th circle) than murderers (7th circle). “Dante, whose sense of community was powerful, reminds us of other ways of thinking of human experience. Sins that are variants of fraud -- lying, hypocrisy, flattery -- have effects that go beyond the immediate situation. Fraud creates a situation in which all interaction is suspect, in which simple frank exchange cannot be taken for granted.” So write Deborah Parker and Mark Parker in *Sucking Up*,⁵³ a tiny book that should be required reading for all ethnomusicologists.

Dante also thought the earth was flat. Times have changed, and Sycophancy, now re-branded as “Impression Management,” is treated as a virtue rather than a vice in various business school settings. “Recent research,” the Parkers write, “often stresses the utility and even necessity of sycophancy for the ambitious, effectively studying sucking up not so much to understand it as to put it to good use... Apparently there is a robust market for sycophantic workers... this brisk pragmatism scours sycophancy clean of any moral consideration. Everyone, it seems, is in on the game.”⁵⁴

The Parkers apparently view this development with horror, and so do I. Consequently, in this chapter I’ll describe some disturbing (to me, anyway) sycophancy that has become central to academic ethnomusicology during the ascendancy of Anthony Seeger -- more specifically beginning with the advent in 1997 of something called “The New Fieldwork.” To establish an intellectual context, I’ll begin by invoking a disclaimer from a long-ago essay by ethnomusicologist Kenneth Gourlay. Here is Gourlay’s disclaimer:

This necessitates a historical approach, and a naming of names. It should be made clear at the outset that we are not concerned with personalities, except to apologize in

⁵³ *Sucking Up: A Brief Consideration of Sycophancy*, by Deborah Parker and Mark Parker, University of Virginia Press, 2017, p. 16. The Parkers write of a similar dynamic in Milton’s *Paradise Lost*, where “it is the devil himself who introduces sycophancy into the world, and humankind’s first experience of evil and deception takes the form of flattery.” P. 7

⁵⁴ *Ibid.*, pp. 28, 30.

advance for any misrepresentation of views but with individuals as ethnomusicologists whose integrity and honesty in holding particular concepts is unquestioned.⁵⁵

Gourlay in his essay brought numerous ethnomusicological names into the purview of his critique, but unquestionably his primary target was Alan Merriam. This was partly because in those days Merriam's *oeuvre* occupied a central place in ethnomusicology discourse, and partly because it provided readers with a *locus classicus* of scientific/scientistic methodology -- one that emphasized depersonalized objectivity and abstraction. Gourlay was inveighing against Merriam's "deliberately impersonal language," and against "a concept of the ethnomusicologist as both omniscient and non-existent,"⁵⁶ a trait that Gourlay lampooned with references to "The Missing Ethnomusicologist." It was a devastating critique -- probably the most concise exposition of the shift in ethnomusicology from a "scientific" to a "humanistic" discourse.

It was hardly a year after the publication of Gourlay's essay that Merriam was killed in a plane crash. At that time I was one of Merriam's students, and I will always regret that I hadn't discussed Gourlay's essay with him. With that having been said, by now it seems beyond dispute that Gourlay was right: Merriam was a dyed-in-the-wool positivist, a scientistic stick-in-the-mud; he was obdurate; he could be insufferable. But there is another, different, matter on which Gourlay was right: Alan Merriam was an ethnomusicologist "whose integrity and honesty in holding particular concepts [was] unquestioned." For all his empiricist hang-ups, Alan Merriam said what he believed and believed what he said. This is crucial, because the same simply cannot be said of latter-day champions of "The New Fieldwork." Alas, for "The New Fieldwork" was conceived in a gesture of vindictive and dishonest defamation -- defamation and disinformation nurtured by a pair of sycophantic enablers.

Perhaps, Dear Reader, you are saying, "Kingsbury is just pissed off. He's bitter, resentful. His own career was a flame-out, so he's lashing out, making *ad hominem* attacks. *Ad hominem* attacks make for bad scholarship."

Somewhat sadly, I acknowledge the relevance of such remonstrance. I would add, however, three delimiting provisos with no less relevance than that of my

⁵⁵ Gourlay, "Towards a reassessment of the Ethnomusicologist's Role in Research," *Ethnomusicology* 22/1, 1978 p. 2

⁵⁶ *Ibid*, pp 3ff

injured personal sensibilities. First: we live in the real world, and in this real world, sycophancy is no less a principle of social organization than matrilineal descent -- and since it is generally acknowledged that Navaho tribes are organized around systems of matrilineal descent, it must at least be conceivable that a collectivity of academic ethnomusicologists might be organized around a principle of sycophancy: it's real. Second: the fact that I myself have been negatively affected, personally-emotionally-professionally, by the workings of sycophancy should no more invalidate, *a priori*, my discussion of sycophancy than an ethnomusicologist's writing should be disregarded because that ethnomusicologist has been *positively* affected (i.e., biased) by mellifluous sounds of a shakuhachi. Third: a first-principal of "The New Fieldwork" is the primacy it places on *friendship*, such that the matter of "How to Tell a Flatterer from a Friend"⁵⁷ becomes no less basic than knowing how to tell a shakuhachi from a saxophone. The advent of "The New Fieldwork" calls for a candid, public discussion of sycophancy in ethnomusicology.

"The New Fieldwork" is a phrase that first appeared in two short articles by Jeff Titon, published more or less simultaneously in 1997.⁵⁸ In each, Titon was reacting to a critique that I had presented, first orally in 1994 then in writing in '97. In my written article, I'd said that some of "Titon's statements betray an estrangement from the last two or three decades of anthropology," and that ethnomusicology had become "a guardian protector of many of the ethnocentric biases it once worked to expose."⁵⁹ To be sure, I was being rather cheeky, but only Jeff Titon would've read my little piece as "a condemnation of Cartesian dualism and Western science since the Enlightenment"⁶⁰ (it contains no reference to dualism, or Descartes, or science). I had hit a raw nerve. Titon's announcement of "The New Fieldwork" -- a diversionary shiny-object -- was the result.

I know of no succinct definition of "The New Fieldwork," although Titon uses the phrase in a way indicating that it denotes a movement, a school-of-thought

⁵⁷ This is the title of a classic essay by the 2nd century Greek philosopher Plutarch.

⁵⁸ The shorter of these, titled "Ethnomusicology and Values: A Reply to Henry Kingsbury,"⁵⁸ is a five-page essay in which Titon was reacting to my seven-page "Should Ethnomusicology be Abolished (Reprise)." Both were published in *Ethnomusicology* 41/2 (1997). Titon's other article, "Knowing Fieldwork," appeared in a book titled *Shadows in the Field*,⁵⁸: *New Perspectives for Fieldwork in Ethnomusicology*, edited by Gregory Barz and Timothy Cooley (Oxford University Press, 1997, second edition, 2008).

⁵⁹ "Should Ethnomusicology be Abolished (reprise)" pp. 243f

⁶⁰ "Ethnomusicology and Values," *Ethnomusicology* 41/2 (1997,) p. 253

within ethnomusicology. Timothy Cooley and Gregory Barz, in whose book, *Shadows in the Field*, “Knowing Fieldwork” is printed, provide a partial characterization when they write of “shifting the emphasis away from *representation* (text) toward *experience*, a term that we believe encapsulates the essence of fieldwork.”⁶¹ To this Titon adds the importance of *friendship* as the optimal fieldwork relationship. “I experience fieldwork,” he writes, “not primarily as a means to transcription, analysis, interpretation, and representation... but as a reflexive opportunity and ongoing dialogue with my friends... My experiences of fieldwork have usually been intensely lived; in them I have become acutely conscious of my roles stances, and identities. I have felt love, camaraderie, and anxiety.”⁶² In the midst so much friendliness it must not be forgotten that all of this is presented as falling under the heading of *epistemology* (i.e., “what we can know about music, and how we can know it,” as Titon writes.⁶³ I would also point out an element of “sea-change” marked by Titon’s report of a time earlier in his career when he “pondered the different kinds of knowing that arose from the structured interviews that were part of *the old fieldwork* versus those life stories told to sympathetic listeners or friends in ‘real life’ situations that could not, *then*, be described as fieldwork.”⁶⁴

Twenty years before the advent of “The New Fieldwork,” the celebrated anthropologist Clifford Geertz issued a pointed forecast-warning: “The moral idealization of fieldwork,” he wrote, “is a mere sentimentality... when it isn’t self congratulation or a guild pretense.”⁶⁵ My own way of endorsing Geertz’ wisdom is to invoke (while tweaking) some familiar lines of Shakespeare:

**This above all: to thine own colleagues be true,
And it must follow, as the night the day
Thou canst not then be false to any far-away native.**

I submit, Dear Reader, that the recent addition of *friendship* into the role-expectations for a fieldworker in ethnomusicology has been a tactical move on the part of champions of The New Fieldwork, a move that permits -- nay, *compels* -- me to report an unpleasant truth: Tim Cooley and Greg Barz have in the past shown themselves to be utterly treacherous “friends.” In saying this

⁶¹ *Shadows in the Field*, 1st edition, p. 4; 2nd edition, p. 4

⁶² “Knowing Fieldwork,” in *Shadows in the Field*, 1st ed., p. 94f, 2nd edition, p. 33

⁶³ “Knowing Fieldwork,” in *Shadows in the Field* 1st ed., 87; 2nd ed., p. 25

⁶⁴ *ibid.*, p. 89, 1st edition, 27 in 2nd (emphasis added)

⁶⁵ Geertz, “From the Native’s Point of View” in *Meaning in Anthropology*, edited by Keith Basso and Henry Selby, Univ. of New Mexico Press, 1976, p. 221

I have no intention of dragging anyone into my own personal quarrel; I make these remarks as an ethnomusicologist. It should be noted that when Gourlay, forty-some years ago, said he was “not concerned with personalities” he was dealing “with individuals... whose integrity and honesty... is unquestioned.” Times have changed. Professors Barz and Cooley have posited their friendliness as a central aspect of their ethnomusicological research; as a fellow researcher, I demur. I once knew these people first-hand. Tim and Greg were doctoral students at Brown University in the early 1990s, when I was on its faculty. In those days I would have said we were friends. In '92, for example, Tim was one of several students who came from Providence to visit at my hospital bed in Boston after my harrowing misadventure in brain surgery. A year or two later, I rode with him⁶⁶ to Boston to attend his wife’s D.M.A. recital on the organ in King’s Chapel. Tim and I watched the Lillehammer Olympics together -- over beer and pizza, alongside various others, in Sue’s living room. And so forth. Greg Barz, for his part, arrived at Brown as I was being released from hospital; in those days, there was much talk to the effect that Greg had decided to attend Brown upon the news that I had just been hired there. His wife would be staying in North Dakota to finish a contract as schoolteacher, so Greg became my roommate: my parents paid his rent for the year, in exchange for rides to post-surgery check-ups. Among many other things, he & I teamed up for a lecture-recital on Schumann’s *Dichterliebe*. Along with a few others (Kathy, Franziska, Patrick, Carol, Sue), there was much schmoozing and ethnomusicological shop-talk -- we were a merry little band.

Then came the publication of *Shadows in the Field* -- and within it of “Knowing Fieldwork.” Originally, *Shadows* was a 200-page book containing eleven essays by ten authors, most of them reminiscences of the respective author’s tactics and techniques of role-shifting during fieldwork (i.e., from foreign-traveler to spouse to eater-of-exotic-food to lonesome visitor to letter-writer to note-taker to student). Titon’s “Knowing Fieldwork” is in many respects typical of these, but it also contains some “survey-of-the-literature” observations, one of which links my fieldwork practices with those of another ethnomusicologist, thus:

Infrequent and atypical roles include opposition, deception, lying, and spying – unethical under most circumstances but rationalized because the music-culture being understood and then exposed is illegitimate and corrupting (see Pillay 1994, Kingsbury 1988).⁶⁷

⁶⁶ Actually, I might have ridden in Kathy McKinley’s car; it was a long time ago; there was quite a bunch of us.

⁶⁷ in *Shadows in the Field*, 1st edition, p. 95, 2nd edition, pg. 33

This little passage calls for *explication de texte*.

Jayendran Pillay, whose work is here linked with mine, is an ethnic Indian native of South Africa with a Ph.D. in ethnomusicology from Wesleyan University. His doctoral research is, as I understand things, unique in this respect: he conducted his dissertation research **before** taking his graduate-level coursework. Here's how/why: During the era of *apartheid*, Pillay gained employment under false pretenses as a music teacher in South Africa's public schools, this in order to conduct clandestine research into racist attitudes among school music teachers and administrators. In writing about this, Pillay is strikingly forthright about his own dishonesty. In order to get his teaching position, Pillay tells us that he "lied to the interviewers and told them... what they wanted to hear..."⁶⁸ With similar candor Pillay tells us that once inside the school, his dissembling continued: "none of the people I spoke to would have shared their 'real' views had I documented anything in their presence," he says.⁶⁹ Pillay was also sufficiently prudent, he tells us, as to conceal the fruits of his clandestine labors until he was safely out of South Africa: "As an insider with a vested interest in dismantling apartheid it made sense for me to make known my findings in a forum outside the country."⁷⁰ With all of this having been said, it remains only to point out that it is through a rhetorical question that Pillay places his political-ethical heart on his epistemological sleeve: "If a social or political problem is really severe," he asks rhetorically, "is it immoral to devote one's time and/or funds to studying it rather than using one's resources to relieve it?"⁷¹

Such is the fieldwork that Jeff Titon, in "Knowing Fieldwork," has linked with mine. As for me, I have discussed my own fieldwork in considerable detail -- first on pages 18-26 of *Music, Talent, and Performance*, then later in a specialized journal for anthropologists.⁷² Readers with circumspect temperament are encouraged to consult those pages -- or anything else that they might choose. On the other hand, a few facts should be adduced quickly.

⁶⁸ Indian Music in the Indian Schools in South Africa" *Ethnomusicology* 38/2 (1994)... p. 285

⁶⁹ Indian Music... p. 281

⁷⁰ Indian Music... p. 292

⁷¹ Indian Music... p. 293

⁷²See my "New Testament Anthropology and the Claim of an Ethnographer's Voice," *Dialectical Anthropology* 22 (1997), 79-93

- *At no time did I **lie** to ANYONE at the conservatory where I did my fieldwork. At no time did I in any way misrepresent myself in order to gain permission to conduct my research. Nor did I engage in anything that could be considered “spying” or “deception.” People in the conservatory knew who I was and/or why I was there. There were one or two who weren’t too happy about it, but the general ‘drift’ seemed to be vaguely pleasant curiosity. There was no deception, no secrecy, no concealment. At no time did I engage in conduct that was “unethical under most circumstances but rationalized.”*
- *At no time and in no place have I stated or intimated that a music conservatory is “illegitimate and corrupting,” or that a conservatory calls for “being understood and then exposed.” I engaged in no “opposition.”*
- *There were numerous people who, after my book was published, reacted intensely and negatively to what I had written. My research was controversial. My reputation, once the book was written, was uncertain.*
- *During the twenty-four months prior to the publication of “Knowing Fieldwork,” I was Jeff Titon’s music department colleague at Brown. He and I were passing each other daily -- in the parking lot, the stairwell, the mail room, the library, the men’s room, department meetings, a nearby café. Notwithstanding Jeff’s passion for “ongoing dialogue with my friends,” he never raised the topic of my fieldwork; never indicated concerns or doubts pertaining to the ethics of my research. Never did he indicate -- by e-mail, phone call, or a knock on my office door -- that he intended to publish his derogatory innuendo about my fieldwork. His only comment on my fieldwork had come nine years earlier, when the book’s jacket included his blurb.*

At long last, an ethnomusicologist has cast a searching eye upon the highest levels of Western music education. The result is a brilliant, often ironic, analysis of language, communication, and the negotiation of authority... (etc.)

Jeff Titon’s own research has been among fundamentalist Christian preachers and singers (“Old Regular Baptists”) in rural Appalachia. He calls them “ordinary people,” but also says, “I find much to admire in their efforts to

preserve old values... and create a community for good.”⁷³ He has chosen, however, to live in New England, where he can violate certain edicts of THE LORD THY GOD, viz.,

Thou shalt not bear false witness against thy neighbor.

In contemporary discourse, of course, the eighth commandment⁷⁴ finds expression in libel law, and let's be plain: Jeff Titon libeled me when he wrote “Knowing Fieldwork.” He intentionally defamed me in a way that contributed to the demise of my career. At this point in my life I have no intention of addressing such a matter through litigation -- but libel is hardly the only issue here. Conceiving Jeff's conduct only in terms of libel delimits the issue to personalities: *Jeff v. Henry*. There are other concerns.

Gregory Barz and Timothy Cooley, co-editors of *Shadows in the Field*, knew that there had been no lying or spying in connection with my fieldwork. They had read my “Talent” book; they had discussed fieldwork -- *my* fieldwork -- with me. Greg and Tim knew that my faculty appointment at Brown had just been terminated; they knew my career was in peril. Obviously, they read “Knowing Fieldwork” as it was submitted to their book. They knew that Jeff's innuendo about lying and spying was factually and morally wrong: dishonest and malicious. However, they also knew something far more important. They knew that the prospect of a couple of fuzzy-cheeked grad students publishing a book -- vacuous as it was -- at Oxford University Press was a career-catapult sufficient to override ethical strictures imposed by a complicating ‘friendship.’ Thus began The New Fieldwork, the approach to fieldwork based on personal friendship.

Unlike Dante Alighieri, I do not believe the earth is flat. Nor do I believe that the sycophancy of Greg Barz and Tim Cooley will get the two of them forever mired in Dante's eighth circle. I do believe, however, that the sycophancy of Greg Barz and Tim Cooley is a carcinoma on academia generally, and ethnomusicology in particular. I believe that maliciously defaming one's colleague is every bit as dehumanizing as trying to maintain scientific/academic objectivity. As far as I know, Alan Merriam never libeled a

⁷³ *Powerhouse for God*, by Jeff Todd Titon, University of Texas Press, 1988; see Pg. 6

⁷⁴ Some say it's the Ninth Commandment.

colleague, and never succored sycophancy of those who did. Apostles of “humanistic ethnomusicology” might reflect on that.

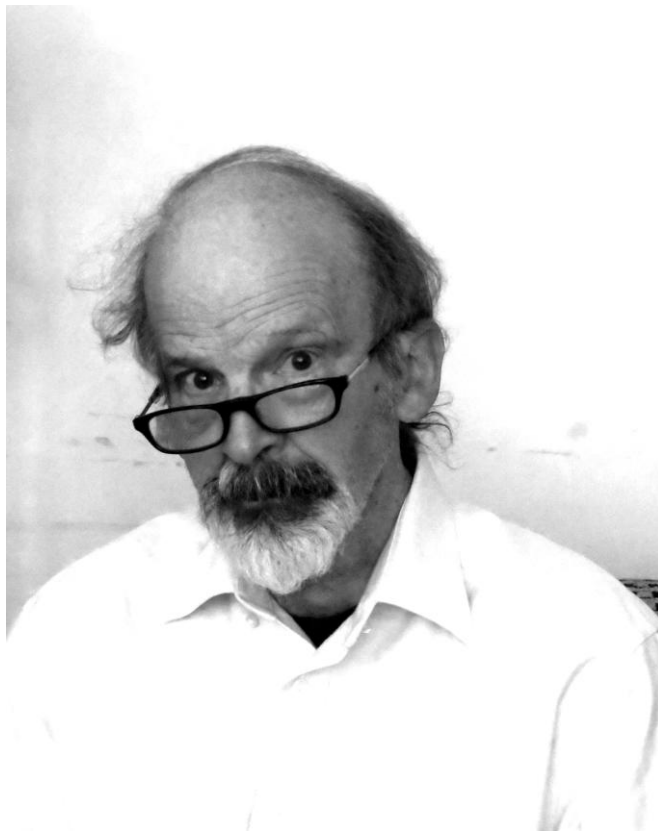
Greg Barz and Tim Cooley, moreover, are hardly alone. *Shadows in the Field* has gotten a wide readership among ethnomusicologists. Well-appointed ethnomusicology professors across the country have been reading about my putative lying and spying for a quarter century. They know better -- but they say nothing. Ethnomusicology professors with names such as Averill, Babiracki, Becker, Blum, Bohlman, Locke, Lubet, Perlman, Rice, Shelemay, Stone, Taylor, Turino, Wade, Waterman, Wong, and Zheng have been reading scholarly writing -- in their own discipline, their own specialty -- that they know to be disinformation: factually wrong, as in $2+2=5$, or *the shakuhachi is a fipple flute*. Morally wrong, as in, *Anthony Seeger is a Distinguished Professor of Ethnomusicology*.

The Society for Ethnomusicology (SEM) is presently one of 78 member-organization of the American Council of Learned Societies (ACLS). I submit that SEM can no longer be respectably considered a “learned society.” In recent years, leading figures from the world of academic ethnomusicology have been (1) deliberately disseminating disinformation that is uniquely pertinent to their own supposed expertise, and (2) exhibiting and condoning sycophantic behavior that is utterly unacceptable. Moreover, the Society for Ethnomusicology cannot forever remain untainted by the secrecy -- in violation of the U.S. Constitution -- surrounding the 2004 federal trial of Brown University, or the secrecy, during that trial, surrounding courtroom testimony pertaining to the CIA, testimony of a man who is supposed to be one of the nation’s leading ethnomusicologists. There is, to be sure, insufficient evidence to show conclusively that the SEM is engaged -- through association with the CIA -- in the destabilization of this or that foreign government (Iran, Guatemala, Cuba...). On the other hand, there is abundant evidence that in recent years, prominent members of the Society for Ethnomusicology have been engaging in conduct that is, we can be sure, weakening the American republic.

Among these, the *primus inter pares* is Anthony Seeger. Anthony Seeger was my dissertation advisor. Anthony Seeger knew there was no lying, no spying, and no “opposition” concerned with my fieldwork. Anthony Seeger knew that my fieldwork behavior involved nothing that was “unethical under most circumstances, but rationalized.” Anthony Seeger recognized my fieldwork as valuable: he invoked my research in modeling the analysis in his own book,

Why Suyá Sing. By virtue of his illustrious parentage, Anthony Seeger holds a prominent position in the tradition of the “singer of songs, and righter of wrongs.” He knew that a public statement from him would go a long way toward righting a wrong. He made no such statement.

Anthony Seeger is not a Distinguished Professor of Ethnomusicology. He is not an honorable Professor of Ethnomusicology. *J'accuse.*



Afterword

On Thursday, January 10, 2013, I was an Emergency-Room patient at the Southern Maine Medical Center in Biddeford, nine miles from my house. The previous night, while standing at my computer, I had suddenly blacked out. There had been a sudden and painful dizziness; my buttocks had hit the floor with considerable violence; my head had hit a bedpost, resulting in moderate bleeding and contusion. The blows to my buttocks and head had instantly wakened me. I washed off the blood and went to bed for the night. Next morning, a neighbor drove me to the E.R. Hospital records show that I was held at the hospital for approximately eight hours. The physician attending me was Kimberly Perrault, D.O. Dr. Perrault interviewed me numerous times at my bedside. No cause of my blackout was identified during my stay in the hospital. On that day, I had been unable to think of a circumstance that might have caused my blackout. In recent days I'd had a few mild attacks of dizziness, but I had never blacked out before; the only thing I could think of was a sugar-rush: I'd been eating an excessive amount of Christmas candy. My sugar rush idea was quickly dismissed by Dr. Perrault, who at some length discussed with me my history of brain surgery in 1991. She ordered myriad exams in her attempt to determine the cause of my blackout (the medical term for which is *syncope*). She ordered a CT scan, an MRI scan, and various other tests. All likely causal factors were ruled out. I was discharged at the end of the day. The bill came to a little over \$5200. No cause of my *syncope* had been identified.

I now believe that the cause of my blackout was, in fact, carbon monoxide (CO) poisoning; I suspect that an attempt had been made on my life. Carbon monoxide, of course, is a lethal gas; it can kill a person very quickly. Carbon monoxide poisoning typically results from improper exhaust of internal combustion; this is why, dear reader, you must never – ***never*** – run your car engine ***indoors***. Carbon monoxide poisoning can also result from an indoor stove that burns coal or wood; the issue is improper exhaust – a poorly designed chimney can be extremely dangerous. Carbon monoxide is “an odorless, colorless gas that often goes undetected, striking victims caught off guard.”⁷⁵ It is very, very dangerous.

When Dr. Perrault asked about my blackout, I completely forgot about one recent change in my household. I forgot that a few weeks earlier, I had

⁷⁵ Website of the National Safety Council, visited 9/13/19.

replaced the 35-year-old cast iron wood-burning stove in my kitchen with a brand new stove. The old stove had a crack in it; the crack was gradually getting bigger: dangerous. It would've been possible to have the crack repaired, but it seemed better to get a new stove. So I did: same brand, same size. At the same time, I also purchased a new steel chimney-liner, to guard against possible chimney fires. There had been a lot of upheaval that Christmas around my kitchen stove – but once the work was done, everything looked exactly the same, as though there had been no change. So I hadn't thought of this while I was in the hospital.

Home from the hospital next evening (Friday, 1/11/13), I again lit a fire in the new stove. Almost immediately, I began to have dizzy spells. This got me thinking. I'd always known that carbon monoxide is invisible, odorless, and deadly, but I'd never known the lesser symptoms of carbon monoxide poisoning. I did some Google searching on carbon monoxide. *Bingo!* CO symptoms include headaches and dizziness – I'd been experiencing headaches and dizziness. I yelled to friends on the phone; I yelled (metaphorically, that is!) in some emails. I'd discovered the cause of my blackout: carbon monoxide.

I couldn't prove it, but I now suspect that an attempt had been made on my life, that an attempt had been made to murder me. I think it is likely that, if at the moment when I blacked out I had been sitting or lying down -- if the blow of my buttocks hitting the floor hadn't wakened me -- I might not have survived the experience,

This is dicey, and the details are hardly simple. After shouting into the phone and sending out those frantic e-mails, I left the stove cold for a week.⁷⁶ Then on January 17, I again started a fire, this to be inspected-tested by the Kennebunk fire chief, who came to my house for the inspection. Unlike January 11, I experienced no symptoms, no discomfort, from the fire on 1/17. Using various measuring devices, the fire chief determined that there was no CO, either in the air or in my blood. In a tone of considerable certainty, he stated that my blackout had been caused by the smoke emanating from the burning of a type of paint that is standard for any brand-new cast iron stove (i.e., that my blackout had been associated with the new stove, but not with CO). In this, the fire chief was most certainly wrong: the owner's manual for the new stove – as well as the clerks at the store where I'd bought it – had prepared me for the puff of burnt stove-paint; it had come, quite memorably,

⁷⁶ I was relying on my kerosene furnace for heat

several weeks before my blackout. That blue-grey smoke⁷⁷ had hung in the air – and in my nostrils – for about fifteen minutes, an oddly pleasant experience, with no dizziness. The dizzy spell I experienced after returning from the hospital on 1/11 was the last such experience I ever had, even to this day.

So much for the facts (but they **are** facts). Now for the crux: I couldn't prove it, but

1. I strongly suspect that some person or person (i.e., Bull & Skones) had mischievously-maliciously tampered with my chimney and/or my new stove. Much of my suspicion on this matter lies in the fact – and it is a fact – that I do indeed know persons here in Kennebunk who are extremely knowledgeable with regard to making fireplaces and chimneys – and who very well might be cohorts in Bull & Skones.
2. I suspect that my shouting into the phone about CO poisoning had been monitored via a phone tap, a phone tap not much different from that used by Brown's Vice-President Ledbetter back in the early 1990s.⁷⁸
3. I suspect that because of such phone taps, my shouting about Carbon Monoxide was effectively an alarm from which Bull & Skones learned that the jig was up – whereupon the original mischief was rectified-nullified-concealed.

In other words, everything happened as if my shouting on the phone about carbon monoxide precipitated mysterious-surreptitious repair to my stove exhaust. My hypothesis is simple but horrible: if it was the stove, it was carbon monoxide. If it was carbon monoxide, it was malicious.

To be sure: my suspicions entail the extraordinary assumption that not only was my Kennebunk phone tapped, but also that without my knowledge someone from Bull & Skones either entered my house or climbed to the chimney on my roof, and that this was done on two separate occasions: first, to tamper with my stove/chimney/exhaust, second, to rectify the situation after I started calling attention to it. Such a scenario will seem far-fetched. My rejoinder is this: similarly incredible (albeit nonviolent) mischief has, in fact, been perpetrated on numerous occasions since I moved to Maine in 1997.⁷⁹

⁷⁷ Carbon Monoxide is colorless and odorless; the paint-smoke was bluish and fragrant.

⁷⁸ as discussed on page 10, above

⁷⁹ E.g., one night in '97, someone quietly entered my house as I slept to vandalize my electric piano; in '08, someone entered my house (I wasn't home) to dump gallons of sludge into my bathroom plumbing, causing god-awful backups. And there have been other instances...

Bull & Skones is highly organized, and is capable of astonishingly secretive and malicious derring-do.

To this I will add one more thing, a hypothetical certainty: if I had died from carbon monoxide poisoning, nobody -- *nobody* -- would have suspected murder; everyone would've understood that an eccentric old man had killed himself because he didn't know how to work his wood stove. It happens.

