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<1>Workers' Rights and Performing Rights: Cinema Music and Musicians prior to
synchronized sound

<1> Annette Davison

Silent films functioned as if they had been designed to create jobs for musicians.¹

In 1911, only 460 musicians in England and Wales identified themselves as employed by “picture theatres,” just ten per cent of those engaged as “Musicians employed in theatres, music halls and picture theatres.”² As Jon Burrows explains elsewhere in this volume, by 1912 more than half of the licensed cinemas in London employed an orchestra of some kind, rather than a lone pianist; a situation that evidence suggests was true across Britain generally. Cinema was cheap, by comparison with music hall and theatre. There were no stars, no stage performers, and no backstage crew beyond the projectionist.³ An orchestra, however, was a major expense that the best cinemas could not do without. Opportunities for cinema musicians grew exponentially as the size and seating capacity of cinemas were increased over the next decades, though the provision of lone pianists continued in smaller venues, and during quieter periods of the programme in larger halls. At The Cinema House, which opened in the centre of Glasgow in December 1911 with a seating capacity of approximately six hundred, the cost of the musicians was twice that of the manager’s salary. A trio performed from 7 to 10.30pm each night, and two were pianists engaged for longer hours. Within months, however, additional musicians were sought for the afternoon programme, and for the presentation of particular films in the evening.⁴ Despite these rising costs, the original band received six nights’ holiday plus a bonus after six months, with a further bonus paid at the anniversary of the cinema’s opening. The rebuilding of the Cinema House in the mid-1920s more than doubled the seating capacity to 1,314.⁵ The lone pianist was replaced by a

“quintette,” and the larger orchestra for afternoon and evening programmes was also augmented.⁶ By September 1926, the total weekly cost of the musicians was almost a quarter of the cinema’s total running costs, at £97 5s. per week.⁷ Here the augmentation was probably due to fears about competition: a new “super”--the Green’s Playhouse--was nearing completion along the street.⁸ It opened the following year with a seating capacity of more than 4,300, with an orchestra of thirty on a platform, raised to the height of the stage by hydraulics for the musical interlude.⁹ While “super” cinemas were concentrated in urban centres, film exhibition generally was not restricted in this way, and musicians were required by venues of all classes, size and location. By 1924, “quite half of the musicians employed in the entertainment business [were] employed in cinemas.”¹⁰ By 1928, cinemas accounted for “between 75 and 80 per cent of ‘paid musical employment,’”¹¹ or, “at least 16,000 full-time jobs.”¹²

Employers had limited options as to how to cut the cost of musicians, who were among the first groups in the entertainment industry to form a trade union; the Amalgamated Musicians’ Union (AMU) was formed in 1893 in Manchester. Union membership in Britain stood at one and a half million then, but with the expansion of unionisation to semi-skilled and unskilled workforces, by 1920 membership had reached more than eight million. With the power afforded to the trade unions by the election of union executives as Members of Parliament, legislation was developed which supported the unions and increased their strength.¹³ National Joint Industrial Councils were established from 1919, as a result of the Whitley Report, and local Conciliation Boards, with representation from both employers and workers, were created to settle disputes concerning wages and conditions, and avoid strikes.¹⁴ The Performing Right Society (PRS), established in 1914, benefited both the composers and publishers of music heard in cinemas, and was funded by the licences that venues were required to pay for the right to perform copyright music administered by the PRS; another

music-related cost to be borne by cinemas. On the surface it would seem that the odds were stacked in favour of the musicians. The reality was that other factors, such as the war, the amusement tax, and a period of extreme economic volatility, together generated a rather more complex situation for this sector of the labour market. In this chapter I explore the situation of cinema musicians and composers through the two decades that followed the Cinematograph Act of 1909, through their relations with musicians' unions, the employers, and the PRS. Examples are drawn primarily from evidence relating to the situation in Scotland.

<2>Musicians, Unions and the Cinema

In the same year that Joseph Williams, a twenty-one year old clarinetist at the Comedy Theatre, Manchester, established the AMU, Fred Orcherton, a flautist in the Queen's Hall Orchestra, started the London Orchestral Association (LOA), later the National Orchestral Association.¹⁵ As its name suggests, the LOA retained its focus on London, initially at least, despite competition from the AMU. The AMU was established as a trade union, accepting everyone, including "second jobbers," female musicians and amateurs; anyone who drew an income from performing music. By contrast, the LOA was established as a society for the very best "professionals," and expressed disgust at the notion of music as a "trade."¹⁶ It admitted neither women nor part-time musicians. Within a year, AMU membership, at 2,400, was more than double that of the LOA.¹⁷ By September 1919, AMU membership was up to 16,000.¹⁸ By the point of AMU/LOA merger in 1921, the AMU was significantly larger than its London-based counterpart, which had only 2,700 members.