

Posthumous album releases can reward fans but diminish a legacy

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For fans, the day an artist dies is also the day the music dies -- unless the artist has left some previously unreleased material.

That may be the case with Amy Winehouse, the Grammy Award-winning singer who died July 23. Winehouse reportedly left a trove of unreleased material, including an unfinished third album that had been shelved, raising prospects for a posthumous release.

But according to two Kansas State University professors, a posthumous release of unfinished and shelved material can often trivialize a career. Worse, it can also come off as unethical.

"Posthumous releases are both a positive and negative thing," said Steven Maxwell, an assistant professor of music and instructor of a history of rock and roll course at K-State. "On the positive side, it gives fans the opportunity to listen to something new from a musician one last time. The negative side is that many of the releases don't fit into the vision of the artist and in some cases, they diminish the artist's legacy."

One of the best examples of this is Elvis Presley's work, Maxwell said. During his life, Presley only released the music he felt was good, shelving the rest. After his death, though, many of those unapproved, unreleased recordings were taken off the shelf.

"Many people now look at Elvis as having corny music late in his life, even though he made some legendary songs," Maxwell said. "Much of



that music that was posthumously released he had kept unreleased for a reason."

Yet due to a hungry fan base and even a little studio magic, that unreleased and unfinished material can easily find its way into record collections -- often extending an artist's career and sometimes bolstering a legacy. Rappers Tupac Shakur and the Notorious B.I.G. both cataloged more albums in death than in life. But could the same work for Winehouse?

Sales figures indicate the demand is there for her material. Winehouse's albums shot to the first and third spots on both the U.S. and U.K. <u>iTunes</u> sales charts right after her death. Since then, her 2006 album "Back to Black" has stayed in the top 25 bestsellers.

But misinterpreting the ideas of unfinished tunes and releasing substandard material would smack of greed to fans, said Diane Swanson, a professor of management and chair of the Business Ethics Education Initiative at K-State.

"In matters of death, people are more sensitive about a business cashing in because it appears as crass commercialism and exploitation," Swanson said. "If the motivation is really to make sure that a great work gets out there to honor someone's legacy, it needs to be genuine and respectful to the artist and the ideas."

That's especially true for posthumous releases, where values like honoring the deceased compete with profit, Swanson said. Though a business exists to turn a profit, it's still subject to social responsibilities not set in laws. Perceived exploitation could turn consumers off.

In cases of posthumous releases being sold, a portion of proceeds should be donated to a noncontroversial cause that the artist believed in,



Swanson said. Ideally, though, the topic would bring about standardized public policy agreed upon by musicians, labels and estates as to how to handle unfinished and unreleased work after death.

According to Maxwell, the possibility that musician's shelved work would be released after his or her death is not a new industry trend.

"In classical music, willing your work destroyed after death happened on a regular basis," he said. "Some of the composers would have their handwritten sheet music burned because they thought it would destroy their reputation since it didn't meet their standards."

In the '60s and '70s the posthumous album became a more common practice as estates -- usually a spouse or family member -- gained control of the work and would often sell it to pay off debts. In other cases, as stipulated by the artist's contract, the label owns the material and decides whether to release it. Such was the case with the posthumous and controversial Michael Jackson album "Michael." Released in December 2010, many friends and family argued that "Michael" exploited Jackson and distorted his unfinished songs. For fans, the reaction was mixed.

"A few tunes on it are fun and are in the spirit of his prior work. To me as a fan, I kind of enjoyed that an album could be released since it was sort of one last hurrah in a sense," Maxwell said. "Was it the album Michael Jackson would have put out if he could have finished it? That's hard to say."

Though albums like Janis Joplin's "Pearl," Ray Charles' "Genius Loves Company" and "Otis Redding's "Love Man" are seen as some of the best examples of posthumous albums, most were completed or nearly complete before death.

"I think sometimes an estate or label abuse that unreleased and



unfinished work, and that can change the legacy of the artist because it's not their vision," Maxwell said. "That's problematic."

Provided by Kansas State University

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