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Breakdown on the Freeway Philharmonic: Understanding the Causes and Effects of Regional
Orchestra Bankruptcies in the San Francisco Bay Area

A dissertation submitted in partial satisfaction of the
requirements for the degree Doctor of Philosophy
in Music

by

Alicia Garden Mastromonaco

Committee in charge:

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December 2020

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Orchestra Bankruptcies in the San Francisco Bay Area

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Alicia Garden Mastromonaco

DEDICATION

I dedicate this dissertation to my friends and colleagues in the Bay Area orchestral world, the Freeway Philharmonic musicians. I hope that this project might help us keep our beloved musical spaces for a long time to come.

ACKNOWLEDGEMENTS

I must first acknowledge my advisor Derek, without whose mentorship this project likely would not have existed. He encouraged me to write about small regional orchestras in the Bay Area and saw the kernel of what this project would become even before I did. His consistent support and endless knowledge on closely related topics shaped nearly every page of this dissertation. I am also grateful to Stefanie Tcharos and Martha Sprigge, who have inspired me in their rigorous approach in writing, and who have shaped this dissertation in many ways.

This project was borne out of my own experiences as a musician in the Bay Area orchestral world over the last fourteen years. I am grateful to my many colleagues and friends who have shown interest and excitement about this project and inspired it in the first place. I am particularly indebted to Darby Hinshaw, who gave me my first gig when I was still an undergraduate, and who has remained a steadfast friend for almost two decades. I am also grateful to Alex Camphouse, who has helped me work through many of my ideas in phone conversations, often on our long drives to various gigs throughout the state. Meredith Brown and Cory Tiffin have provided a wonderful sounding board to discuss the state of the (musicians') union and have been an important support system during the pandemic. I am also grateful to my many other colleagues and friends who have had conversations with me about the orchestra industry, have challenged me when necessary, and inspired me constantly, both musically and intellectually. I am writing this work for each of my friends and colleagues in the Freeway Philharmonic.

I owe an enormous debt of gratitude to two colleagues who not only spoke candidly with me about their experiences going through the Oakland and San José bankruptcies, but also shared with me their robust collections of archival material from the period. Thank you, Debbie Spangler and Mimi Carlson.

During most of 2020, when we have all lived in isolation, I am thankful to two writing groups for providing me with the structure and community that I so desperately craved. I am grateful to the Mötley Zööm, a group of academics from a wide range of disciplines who got together every day to write together (over Zoom). I am also grateful to my morning group of my peers Liza Munk, Sunaina Kale, and Marc Bolin, who have been a crucial support system, and make for great company over video (and in person).

Finally, I want to thank my family. I am grateful for the support of my parents, for encouraging me to pursue a path in music, and for my siblings, particularly my sister Amy, who is a tireless cheerleader for her highly self-critical older sister. I am also grateful to my grandparents, particularly my grandmother Nancy, who was my very first (and continual) musical inspiration. I love you all. And to Braad: thank you for workshopping this project with me during our neighborhood walks, for loving me, and for being my most ardent supporter when I most needed it. This project would not have been completed without you.

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ABSTRACT

Breakdown on the Freeway Philharmonic: Understanding the Causes and Effects of Regional Orchestra Bankruptcies in the San Francisco Bay Area

by

Alicia Garden Mastromonaco

This dissertation traces the history of two regional orchestras in the San Francisco Bay Area, the Oakland and San José Symphonies, from their inceptions through their Chapter 7 Bankruptcy filings in 1986 and 2002, respectively. I pay special attention to the decades preceding the orchestras' bankruptcy filings in order to understand the socio-economic shifts that exacerbated the orchestras' financial problems. The 1960s and 1970s were a time of expansion for many symphony orchestras across the United States. This was due in part to philanthropic organizations such as the Ford Foundation, and government agencies such as the National Endowment for the Arts, which augmented orchestras' budgets and endowments. A rapidly-expanding cohort of college music graduates arrived into the workforce, looking for a professional orchestra to play in. Orchestras were in their heyday, and their budgets reflected their optimism for the future. However, this led some orchestras to expand beyond their means. In the final quarter of the twentieth century, some orchestras were able to grow into the large nonprofit institutions they are today, while others were forced to file for bankruptcy by the end of the century, when philanthropic efforts changed, neoliberal ideologies became naturalized economic expectations, and orchestra managements found themselves unable to meet their budget requirements and sank further and further into debt.

For every major symphony orchestra in the United States there are multiple professional regional orchestras, with smaller budgets, fewer performances, and an inability to pay their musicians a living wage. Nonetheless, by piecing together multiple orchestra jobs, teaching, and

other work, musicians in a few specific regions in the US can earn a nearly-livable wage. The Bay Area has around thirty regional orchestras with collective bargaining agreements on file with the Local 6 branch of the American Federation of Musicians, which makes it a unique place for freelance orchestra musicians to earn a living by cobbling together jobs in the Bay Area and surrounding regions. The same musicians often drive thousands of miles a month to get to their gigs, garnering the freelance gig economy the nickname, “Freeway Philharmonic.”

This project is rooted in multiple disciplines. As well as musicological scholarship, I draw from archival resources, journalism from the time period, anthropology, sociology, economics, communications, philanthropic studies, and draw from the research of the foundations who granted millions of dollars to the Oakland and San José Symphonies. By using the bankruptcies of these two orchestras as case studies, I uncover the many missteps the orchestras made, and suggest possible alternate suggestion for the future. In a time of overwhelming uncertainty in the music world as a result of the COVID-19 pandemic, I hope to provide an activist stance that will help regional orchestral musicians and their institutions as they find their way back from a dark period of no live performances toward a (hopefully) vibrant musical future.

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Introduction

On Wednesday, March 11, 2020 at 2:15 pm, I walked out of my final school presentation in Carmel-by-the-Sea, California, to find a string of texts, calls, and emails awaiting me. I had just finished speaking with a room full of third and fourth graders about an upcoming Monterey Symphony Youth Concert the students were all scheduled to attend the following Monday. There would be no concert. Just one day before rehearsals were to begin, at the suggestion of the county, the Monterey Symphony decided to cancel the weekend's performances for the general public as well as the subsequent youth concerts where thousands of schoolchildren would hear a live orchestra concert, sometimes for the first time in their lives. I work with the Monterey Symphony as the Education Coordinator, and also hold the position of Assistant Principal horn there.

As a horn player, the rest of my work for the following two months was canceled within forty-eight hours. Over the next month, every gig through the summer would be canceled as well. And by the summer, all of my playing work through the rest of 2020 was cancelled or postponed. At the time of writing, at the end of 2020, there is still no clear timeline for reopening the general economy in the country, let alone orchestras and other live performances. Some orchestras have attempted to livestream socially-distant concerts online, but in the Bay Area, most of the orchestras are still silent.¹ In short, the effect of COVID-19, the disease

¹ The Musicians of the Oakland Symphony (MofOS) have released two videos on YouTube, including an arrangement of "This Land Is Your Land" by Woody Guthrie, <https://www.youtube.com/watch?v=vDtTEHcJvvA>. The Santa Rosa Symphony has released a series of Livestreamed, pre-recorded concerts, including pre- and post-concert talks by conductor Francesco Lecce-Chong, which can be accessed on the symphony's website and YouTube channel, <https://www.srsymphony.org/Events-Tickets/SRS-HOME>. The Monterey Symphony is producing Balcony Sessions, solo or duo concerts on the balcony of the symphony's administrative office in Carmel, <https://www.montereyorchestra.org/balcony-sessions.htm>. Other regional have put on small

caused by the novel coronavirus that turned into a worldwide pandemic in the year 2020, have been devastating.

When I began my dissertation research on regional orchestras in 2017, I was working in orchestras nearly every week, travelling from my weekdays in Santa Barbara to weekends performing in the Bay Area, the Central Valley, Los Angeles, Orange County, San Diego, and other regions of California. I looked at the lives my freelance colleagues and I lived and wanted to understand how the freelance orchestra industry became the way it is today. Freelance musicians have to work constantly to create and sustain a career that relies on word of mouth and personal networking, maintaining skills to stay at the top of the deeply competitive music industry in order to have the opportunity to perform the music they love to play. Freelance musicians often drive thousands of miles a month, commuting from one orchestra to the next. Each regional orchestra is one piece of a complex puzzle of each musician's employment that typically includes several orchestras, probably teaching, or a different "day job" to make ends meet. Sometimes musicians will have a contract with the orchestra, in which they won a blind audition to earn their job there, and then spent another year or two trying to attain tenure. Other times the work is on a substitute basis, where the musicians are hired through their reputation in the community or through word of mouth. Most freelance musicians are represented by the local branch of the American Federation of Musicians, the music union in the United States and Canada. But the union is designed to support orchestras with contracts and by default skews toward the full-time orchestras with year-long contracts as the desired operating model. In contrast to the many part-time regional orchestras, there are a few orchestras in the country that have enough performances and a large enough budget to pay

chamber events, but nothing near the amount of orchestral activity that existed at the beginning of 2020, before the pandemic.

musicians a full-time salary. In California, the Los Angeles Philharmonic, San Francisco Symphony, and San Diego Symphony are the only symphony orchestras to offer their musicians a salary and full-time employment. Most other orchestras in the state offer employment on a per-service basis, meaning musicians are paid for each rehearsal and concert they perform. That means that freelance musicians must constantly try to figure out how they will make a living. Freelancing, particularly without several orchestra contracts on which to rely, is challenging at the best of times. During this pandemic, it is all but nonexistent.

My primary goal was to understand how and when the smaller regional orchestras in the Bay Area shifted from their amateur community orchestra roots to their status as part-time professional orchestras they are today. I wanted to know why only a few orchestras on the West Coast were able to present a full season of music and the rest of the orchestras were only able to perform a few concerts a season? After looking into the histories of some of the regional orchestras in California, I learned that several orchestras had filed for bankruptcy. If they were able to find their way back after their bankruptcy filings, they were often much smaller than they had been prior. Across the country, there was a series of orchestral bankruptcies that began in the 1970s and continued into the twenty-first century. Although I did not seek to understand bankruptcies at first, they appeared to be more than an unfortunate coincidence. So, I sought to understand why some orchestras were still operating at the end of the twentieth century while others failed, and how the complex ecosystem of regional orchestras and the musicians who played in them had gotten to where it was in the second decade of the twenty-first century. Never did I imagine that within a few years a pandemic would wipe out performing organizations for at least an entire season, or that musicians would be barred from performing live for fear of catching the virus. Nor did I imagine that my local branch of the union would

decide to program workshops for finding a new job outside the industry, as nearly every freelance classical musician contemplated their future in an already-precarious industry.²

This project takes as case studies the causes and effects of bankruptcy filings in the Oakland and San José Symphonies in 1986 and 2002, respectively. These two orchestras are less than fifty miles apart from each other, which allows for a close study of orchestras and their micro-historical differences. Both Oakland and San José are relatively wealthy communities compared to many other cities across the United States and have only grown wealthier over the course of the twentieth- into the twenty-first centuries. Both have similar progressive political leadership, and liberal communities. However, the two orchestras experienced dramatically different systems of leadership, patronage, and union activity, which makes for a rich contrast when comparing the bankruptcies of the two groups. Their histories provide a glimpse into the many factors leading to bankruptcy, as well as bankruptcy's effects and repercussions to the musicians, the organizations, and the community.

While this project focuses on the Bay Area in Northern California, the problems it examines—both pandemic-related and generally—are not limited to this region. In the midst of the pandemic, some organizations, including the Metropolitan Opera House, have cancelled their entire 2020-2021 seasons and furloughed their musicians. More locally, the San Francisco Opera has cancelled performances through the summer of 2021, the San Francisco Ballet has gone digital for its season, and the San Francisco Symphony has cancelled its live performances

² Local 6 of the American Federation of Musicians, the Bay Area branch of the music union, offered a “Career Transitions” workshop for musicians in the local. A Local 6 Board Member informed me that it was a highly requested topic, but it also indicates that both the rank-and-file members and Local leadership believe that the COVID-19 pandemic will force many musicians to seek new careers outside of performance, even if it is only for a few years.

through the rest of the 2020-2021 season.³ All the regional orchestras in the Bay Area have cancelled live performances for their seasons as well, but because their employees are paid per service the smaller orchestras do not have the same financial obligations to their musicians. And what was not cancelled was postponed to an ambiguous time in the future when the virus would no longer be a threat. As of December 2020, the loose collection of all the Bay Area regional orchestras, affectionally known as the “Freeway Philharmonic,”⁴ had all but cancelled the spring 2021 season in addition to the spring 2020 and fall 2020 seasons. For the first time since I was twenty years old, all of my professional playing work for the foreseeable future was gone.

This project was not the first to address the Oakland Symphony and San José Symphony Bankruptcies. The two publications that were written about the case studies in this project were commissioned by major foundations that funded both orchestras until their bankruptcies. The focus of the publications therefore was centered on the financial management of the organization, with a focus on how to fund more responsibly in the future. In other words, the publications served as cautionary tales for foundations or philanthropic organizations considering philanthropy in the nonprofit music sector. The commissioning groups were interested in learning how to spend their money more efficiently, and in some

³ San Francisco Opera cancellation announcement: <https://sfopera.com/2020-21-season/>. The Opera and Ballet split their seasons in the San Francisco War Memorial Opera House, and the San Francisco Ballet has gone digital: <https://www.sfballet.org/tickets/2021-season/>. The San Francisco Symphony cancellation announcement: <https://www.sfsymphony.org/Calendar/COVID-19>.

⁴ The Freeway Philharmonic is the nickname for the regional orchestras ranging from the North Bay down to the Central Coast of California, and East to the Central Valley. Even though these orchestras are hundreds of miles apart from each other, roughly the same group of mostly Bay Area-based musicians travels every weekend from orchestra to orchestra in order to scrape together a living. This is why it is called the Freeway Philharmonic: the musicians drive the many freeways every week, sometimes thousands of miles a month, in order to fill the orchestras. Filmmaker Tal Skloot premiered a documentary film with the same name in 2007. It follows the lives of seven freelance musicians who are still working in the Freeway Phil circuit today. <http://www.freewayphil.com/>.

cases, decided to move their funds to causes outside the classical music field after reading the publications. Importantly, both publications asserted that financial mismanagement was the central problem with the orchestras. This is true insofar as more money means more money to spend. My goal for this project was to provide a historical context for the bankruptcies, and that by understanding the bankruptcies, I could suggest alternate frameworks for the future.

Partially because of the effects of the COVID-19 pandemic, this project has taken on new meaning in its final months. This project is political; I am invested in understanding the failures and intrinsic issues and problems of my industry in order to become a better advocate for orchestral musicians in the future. I seek to understand the historical precedents that were set over the course of the twentieth century, and how artistic goals for orchestras in the 1960s and 1970s created financial imperatives that in many ways precipitated the downfall of orchestras not only in the Bay Area but across the country. I focus on the orchestra industry at the end of the twentieth- and beginning of the twenty-first centuries through a focused lens on a number of site-specific case studies, although many of the problems orchestras face today are similar to those in the examples from in this project. My goal is to understand how our historical assumptions have shaped the way the orchestra industry functions, and to provide suggestions and possibilities that can create a sustainable system for the future. I seek to challenge the common perception that orchestras should find a way to fit into the market economy if they are to survive and argue that orchestras can retool their operations to focus on local communities in the effort of providing musical entertainment, education, and community for local residents. If there is one lesson for orchestras during the COVID-19 pandemic, it is that there is little that can actually replace live music.

The Shift of the 1960s-1970s

One of the central questions in this project is why professional orchestral musicians have struggled to make a living at their workplaces. I seek to understand the economy of orchestras and their larger socio-economic position within the United States, rather than viewing them through the lens of capitalist economics. The question of whether musicians could expect to earn a living wage in suitable work environments has a long history. Haydn famously wrote his “Farewell Symphony” in 1772 as a musical protest to his employer, Prince Nikolaus Esterhazy, in order to advocate for the court musicians. They wanted to be able to leave the palace to visit their families, but the prince expected them to remain in their summer palace. After the Farewell Symphony performance, the court, including the musicians returned home to the musicians’ families.⁵ Centuries later, in 1955, Helen Thompson, one of the founders of the American Symphony Orchestra League (now the League of American Orchestras), and later the manager of the New York Philharmonic, argued that it would be impossible for any orchestra to pay its musicians a livable wage. She asserted that it was not the orchestra employer’s responsibility to provide a living wage to their employees because there was not nearly enough income, or audience demand to offset this desire to provide full-time employment to the musicians.⁶ She asserted that only when audiences were willing to support orchestra musicians would musicians be able to earn a living wage, Until then, “serious-minded, solid-thinking musicians and orchestra lay workers in cities all over the nation are prepared to continue to invest endless time and effort in developing the best possible orchestras with the talent and very limited funds now available to them, thereby contributing immeasurably to

⁵ James Webster, *Haydn’s “Farewell” Symphony and the Idea of Classical Style: Through-Composition and Cyclic Integration in his instrumental music*, (Cambridge: Cambridge University Press, 1991).

⁶ Helen M. Thompson, “A Living Wage,” *Music Journal*, January 1, 1955, 14, 56-58.

America's cultural development."⁷ The question of whether an orchestra should (or is remotely capable) of paying a livable salary persists well into the twenty-first century. Nonprofits rarely earn enough income from their product (in orchestras' cases, the performances) to pay their musicians anything close to a living wage, even with the pervasive expansionist tendencies of most symphony orchestras.

Orchestras in the 1960s and 1970s in the United States have been extensively chronicled in the United States because of the important cultural shifts that occurred during that time.⁸ Central to this project has been the passage of Proposition 13 in California in 1978, which dramatically slowed income from property taxes in California. State legislators were forced to slash funding for the arts in the schools across the state, and California education ratings plummeted. I will discuss the effect of Prop 13 in the chapters that follow, but it is worth noting that although orchestras do not receive much state funding relative to their budgets, the effects of tax codes were felt both indirectly and directly. These two decades had an enormous effect on the operations and futures of orchestras across the country. Many of the changes made during this time period by orchestra leaders, music union leaders, philanthropic organizations, and government tax codes would have a disproportionate effect on decisions orchestras would make decades in the future.

⁷ Helen M. Thompson, "A Living Wage," *Music Journal*, January 1, 1955, 58.

⁸ For more on the history of the financial issues facing orchestras in the United States, see Philip Hart, *Orpheus in the New World: The Symphony Orchestra as an American Cultural Institution*, (New York: W.W. Norton & Company, 1973). See also, Dick Netzer, *The Subsidized Muse: Public Support for the Arts in the United States*, (Cambridge: Cambridge University Press, 1978). See also, Robert Flanagan, *The Perilous Life of Symphony Orchestras: Artistic Triumphs and Economic Challenges*, (New Haven: Yale University Press, 2012). The seminal study on the financial precarity of arts organizations in the United States, that brought attention to the issues facing nonprofit arts institutions is William J. Baumol and William G. Bowen, *Performing Arts—The Economic Dilemma: A Study of the Problems Common to Theater, Opera, Music and Dance*, (New York: The Twentieth Century Fund, 1966).

I draw attention to this time period even though the times of conflict in my case studies occur decades later because this era fundamentally altered how orchestras operated, how musicians saw themselves as working professionals, and in terms of audiences, who supported and paid for orchestras, and who listened to the concerts.

The shifts mentioned above certainly had an effect on regional California orchestras, but there were other changes during this time that affected orchestral practices more broadly across the country. The economic prosperity of the post-World War II era helped create an influx of corporate funding from major foundations focused on the arts. This included the Ford Foundation, which donated hundreds of thousands of dollars to the Oakland Symphony, as well as several other philanthropic institutions that donated to the arts.⁹ The US government also created the National Endowment for the Arts in 1965, which began to contribute to orchestras.

After World War II, the GI bill was introduced to pay for veterans' college educations. So many soldiers decided to go to college, which meant that universities had money from the government to expand their degree programs. This included music. Universities developed conservatory-style music programs that trained musicians for professional musical careers. Universities also developed new degree programs, including the Doctor of Musical Arts (DMA) which was first recommended in 1952 and approved in 1953 by NASM, the National Association of Schools of Music.¹⁰ The DMA was the performance-based terminal degree counterpart to the more academic terminal PhD degree, including a new PhD in music composition. These two degrees created a growing pool of highly-educated musicians and

⁹ Michael Sy Uy, *Ask the Experts: How Ford, Rockefeller, and the NEA Changed American Music*, (Oxford: Oxford University Press, 2020).

¹⁰ Marvin E. Latimer Jr., "The Nation's First D.M.A. in Choral Music: History, Structure, and Pedagogical Implications," *Journal of Historical Research in Music Education*, 32/1 (October 2010), 20-21.

composers who were looking for work. The cadre of music graduates meant that an increasing number of music graduates were looking for work in the fields they studied. Most of them sought this work in the orchestra industry. As a consequence, orchestras found themselves with an oversupply of qualified musicians, who were often forced to play in amateur or semi-professional orchestras because there simply were not enough positions for all the musicians who wanted them. Orchestral musicians who were frustrated with how their union did not allow musicians to sit at the negotiating table led them to successfully petition the American Federation of Musicians to support a new labor conference in the AFM. The International Conference of Symphony and Opera Musicians, or ICSOM, was designed specifically for orchestras that were either full-time or nearly full-time employers. ICSOM provided a support network for musicians across the country to learn from each other and work to create more adequate working conditions and wages. ICSOM and later, the Regional Orchestra Players Association (ROPA) and the branch of AFM leadership, Symphonic Services Division, worked together to encourage orchestral musicians to fight for higher wages and more robust employment and support. The regional orchestras were not able to support paying their musicians a living wage before this time, and the economy of orchestras in the United States was not the massive endeavor that it is today. The union members negotiated with orchestra leadership teams, with a board of mostly businesspeople who had no idea how to run a nonprofit, and administrators who were often musicians or artistic types who did not have the background to make smart business decisions, to consider their orchestras as businesses who needed to pay their musicians a living wage.

During the 1960s-1970s, many of the smaller regional orchestras were starting to professionalize their organizations, which meant that they shifted from being an amateur or semi-professional orchestra that would pay only some (if any) of the members, and instead

became populated by local musicians who sometimes worked professionally, or other times, worked as music teachers, or even had another career altogether in addition to playing music. Orchestras attempted to shift their roles from entertainment providers to centers for education and community outreach in addition to their performances. The “democratization” of classical music in this manner sometimes backfired, particularly in the case of regional orchestras, and eventually led to several US orchestras filing for bankruptcy in the 1980s-early 2000s.¹¹

The 1960s and 1970s also fundamentally changed how orchestras operated in the United States, with major shifts in funding and philanthropic activity (partially related to tax codes),¹² labor practice and politics, political and social shifts, and the expansion and professionalization of all levels of symphony orchestra organizations. Orchestra leaders found themselves straddling the uneasy boundaries between the business of generating income from concerts, finding funding for their steadily increasing budgets, retaining their loyal audiences, and attempting to democratize their organizations in the name of social service. Mark Clague, writing about the nineteenth-century foundations on which twenty-first-century American orchestras are scaffolded, asserts that orchestras’ shifted from their nineteenth-century corporate ideology to nonprofit organizations in the twentieth century “combined the income-generating aspirations of a business with the social-service aspects of a charitable organization in what has come to be known as social enterprise.”¹³ Clague asserts that orchestras were used as a site of entertainment, of course, but also as a site of social power and prestige. This

¹¹ This can be juxtaposed with the “sacralization” of musical taste, as discussed by Ralph P. Locke. See Ralph P. Locke, “Music Lovers, Patrons, and the ‘Sacralization’ of Culture in America,” *19th-Century Music* 17, no. 2 (Autumn, 1993), 149-173.

¹² For more on how tax codes affected orchestra philanthropy, see Rachel Vandagriff, “American Foundation for the Arts,” *Oxford Handbooks Online*, April 2015, DOI: 10.1093/oxfordhb/9780199935321.013.112.

¹³ Mark Clague, “Building the American Symphony Orchestra: The Nineteenth-Century Roots of a Twenty-First-Century Musical Institution,” in John Spitzer, ed., *American Orchestras in the Nineteenth Century*, (Chicago: University of Chicago Press, 2012), 29.

assertion held true through the twentieth century, but the following chapters show that orchestras in the twenty-first century did not retain their social capital as much as they had decades prior.

The bankruptcy filings of orchestras across the country starting in the 1980s marked the continuation of financial models, organizational principles, and ahistorical ideals from the middle of the century. At the same time, there was a change in philanthropic desires of the country's ultra-wealthy, away from classical music and fine arts, and toward more globalized endeavors, such as clean water, cleaner energy, education, and environmental changes. Global philanthropy was influenced by the desire to aid the world's people, but also due to the influence of neoliberalism and globalization of the world's economy after the rise of Reaganomics and Thatcherism, bespoke terms for neoliberalism in the United States and United Kingdom.¹⁴ Although there was an increase in the number of music graduates who were looking for work, audiences at orchestra concerts were in a state of decline from where they had been in the 1960s. Many of the problems that led to orchestra bankruptcies were not a natural consequence of market forces on arts organizations, but rather an collective embrace of the idea that led to unrealistic goals from not only among orchestra management, but by musicians and audiences alike. Without the ability to generate enough income to offset operations costs, it was difficult for the two orchestras in this study to assert their value at the end of the twentieth century.

In this study I refute the assertion that orchestras have failed because of financial mismanagement and their inability to function within the market economy. I argue that although it is convenient to look at the numbers and extrapolate from there, these are not the

¹⁴ David Harvey, *A Brief History of Neoliberalism*, (New York: Oxford University Press, 2005).

best metrics to understand why orchestras cease operations. Instead, I trace the failure through multiple shifts that occurred decades before the orchestras filed for bankruptcy, with the goal of creating a more holistic understanding of why orchestras found it so difficult to continue operations. The assumption that orchestras should function within the market economy was misguided and often self-destructive, because orchestras' budgets were primarily sourced from philanthropic donations rather than income derived from ticket sales. In the case of the Oakland and San José Symphonies—the two orchestras I examine in this dissertation—their appeals to the public and potential donors overshadowed any other potential changes they could have made to the structures and operations of their organizations, including changes that could have created more stability and longevity.

It seems that there has been a detachment by the ultra-wealthy from the expectation that with the accumulation of wealth there are moral and ethical responsibilities to give back to one's local community. Instead, what we have witnessed is that wealthy individuals in the Bay Area and across the United States who might have become local arts philanthropists have globalized their efforts. The prestige associated with supporting one's local community has diminished since the rise of neoliberalism and globalization, and orchestras very much live out this shift as they struggle to find new ways to attract donors.¹⁵ The influence of changing economic and cultural ideals, including neoliberalism, fomented in part by the rise of globalization, have set the ideological context for the problems and assumptions that arose within orchestra leadership and the American Federation of Musicians internally, and philanthropic organizations and individuals externally. The AFM described the musicians and their performances as both labor and the product, thereby asserting that they were the means of

¹⁵ David Harvey, *A Brief History of Neoliberalism*, (New York: Oxford University Press, 2005), and Manfred B. Steger and Ravi K. Roy, *Neoliberalism: A Very Short Introduction*.

production and the product itself. Philanthropic organizations and wealthy individuals, to whom orchestras were attempting to appeal, shifted their focus toward global impact rather than investing in their local communities. The philanthropic dollars that had historically funded orchestras started to dry up at precisely the moment when the leaders of many orchestras pushed for growth, creating an unsustainable situation.

The bulk of literature on the state of orchestras in the United States has focused on the financial problems orchestras face. I argue that financial mismanagement is a symptom of larger cultural shifts, rather than the primary cause for orchestra failures. By analyzing the historical precedents and common assumptions about how an orchestra should be run in order to appeal to the imagined twenty-first century audience, I offer a new and more complete understanding of why orchestras are struggling and how they might be made sustainable. By restoring the identities of orchestras as community-oriented nonprofit arts institutions organized around new success metrics, rather than market-driven enterprises goaled around growth, I argue many orchestra failures including the ones detailed in this study could be avoided.

The study of classical orchestral music as institutions in the United States has been examined and discussed in musicology mostly by using the largest orchestras in the country. These institutions are the default because they represent the most successful examples of what an orchestra can be, in financial terms, at least. These orchestras have benefitted from a century or sometimes almost two centuries of patronage, growth, and prestige, resulting in their funding often coming from far outside their local communities.¹⁶ The desire for most professional

¹⁶ In the twentieth century, major funding for the arts has come from foundations. For more on foundations, see Ben Negley, “‘First of All You Need a Good Foundation:’ The Ford Foundation’s Program for Symphony Orchestras,” (PhD Diss, UC Santa Cruz, 2019). See also, Michael Sy Uy, *Ask the Experts: How Ford, Rockefeller, and the NEA Changed American Music*, New York: Oxford University Press, 2020. See also, Rachel Vandagriff, “American Foundations for the Arts,” *Oxford Handbooks Online*, 2015, 14. DOI: 10.1093/oxfordhb/9780199935321.013.112. For a history of orchestra patronage in the

orchestras, regardless of current size, is to become a full-time orchestra. It is not a new desire, but ranges back to the creation of professional orchestras in the nineteenth century. Lawrence Levine address this desire in his seminal work, *Highbrow/Lowbrow*, asserting, “when in 1889 C. Norman Fay, a Chicago businessman asked [Theodore] Thomas, “Would you come to Chicago if we could give you a permanent orchestra?” Thomas answered without hesitation, “I would go to hell if they gave me a permanent orchestra.”¹⁷ Thomas’s desire, which would be granted in the creation of the Chicago Symphony Orchestra in 1891, was to be corroborated and aspired to across the country over the following century.

In this project I look at two regional orchestras in the Bay Area, the Oakland Symphony and San José Symphony, who expanded their operations far past their capacity until they were forced to file for bankruptcy in 1986 and 2002, respectively. Although the two orchestras are only forty miles away from each other, the reasons for and effects of their bankruptcy filings were felt in dramatically different ways. I chose these two case studies precisely because they are so near to each other, so many of their problems were similar, and yet many factors and their results were quite different from one another. The events that transpired in the two orchestras are similar to many regional orchestras across the country at the end of the twentieth century. The numerous causes of rapid expansion in US orchestras, as well as the auxiliary factors that precipitated eventual bankruptcy filings were exacerbated by regional, and sometimes very local shifts, but also by national trends occurring across the United States.

United States before the twentieth century, see John Spitzer, editor, *American Orchestras in the Nineteenth Century*, (Chicago: University of Chicago Press, 2012). For more on the early history of orchestras, see John Spitzer and Neal Zaslaw, *The Birth of the Orchestra: History of an Institution, 1650-1815*, (New York: Oxford University Press, 2004).

¹⁷ Quoted in Lawrence Levine, Lawrence Levine, *Highbrow/Lowbrow: The Emergence of Cultural Hierarchy in America*, (Cambridge, MA: Harvard University Press, 1988), 116.

The case studies in this project take a different approach from the norms in the field, by departing from the large orchestra as ideal case study. Instead, I shed light on the smaller, community-driven regional orchestras. I follow the bankruptcy filings of two regional orchestras in the Bay Area, the Oakland and San José Symphonies. But this dissertation is not strictly about bankruptcy. The changes that arose from the shift in the 1960s and 1970s, which affected the way orchestras were funded, how they ran their operations, who attended concerts, how the musicians conceived of their work in the labor market, and finally, the effects on the entire supply chain of would-be orchestral musicians. These shifts eroded the traditional supporting structures on which orchestras relied and led to new pressures that required adaptation to survive. The Oakland and San José Symphonies failed to adapt to their changing arts ecosystem, but their failure was not inevitable. The bankruptcies of the Oakland Symphony in 1986 and the San José Symphony in 2002 were symptoms of several larger issues and shifts that occurred sometimes decades before these orchestras' bankruptcy filings and led to a cascading series of decisions that eventually made operating the orchestra untenable.

In the 1980s orchestras, nearly all of them nonprofit institutions, had to reevaluate their role in their communities. Some of the large corporate foundations who had taken an interest in US orchestras during this time encouraged educational activities in the orchestras. As a result, orchestras expanded their current programming and added education and outreach programs to their operations, thereby blurring the lines between their roles as performance versus educational institutions. The education programs were also designed to offset the disinvestment in music at public schools across the country, another important part of the shifts taking place in the latter half of the twentieth century. These expansions of their mission altered the role of orchestras in their communities. Of the many reasons for their changing roles, they could not cite a lack of potential monetary support available to them. The Bay Area is one of the

wealthiest regions in the United States and has more than enough wealthy inhabitants for whom financially supporting a regional orchestra would not be a burden. However, orchestras did not have clarity in their mission and vision for their communities, there was sometimes strife between labor and management, a warning sign for would-be donors, and the larger communities that orchestras served were not always interested in the product. Some orchestras are struggling as a result of the choices they made in the 1960s and 1970s, and others are thriving because of them. The orchestras that had a clear sense of their mission and capabilities are usually the groups that are still in business, whereas the orchestras that did whatever they could to earn money rather than adhering to a clear sense of their purpose and goals deeply affected the longevity and sustainability of their organizations.

Bankruptcies are often portrayed as the dire fate of failed organizations in the US capitalistic imagination. They are thought to be the result of a business that could not function within market forces of the capitalistic system. They are considered to be a way to get out of one's debt and move on to a different endeavor. Organizations are expected to grow continuously, and when they are no longer able to meet their operating cost expectations, the choice is often to file for bankruptcy. It is very difficult to decrease budgets in orchestras because of the union-negotiated collective bargaining agreements with pay rates that are difficult to slash. Rather than try to decrease their budgets to ensure institutional longevity, managements will sometimes make the decision to file for bankruptcy, often leaving a trail of unpaid debts behind.

The problems facing orchestras are complex and tied to larger issues in society that make the stability of many non-profit organizations so tenuous. This is partially due to the fact that most of our metrics for success for institutions are related to monetary profit. As a society we do not yet have a respected metric for valuing cultural contributions over financial

contributions. This has left many regional orchestras struggling to articulate their value in a way that resonates with a wide-enough portion of their communities, leading to orchestra and other arts funding being one of the first budget categories to be cut when tax dollars are allocated, and leaving many wealthy philanthropists choosing to invest their dollars elsewhere.

Methods and Materials

This project draws from multiple disciplines as a matter of necessity, taking an intellectually holistic vision of the orchestra field. As I argue above, orchestras' futures are usually considered primarily in terms of their economic contributions and structural financial realities, rather than a more cultural viewpoint that prioritizes different metrics of value and success, so I have chosen to engage with scholarship outside my field in order to try to understand the precedents that led to bankruptcies. I use a multidisciplinary methodology to analyze the many complex intersections of labor, management, business, economics, philanthropic studies, and sociology within local communities in order to create a more complete picture of why some orchestras filed for bankruptcy while others continued to expand their operations.

Each of the scholarly fields mentioned below provides valuable information and thought-provoking arguments, but they are not often in clear dialogue with one another. Sometimes the result of writing within the framework of one discipline leads to arguments that do not work in another discipline. In the world of orchestras, when so many people are trying to “fix” orchestral institutions through the methodological practices of their own backgrounds, I argue that understanding the many complex and interwoven factors that led to how orchestras function today can create a path toward the future and a sustainable model for regional orchestras in the United States.

I draw from six general disciplinary categories in this work. First, I draw from musicological and historical scholarship to contribute to our understanding of orchestras in the United States, and the Bay Area music world. I utilize the work of Andrea Moore, Marianna Ritchey and Will Robin, three prominent musicologists working on neoliberalism in classical music.¹⁸ Second, I draw from economic theorists who have written about the financial issues orchestras face, as well as orchestras' place within the capitalistic framework in the United States. Third, I look at work by labor historians, and publications from labor unions in order to understand the perspectives of laborers and musicians at the time. Fourth, I draw from publications by consultants, managers, and public musicologists who are all concerned with the business of orchestras and creating a system of branding and marketing in the spirit of innovation and leadership. Fifth, I utilize source documents from many of the foundations involved in supporting orchestras during this time period, from Ford Foundation papers to publications from the NEA, Wallace Foundation, Rockefeller Foundations, and others. Finally, I utilize archival sources from archives in the Bay Area, as well as the archival materials from musicians who were members of the orchestras in this study. I am particularly interested in correspondence and journalism from the time, as it illuminates what information and news the public was receiving about labor conflicts and bankruptcies as they were unfolding. Archival correspondence and materials from orchestras at the time are useful because they are not affected by the changing of memories over time.

¹⁸ Andrea Moore, "Neoliberalism and the Musical Entrepreneur" *Journal of the Society for American Music*, 10, no. 1(2016), 33-53. See also, Marianna Ritchey, *Composing Capital: Classical Music in the Neoliberal Era*, (Chicago: University of Chicago Press), 2019. See also, William Robin, "Balance Problems: Neoliberalism and New Music in the American University Ensemble," *Journal of the American Musicological Society* 71, no. 3 (Fall 2018), 749-793.

The Bay Area and Case Studies

The Bay Area is a fruitful geographic region for study due in part to the high density of regional orchestras. The area is defined by the many small cities and towns that comprise the greater region. Many of the larger metropolitan areas have their own orchestra, with varying budgets, levels of professionalism, and varying season offerings. Additionally, the Bay Area is one of the wealthiest regions in the country, and therefore has the ability to support orchestras from a financial standpoint. The Bay Area is one of the centers of the technology industry in the United States. The founders of tech companies in the late twentieth century often came out of a mid-century cultural ethos that prioritized philanthropy as a social imperative. As a younger generation of founders created their start-ups and made their money in the 1980s and 1990s, the goals of their philanthropy changed.

When considering nineteenth-century cultural life the San Francisco Bay Area, classical orchestral music is hardly the first thought that comes to mind. “To many, the Barbary Coast’s unbroken hum of melodeon, piano, Mexican orchestra, and singer was only San Francisco’s brawling night voice,” write the authors of *San Francisco in the 1930s: The WPA Guide to the City by the Bay*.¹⁹ Raucous, bawdy bar music was indeed an important part of the musical landscape of San Francisco and surrounding environs. But classical music helped shape the Bay Area’s musical voice as well. Most prevalently, *opera buffa* and *opera seria* were highly influential in the late nineteenth century, and opera singers enjoyed the adoration of their thousands of fans. In January 1904, two years before the 1906 earthquake, the famous diva Adelina Patti sang for her long-adoring fans at the opera house. “San Francisco, represented by its wealth, beauty, culture, and education,” writes a journalist for the *San Francisco Call*, an Early San Francisco newspaper

¹⁹ Federal Writers Project of the Works Progress Administration, *San Francisco in the 1930s: The WPA Guide to the City by the Bay*, (Berkeley: University of California Press, 2011), 145.

“once again laid a tribute at the feet of the Queen of Song last night, when Mme. Adelina Patti, Baroness Cederstrom, reappeared at the Grand Opera-house in the first of her farewell concerts in this city.”²⁰ Adelina Patti was a crowd favorite in San Francisco, and returned to the city often. The San Francisco Opera, founded in 1923, was one of the first opera companies on the west coast, but audiences there were able to listen to opera dating back to 1851, two years after the gold rush began. Several important composers came out of the Bay Area, including Henry Cowell,²¹ and many others have composed important works while living in the Bay Area. Ernst Bloch wrote *America*, a rhapsody, when he was director of the San Francisco Conservatory of Music, and Ferdinand Grofe wrote the *Grand Canyon Suite* when he was living in San Francisco.²² Far from being merely a miner town in the Wild West, San Francisco and the rest of the Bay Area residents have a close connection to the “highbrow” arts and music.

A strong cadre of amateur musicians had always served an important role in the Bay Area. They donated their time to making music even when there was not a European-style orchestra or organized professional music organization in their area. Nearly all of the professional orchestras in the region had been created as amateur groups, a space for musicians to play the “masterworks” amid members of their community. “Home music makers in San Francisco often aspire to the highest professional standards,” asserted the authors of *San Francisco in the 1930s: The WPA Guide to the City by the Bay*. “Amateur groups frequently meet to forget the tensions of the day in the sanity of Brahms or Bach, or in the world of local

²⁰ “Adelina Patti, Queen of Song, Reappears at Opera-House and is Welcomed with Plaudits and Tributes of Flowers,” *San Francisco Call*, vol. 95/no. 39, January 8, 1904. <https://cdnc.ucr.edu/cgi-bin/cdnc?a=d&d=SFC19040108.2.60.1&e=-----en--20--1--txt-txIN-----1>.

²¹ Henry Cowell was born in Menlo Park in 1897, close to the Stanford campus that was just being built. For a biography, see David Nicholls and Joel Sachs, “Cowell, Henry,” *Grove Music Online*, October 16, 2013, Accessed 1 December 2020, <https://doi-org.proxy.library.ucsb.edu:9443/10.1093/gmo/9781561592630.article.A2249182>.

²² Federal Writers Project of the Works Progress Administration, *San Francisco in the 1930s: The WPA Guide to the City by the Bay*, 145.

composers. Both the playing and the composing are marked with a strong beat of self-reliance, in whose echo can be heard the promise of San Francisco's musical future."²³ Amateur musicians happily performed orchestral works and believed that these orchestral works could lift the players out of the drudgery and mundanity of their daily lives, as well as provide them with an uplifting musical experience, which places classical music at the top of a clearly-delineated musical hierarchy. There were orchestras in the Bay Area from 1879, when one of the orchestras in this case study, the San José Symphony, was established.

The Oakland and San José Symphonies were not the only orchestras to file for bankruptcy at the end of the twentieth and beginning of the twenty-first centuries. Throughout the United States, several orchestras filed for bankruptcy in the latter part of the twentieth century and then re-formed as new organizations, sometimes under the same leadership, and other times as completely new entities. In addition to the two orchestras discussed in this dissertation Oakland Symphony in 1986 that re-formed as the Oakland East Bay Symphony in 1988, and San José Symphony in 2002 that re-formed as Symphony Silicon Valley in the same year, the San Diego Symphony filed for bankruptcy in 1996, but reorganized under the same name in 1998, and the Sacramento Symphony filed for bankruptcy in 1997 and re-formed as the Sacramento Philharmonic & Opera in the same year, and was later "redeveloped" in 2015.²⁴

Similar bankruptcies were filed across the United States at the end of the twentieth and beginning of the twenty-first centuries. Some examples reveal how these West Coast orchestras were part of a persistent national trend. The Alabama Symphony in Birmingham filed for bankruptcy in 1993 and re-formed in 1994 under the same name, due to the efforts of "Ten

²³ Federal Writers Project of the Works Progress Administration, *San Francisco in the 1930s: The WPA Guide to the City by the Bay*, 145.

²⁴ "Our History," Sacramento Philharmonic & Opera website, <https://www.sacphilopera.org/about/about-sac-philharmonic-opera/>.

Birmingham women guaranteed a loan from SouthTrust Bank for the purchase of the orchestra's tangible assets."²⁵ The Tulsa Philharmonic filed for bankruptcy in 2002 and re-formed as the Tulsa Symphony in 2006. The Florida Philharmonic filed for bankruptcy in 2003, but never re-formed.²⁶ The Honolulu Symphony filed for Bankruptcy in 2009, re-forming as the Hawaii Symphony Orchestra in 2010. The Louisville orchestra filed for bankruptcy in 2010, but has since come back stronger than before, under the direction of conductor Teddy Abrams.²⁷ The Syracuse Symphony filed for bankruptcy in 2011, and re-formed as a musician-owned orchestra, called Symphoria.²⁸ The New Mexico Symphony Orchestra in Albuquerque filed for bankruptcy in 2011, and re-formed as the New Mexico Philharmonic a few months later. Not to mention one of the largest orchestras in the country, the Philadelphia orchestra, which filed for bankruptcy in 2011, but was able to come back after being restructured. Additionally, many orchestras across the United States including the San Francisco Symphony and more recently the Chicago Symphony, have engaged in sometimes months-long strikes in favor of better wages and working conditions. The conflict between musicians and management is a continual issue that likely will not be resolved with surety until a better system is put into place. Many of

²⁵ "The Official History of the Alabama Symphony Orchestra," Alabama Symphony website, https://alabamasymphony.org/uploads/documents/ASOHistory_1718.pdf. Women's committees were crucially important volunteer organizations that worked to improve and expand their local orchestras. For more about women's volunteer musical organizations, see Whitesitt, Linda. "The Role of Women Impresarios in American Concert Life, 1871-1933." *American Music* 7/2 (Summer 1989), 159-180. <https://www.jstor.org/stable/3052201>.

²⁶ After the bankruptcy of the Florida Philharmonic, the Cleveland Orchestra took a Miami residency, and since then, there has been a lacuna of orchestras in the south Florida region.

²⁷ Bert Witzel, "Partly Sunny Skies in Louisville," *Senza Sordino*, March 2018, <https://www.icsom.org/senzasordino/2018/03/partly-sunny-skies-louisville/>.

²⁸ Melinda Johnson, "Symphoria is announced as name of Syracuse's new orchestra at holiday concert," *Syracuse.com*, December 15, 2012, https://www.syracuse.com/news/2012/12/symphoria_is_announced_as_name.html#:~:text=Symphoria%20is%20announced%20as%20name%20of%20Syracuse's%20new%20orchestra%20at%20holiday%20concert,-Updated%20Mar%202022&text=Syracuse%20%2D%2D%20With%20much%20fanfare,Theatre%20of%20the%20John%20H.,and%20Symphoria%20website,http://experiencesymphoria.org/.

these orchestras had received large influxes of funding at the end of the twentieth century, including funds from the Foundations discussed in this dissertation.

The list above, though extensive, is not a complete accounting of US orchestras that filed for bankruptcy around the final decades of the twentieth and first decade of the twenty-first. Nevertheless, it illustrates several points about the orchestral economic landscape. First, most of the orchestras above gave themselves an almost identical name as their bankrupt predecessors. This signifies the pride of place, and tie to civic identity that most orchestras are founded upon. If they don't have the anchor of their community to rely on, then what is their brand? An orchestra's professional connection to specific places is one of the reasons why there are often ensembles in neighboring cities, even when there isn't enough demand to justify both orchestras from a financial standpoint. Second, the fact that the orchestras were able to restructure so quickly indicates that bankruptcies could have been a decision made in order to throw out the old structure (and CBA) rather than acknowledging that the business behind the ensemble did not work. If orchestras are a business, they have to function within the economy, and the institutions make it very clear that they do not view their value in terms of supply and demand. Third, many of these orchestras received extensive funding in the middle decades of the twentieth century, which often led to expanded seasons and higher wages. In some cases, including my case studies, their bankruptcies could be traced back to the influx in funding that allowed them to expand beyond sustainable operations. When the funding ran out, the orchestras could no longer support their expanded budgets, so they filed for bankruptcy and started anew, with a fresh name and fresh contract with their musicians. Finally, orchestra bankruptcies are often viewed "as an assault on Beethoven and Brahms," argued Washington Post music critic Anne Midgette. In classical music, she asserted, "there seems to be a belief that every single institution is worthy of preservation, even though the logical extension of this

would be a landscape so littered with old institutions, shored up beyond their actual useful life, that there would be no room for anything new.”²⁹ Midgette implicitly raises the question of the importance of innovation in orchestral organizations, and questions whether it is really such a terrible loss for some orchestras to file for bankruptcy. Every type of business has versions that cannot make it. Sometimes it is because the business model is flawed, or because people do not want what the business is offering.

The Business of Orchestras

How orchestras make money should be a separate calculation from their mission and visions, but quite often they are one and the same. North American orchestras might want to find a way forward into the twenty-first century and beyond, but they also want to preserve many of the elements of their organizations that no longer work financially. These orchestras have adopted a business model that evolved rapidly in some respects, including budgets, fundraising, season lengths, but quite slowly in other respects, such as repertoire, audience, and marketing. Should orchestras adhere to the ideological (and often, imagined) frameworks of centuries-old institutions, when in reality orchestras’ organizational structures have been predicated on changes created only in the middle of the twentieth century? Or should orchestras focus on innovation to the point of dissolving their structures as they are in order to adhere to the neoliberal obsession with innovation, entrepreneurs, monetization, and commerce? Not all orchestra bankruptcies are necessarily a bad choice for organizations that no longer work. Just as with any business in a capitalist economy, businesses open, and businesses

²⁹ Anne Midgette, “People are upset when an orchestra closes. If only they went to the concerts,” *Washington Post*, July 19, 2019. https://www.washingtonpost.com/entertainment/music/people-are-upset-when-an-orchestra-closes-if-only-they-went-to-the-concerts/2019/07/19/67b2d188-a983-11e9-9214-246e594de5d5_story.html.

close. To compare corporations with orchestras is not an exact match, but it is important to understand the conflict within these musical institutions.

The orchestras I analyze in this dissertation enjoyed large successes during their most popular seasons and were lauded as up-and-coming orchestras in the country. Indeed, the Oakland Symphony had a budget similar to the San Francisco Symphony before the completion of Davies Hall in 1980,³⁰ and the San José Symphony was the oldest orchestra west of the Mississippi, having been founded in 1879.³¹ Both orchestras had aspirations of becoming a full-time professional ensemble, meaning that they staged a season that spanned nearly the whole year, and funded salaries that could support a musician, and perhaps even their family.

Orchestras serve a function of social prestige in the United States, partially because they serve as a vestige of European musical culture, and by proxy, the status and lineage of an aristocratic past. Several scholars have written about the idea of prestige and elitism in classical music.³² Both the Oakland Symphony and the San José Symphony found themselves in the shadows of the San Francisco Symphony, which had catapulted toward the top of American orchestras. The authors of *San Francisco in the 1930s: The WPA Guide to the City by the Bay* describe the Bay Area denizens' love for their musical institutions from the early twentieth century. When the financial situation became dire for the members of the San Francisco Symphony, the public stepped in. "Since its debut concert in 1911, the San Francisco Symphony had enjoyed more than local respect, under the successive direction of Henry Hadley, Alfred Hertz, Basil

³⁰ Melanie Beene, Patricia A. Mitchell, and Fenton Johnson, *Autopsy of an Orchestra: An Analysis of Factors Contributing to the Bankruptcy of the Oakland Symphony Orchestra Association* (San Francisco: Melanie Beene, 1988), Digital Reprint 2012, 12.

³¹ Dr. Thomas Wolf and Nancy Glaze, *And the Band Stopped Playing: The Rise and Fall of the San José Symphony*, (Cambridge, MA: Wolf, Keens & Company, 2005), 1.

³² Richard A Peterson, "The Rise and Fall of Highbrow Snobbery as a Status Marker," *Poetics* 25 (1997), 75-92.

Cameron, Issay Dobrowen, and Pierre Monteux.” But during the 1934-45 season, they write that “conditions became so acute that of the playing personnel only the director, concert-master and solo ‘cellist remained. The situation was remedied by taxpayers who gave a half-cent of every dollar that found its way into the municipal coffers.”³³ The San Francisco Symphony was the first orchestra to be supported by taxpayer money. This indicates the long-lasting support the San Francisco Symphony enjoyed, support that was quite rare among most orchestras and led for competing orchestras in the region. The Oakland and San José Symphonies were attempting to compete with the San Francisco Symphony, but the latter had a new hall, Davies Hall (completed in 1980), very strong leadership, world-famous conductors, and stronger funding, which meant that it could pay a salary that started to attract more and more talented musicians.³⁴

Both the Oakland Symphony and the San José Symphony had dedicated orchestra committee members, volunteers within the orchestra who served as a proxy between the union and the musicians. The Oakland Symphony was a member of ICSOM from 1975-1990,³⁵ and joined ROPA when they reconstituted in 1990. The San José Symphony was a charter member of ROPA.³⁶ Both of these players' conferences created a backbone for orchestra musicians, who had felt ignored by the musicians' union, the AFM. The Oakland Symphony Players Committee

³³ Federal Writers Project of the Works Progress Administration, *San Francisco in the 1930s: The WPA Guide to the City by the Bay*, (Berkeley: University of California Press, 2011), 143.

³⁴ Before the completion of Davies Hall, the budgets of the San Francisco and Oakland Symphonies were not dramatically different. However, with the prestige of a new hall, and conductors such as Seiji Ozawa, Edo de Waart, and Herbert Bloomstedt in the 1970s to 1980s, the San Francisco Symphony became a nationally-respected orchestra, and overtook the other orchestras in the Bay Area.

³⁵ Even though the Oakland Symphony filed for bankruptcy in 1986, they were listed as a member orchestra until 1990. ICSOM Member Orchestras by Year of Entry,” ICSOM history, https://www.icsom.org/history/docs/F_Member_Orchestras_by_Year_of_Entry.pdf, accessed May 12, 2020.

³⁶ “ROPA history,” ROPA website, http://ropaweb.org/wp-content/uploads/2016/06/2014_ROPA_History_Booklet.pdf

was a dedicated group of people who were passionate about receiving what they considered to be a fair wage.

There was a severe lack of transparency between the orchestra musicians and the board of directors, who were in charge of finance. The board members were struggling to keep up with rapidly growing deficits, a lack of funding due partially to orchestras adherence to decades-old models while the funding sources were looking to support organizations that aligned with their shifting visions. Orchestra committees in Oakland and San José saw the millions of dollars that had been poured into US orchestras, and their orchestras were situated in very wealthy communities. Without being able to see the financial information for their organizations because the boards refused to open the books, musicians assumed that there was plenty of money to go around. They also valued their work on a level higher than the community or the board was willing to pay, and boards did not have the ability to negotiate otherwise without full transparency.

Both orchestras did manage to return to the stage, albeit in different forms. The Oakland Symphony re-formed as the Oakland East Bay Symphony in 1988, and then later was able to take back the Oakland Symphony moniker. The San José Symphony became an entirely new orchestra, under new management, known as Symphony Silicon Valley. By the end of the protracted deaths of these two orchestras, the community by and large was not clamoring for orchestra concerts. Their communities were engaging in other artistic endeavors, and the orchestras did not shift to follow the demand. This is one of the big questions that plagues orchestra leaders today: how do they find and retain an audience? The Oakland Symphony and San José Symphony have found their ways back from bankruptcy by being one of the few orchestras that actually has a specific brand, the Oakland Symphony more than Symphony Silicon Valley.

Finally, both orchestras are representative samples of not only my arguments above, but also of the reality that orchestras (whether they want to believe it or not) do function within the economy, just not in terms of supply and demand. They are susceptible to the changes and shifts in society that occur on a constant basis. Orchestras saw massive changes in their budgets, structures, personnel, and place in society over the first half of the twentieth century. Up until the twentieth century, there were only a handful of professional orchestras in the United States in the first place.³⁷ There were several amateur orchestras, and many people played musical instruments in the home, but the full-time, civic professional orchestra did not exist outside of a few orchestras until the middle of the twentieth century. The era just before the bankruptcies of the Oakland and the San José Symphony created a new reality for orchestras so alluring that it became not only an aspiration, but for many, an expectation.³⁸ Orchestras are not immune to the shifts in economics or culture that occur on a constant basis, and even though they have been able to shift slightly, enough to fit into the margins of the current era, the model of what an orchestra should look like has not changed much since the 1960s. The pay scales have shifted, certain procedures have been altered slightly, but overall, the structure of an orchestra has remained static. This is a near impossibility for most corporations and businesses in the United States. When forced to compete in the marketplace, businesses have to change and adapt to meet the evolving needs of their customers. Orchestras in the

³⁷ For more on the history of specific orchestras in the United States, see Howard Shanet, *Philharmonic, A History of New York's Orchestra*, (New York: Doubleday, 1975). See also Donald Rosenberg, *The Cleveland Orchestra Story: "Second to None,"* (Cleveland: Gray & Co, 2000). See also, David Schneider, *The San Francisco Symphony: Music, Maestros, and Musicians*, (Novato, CA: Presidio Press, 1983).

³⁸ Professional orchestra musicians started to carry the expectation that the orchestras they played in should each attempt to become a full-time professional symphony orchestra that could pay a living wage. This is due in part to the education musicians received at conservatory and university music programs, as well as the creation of the International Conference of Symphony and Orchestra Musicians (ICSOM) and the Regional Orchestra Players Association (ROPA), which I discuss below.

United States have only slightly altered their business model in the last fifty years. It is unclear how much longer this model can last.

Chapters

My case studies of the Oakland Symphony and San José Symphony each cover two chapters. In the first chapters, I discuss their early histories up to the bankruptcy filings, and the second chapters are dedicated their aftermaths, and sometimes, rebirths. Although the two orchestras are Bay Area regional groups with many similarities, their bankruptcies illuminate very different problems and solutions.

Chapter Two is a history of the Oakland Symphony from its creation through the strike of 1985. The orchestra began its operations as a performance opportunity for high school-aged musicians, and eventually expanded to an amateur community orchestra, then a semi-professional ensemble, and finally became a professional regional orchestra with the aspiration of becoming a full-time professional orchestra. I discuss how the shifts in the 1960s and 1970s, most notably the Ford Foundation Symphony Orchestra Program grants and the decision to purchase the Paramount Theatre, had an enormous effect on the decisions both the Oakland Symphony Orchestra Association (the board and administration) and the Oakland Symphony musicians made during this time.

Chapter Three describes Oakland Symphony from the aftermath of the 1985 strike through their bankruptcy filing a few months later in the Fall of 1986. I analyze how the decisions made over the previous thirty years affected the eventual outcome of the orchestra in 1986, and the different decisions the musicians and administration made following the bankruptcy up to the re-formation of the group first as the Oakland Symphony Musicians' Association and then the Oakland East Bay Symphony.

Chapter Four begins with a history of the San José Symphony through its bankruptcy filing. Founded in 1879, the San José Symphony was the oldest symphony orchestra west of the Mississippi until it filed for bankruptcy 2002. The orchestra shared many similarities with the Oakland Symphony, both transforming from community orchestras that provided a place for amateurs to perform to nearly full-time regional orchestras. One crucial difference between the two orchestras was that the San José Symphony did not reorganize after filing for Chapter 7 Bankruptcy. This is due in large part to the creation of Symphony Silicon Valley in 2002, by Andrew Bales. The new orchestra was composed largely of musicians from the San José Symphony and promised a new vision of orchestral life in the twenty-first century South Bay.

Chapter Five analyzes the San José Symphony's bankruptcy and the creation of Symphony Silicon Valley. There was not a protracted labor strike in the orchestra, but rather a period of time between cancelling the season and filing for bankruptcy in which the organization did not have a clear plan for moving forward. As with the Oakland Symphony there was a lack of financial transparency that led to differing ideas for the future between both the musicians and the Association.

Finally, the Epilogue considers the orchestra industry in the context of the COVID-19 pandemic that effectively brought the live music industry to a complete standstill in March of 2020. The chapter offers some suggestions for further study, and ideas for the future of classical music. This project, as much as it is academic in nature, is also deeply personal. I retain an activist bent because I am deeply invested in the work that I do as a performer, and the value I think that this music has, not because it is better than other genres of music (which it is not) but because I want to share the joy I find in performing and listening to orchestral music.

It is my hope that by looking carefully at two regional orchestras' histories—not only in their final ill-fated seasons, but for decades prior—I can elucidate the many decisions that

contributed to an unsustainable model. I also hope to expose the problematic nature of the rhetoric that is becoming more and more common about monetizing orchestras so that they fit into the market economy. In the era of COVID, when this project was finished, countless panelists, public thinkers, scholars, managers, union leaders, and musicians have tried to figure out a way to fit orchestras into a capitalistic framework. This challenge has yet to be overcome, but by shifting the goals from growth to sustainability, updating the structure of orchestras to match the economic realities they face, and embracing a new definition of the cultural value orchestras provide, I believe a stable future for orchestras is achievable.

Oakland Symphony: Foundation to The Strike

Introduction

The roots of the Oakland Symphony, like most of the regional orchestras in the Bay Area, began with an amateur group, inaugurated in this case at the Oakland YMCA in 1913.³⁹ On September 12, 1986, the orchestra filed for Chapter 7 Bankruptcy, but re-formed as the Oakland East Bay Symphony in 1988. Between those two dates lies a circuitous path drawn through the triumphs of world-class conductors, musicians, and soloists, ASCAP awards, Ford Foundation Grants on the one hand, and serious labor disputes, conflicts between musicians, management, and the board, and severe financial mismanagement on the other. The Oakland Symphony Orchestra is one of the older orchestras in the Bay Area. Like many of its counterparts in the region, the Oakland Symphony grew and shifted dramatically over its seventy-three years of operation before filing for bankruptcy. Similar to many US corporations—whose prime directive is to grow and expand—the Oakland Symphony operated under these pretexts, but without functioning in the market economy. Whereas the orchestra expected linear growth in each successive season, the history of the ensemble is far from linear.

The first portion of this chapter provides a background to the important events that created fissures that led to the strike; these were small at first, but increasingly problematic and frustrating for all sides involved. The communication between musicians, board, management, donors, the government, and the public ruptured in the middle of the 1980s. I argue that miscommunications, which seemed banal and even unimportant, sprang from assumptions all

³⁹ Frank Wootten, “A History of the Oakland Symphony,” in *The Oakland Symphony Golden Season Ball Program*, 62-72. This is a slightly different figure than the Oakland Symphony’s website, which states that the Oakland Symphony was begun in 1933 (<https://www.oaklandsymphony.org/about-us/history-2/>).

the above groups held about orchestras, that arose generally in the 1960s-1970s. I show how the orchestra's expansion from an after school amateur orchestra for students into a nationally-renowned ensemble was made possible by specific decisions and people who had a vision for the group. Similarly, the musician strike and bankruptcy filing were influenced by similar assumptions by the same groups, but by the 1980s, the assumptions that held true decades before were no longer tenable.

This chapter traces the history of the orchestra from its inception through the resolution of the 1985 strike. The goal is to provide a backdrop for the labor conflicts that arose in the mid-1980s, and how the decisions of the board, management, musicians, the American Federation of Musicians, as well as the public, news outlets, and prevailing economic ideologies all contributed to the downfall of the orchestra. I show how many factors came into play to lead up to the 1985 strike. I seek to challenge the common narrative surrounding labor conflicts in orchestras, namely, that musicians were too greedy and there was no way orchestras could pay them a living wage. I also challenge trope of the "death of classical music" in the USA, and the implication that the music is elitist, does not serve the community at large, and people don't want to listen to it anymore, by analyzing events from the perspective of a larger shift in the United States during the 1960s and 1970s. These two decades precipitated the neoliberal shift of the 1980s, which had the effect of eviscerating union power, encouraging managements to alter the mission statements of arts organizations in terms of their economic impact and viability in the market economy, and brought to a head the question of whom orchestras actually served in their communities. I look at how the musicians, management, and board were talking about the conflict at the time, and I also take into account the larger cultural shifts happening in Oakland in the mid-1980s.

It is important to understand how many complex variables in the Oakland Symphony's history interwove to arrive at the intense conflict at the end of 1985. Therefore, I trace a history of the Oakland Symphony's inception until just before the strike in order to clarify how labor relations, board interests, managerial choices, relationships with the public, government and civic involvement, and philanthropic donations all interacted to create a situation that ultimately was alleviated by the symphony's bankruptcy filing (discussed in the following chapter). As I demonstrate here, seemingly benign choices from individuals sometimes interacted with other individual or group choices to create a complex alchemy of distrust, vitriol, and even apathy.

Oakland Symphony: Community Roots

As with most orchestras in the United States, the Oakland Symphony began as an amateur community orchestra, before eventually unionizing and becoming a fully-professional orchestra. However, it was not at any point a full-time orchestra, where musicians could support themselves through the income from the orchestra alone. The part-time salaries were hardly enough of a salary to support a single person, let alone a family.⁴⁰ Because of the orchestra's part time status, and the expansionist ideals that arose out of the socio-economic shifts during the 1960s-1970s, labor conflicts were relatively commonplace. Both the Association and the musicians wanted to create a bigger organization, but it was not clear precisely how that was going to be possible.

The ensemble was originally created to help young musicians "polish the music skills they learned in the city's public schools."⁴¹ The Oakland School Board donated \$10,000 toward

⁴⁰ Some couples in the orchestra attempted to support themselves with income from two symphony salaries, so the precariousness of their lives was augmented after the bankruptcy.

⁴¹ Wootten, "A History of the Oakland Symphony," 62.

instruments in 1913, which provided a boxcar of instruments from Elkhart, Indiana, “appropriately draped with a large banner proclaiming its contents.”⁴² It is highly likely that these instruments were provided by the C.G. Conn Instrument company, a prominent musical instrument manufacturer in Elkhart at the time, although there were several other companies that operated in this town as well.⁴³ The orchestra was populated by mostly high-school aged students until some of the alumni returned to the group. These young musicians were seeking an ensemble where they could continue to play locally, given the limited opportunities for community music-making in the region. In comparison, the San Francisco Symphony, a professional orchestra, was founded in 1911.⁴⁴ The new orchestra in Oakland was more focused on creating opportunities for the musicians within the group than on providing professional concerts of the highest caliber to the general public. By 1925, the orchestra became known as the YMCA Symphony Orchestra and would present concerts of light classical music in the lobby of the Oakland YMCA. The founding conductor, Edward Leslie, stayed with the ensemble until 1933 when Orley See stepped in as conductor.

⁴² Wootten, 62.

⁴³ C.G. Conn instruments were built in Elkhart, Indiana in the early twentieth century. Carl Greenleaf, who took over C.G. Conn Ltd., began the National School Band Movement, which is one of the reasons why Conn instruments are so widespread in school band programs. <https://www.conn-selmer.com/en-us/our-brands/cg-conn>. However, there were several other musical instrument companies in Elkhart at the time, often founded by Conn’s former employees. These included the Seidel Band Instrument Company, The Elkhart Instrument Company, the Martin Band Instrument Company, and E.K. Blessing Instrument Company, among others.

⁴⁴ Leta Miller discusses the early classical music scene in San Francisco, including many of the orchestras that existed at the end of the nineteenth and beginning of the twentieth century. See Leta Miller, *Music and Politics in San Francisco: From the 1906 Quake to the Second World War*, (Berkeley: University of California Press, 2011), Chapter 2, “The Politics of Class: The San Francisco Symphony, the People’s Philharmonic, and the Lure of European Culture (1911-1930).”

Orley See and Financial Expansion

Orley See was a violinist who had performed in Cincinnati under Leopold Stokowski before relocating to San Francisco to perform with the San Francisco Symphony under Alfred Herz and Issay Dobrowen. See quickly became a fixture in the Bay Area music ecosystem. He was the first conductor of the Vallejo Symphony, an organization that still exists, although it is one of the smaller regional orchestras. Maestro See was also an avid pedagogue, which helped him align his values to the educational goals of the YMCA Symphony Orchestra. He taught many students in the Piedmont area, where he founded the Wildwood Violin Choir to benefit his students. See is credited with being the founder of the Oakland Symphony because although he did not actively alter the personnel, he changed the name of the group from the YMCA Symphony Orchestra to the Oakland Symphony. The conductor borrowed scores from the San Francisco Symphony and asked his friends in the East Bay for support with this new project. His connections helped him with his goals to expand his orchestra.

Professional American orchestras rely on a combination of private and corporate support in order to function. This support often comes from a wide variety of sources. Many early orchestras in the United States shared the distinction of being funded by a single wealthy patron who wanted an orchestra in their area. Famously, the Boston Symphony Orchestra was founded by Henry Higginson in 1885, who controlled much of the orchestra's operations and daily expenses for decades.⁴⁵ However, relying on a single patron for much of the underwriting support an orchestra requires has its drawbacks, which we see first-hand in the case of the

⁴⁵ There are many books written on Henry Higginson and the Boston Symphony Orchestra. For an introduction, Chapter 2 of Horowitz, Joseph. *Classical Music in America: A History of Its Rise and Fall*. New York: W.W. Norton & Company, 2005 provides useful information. Labor conflicts between Higginson, and later the BSO board, and the musicians. Robert D. Leiter, *Petrillo and the Musicians*, (New York: Bookman Associates, Inc., 1953) is another book written from a labor perspective with a chapter on Higginson and the unionization of the BSO.

Oakland Symphony. The group had a history of heavy reliance on individual major patrons, beginning in the 1930s with the support of Edwin W. Ehmann and continuing with Edgar F. Kaiser, who supported the symphony until his death in 1981. Ehmann, who served as the Oakland Symphony Association's president for fourteen years, was the son of Freda Ehmann, a successful olive business tycoon, and came to be known as "the Mother of the California Olive business" for her work in developing a marketable way to cure olives.⁴⁶ It is perhaps fitting that the expansion of one of California's orchestras was built on the wealth of its agricultural heritage. The vast wealth from the Ehmann olive business enabled Edwin Ehmann and his daughter, Marian Trayner, to continue supporting the Oakland Symphony throughout their lifetimes. Ehmann and See were able to secure funding from several donors in the community, but whenever there was a deficit, Ehmann always managed to write a check. The same practice occurred with Edgar J. Kaiser decades later. Kaiser will be discussed in the following chapter, but the association's reliance on single donors to make up the operating deficit shows that the orchestra had difficulties creating and following a budget from its earliest years. Despite the desire to perform more concerts, the Oakland Symphony was not able to find enough general support from the community to balance their budget.

Professionalization and Modernization

As discussed in chapter two, the American Federation of Musicians (AFM) became the predominant music union in the country at the end of the nineteenth century. In the last quarter of the twentieth century, however, the AFM shifted its focus toward supporting orchestras. The union had been interested in theater musicians, dance bands, jazz clubs, hotel cafes and other

⁴⁶ For more information on Freda Ehmann, https://localwiki.org/oakland/Freda_Ehmann.

casual venues until that point because those venues each had enforceable union contracts, and there was not much money in orchestras.⁴⁷ It was not until the proliferation of recorded media took away the jobs of many performers in theatre orchestras that the union looked to orchestras to help augment work dues contributions. Leiter asserts, “the utilization of records in competition with living musicians did not become a major problem until the 1930s when the radio industry began to place extensive dependence upon the disks.”⁴⁸ The landscape of musical work shifted away from theater work as recorded media supplanted live performances. This shift surely had an effect on the number of musicians who were interested in performing in orchestras as the work became steadier.

Across the Bay, the San Francisco Symphony was gaining fame throughout the country, particularly under the leadership of conductor Alfred Hertz.⁴⁹ See, who was a violinist in the orchestra, wanted to improve the level of his group as well, and decided to hire ringers. The labor practices of the Oakland Symphony until 1935 had been relatively straightforward: the orchestra was comprised of community members, nearly all of whom were amateur or pre-professional musicians. In his search for a more professional sound, however, See created a hybrid orchestra of both amateurs and “imported” professional musicians from the San Francisco Symphony. This arrangement has been fairly common in many of the regional orchestras in the Bay Area and is still practiced in some of the regional orchestras today. The Marin Symphony and Berkeley Symphony, for example, both have “community” positions alongside the professional positions, and the California Symphony—a regional orchestra

⁴⁷ James C. Petrillo, in particular, was focused on supporting recording musicians, and enforced two bans on recording in the 1940s. See Robert D. Leiter, *The Musicians and Petrillo*, (New York: Bookman Associates, 1953).

⁴⁸ Robert D. Leiter, *The Musicians and Petrillo*, 55.

⁴⁹ Miller, *Music and Politics in San Francisco*, 62.

founded by former San Francisco Symphony timpanist Barry Jekowsky—was augmented by several San Francisco Symphony musicians until recently.⁵⁰ In See’s arrangement, the amateur musicians of the Oakland Symphony rehearsed twice weekly for several weeks, and the San Francisco Symphony musicians joined them for the last two rehearsals and concert.

Careful to retain his goal of “developing amateur and semi-professional players,” See changed some of the by-laws stipulating that “no more than twenty-five percent of the musicians could be professionals.”⁵¹ The desire to have a semi-professional orchestra remained for several decades. According to Harold C. Youngberg, the director of music for the Oakland schools, “in order to have an orchestra at all, he had to have the amateurs,” so the semi-professional designation might have also been by necessity rather than desire.⁵² The West Coast in the early- to mid-twentieth century was not known as a haven for classical orchestral musicians. Most of the classical orchestra work was in East Coast cities or in the Midwest. Consequently, the cadre of professionals on the west coast did not extend far beyond the San Francisco Symphony and Opera, comprised primarily of a single group of musicians until the

⁵⁰ The Marin Symphony still employs a few San Francisco Symphony musicians, notably the concertmaster, Jeremy Constant, as well as San Francisco Opera tubist, Zachariah Spellman. The orchestra also utilizes community musicians who are not allowed to be members of the union, and who receive lower pay than the regular musicians. The Berkeley Symphony has volunteer community positions that are usually filled by amateur musicians who live locally, and the California Symphony in Walnut Creek used to employ section musicians from the San Francisco Symphony who would play principal parts at the California Symphony. These three arrangements allow section musicians from top orchestras to play principal parts that they don’t often get to play, as well as provides opportunities for members of the community a venue to perform orchestral music at a higher level than many community orchestras.

⁵¹ Wootten, “A History of the Oakland Symphony,” 63.

⁵² *Ibid.*, 63.

opening of Davies Symphony Hall in 1980,⁵³ and the Los Angeles Philharmonic, founded in 1919.⁵⁴

The symphony's first home was at the Oakland YMCA, on the corner of 210 Telegraph Avenue and 510 21st Street. Founded in 1879, it was not until 1909 that the YMCA building was constructed. More floors were added in 1913 (when the YMCA orchestra was founded), and the building served as the Oakland YMCA home until it was converted into public housing apartments in 1997.⁵⁵ The venue, along with the Women's City Club Theater, were not up to See's standards, and as he began to expand the orchestra into a semi-professional organization, he and his supporters realized that the group needed a more impressive home. In the middle of the Great Depression, when much of the United States was suffering a massive economic setback, patrons of the YMCA orchestra decided to expand. The orchestra had been named after its venue, but as they expanded into a more public institution, they needed a new name to reflect their desires. The recently formed Oakland Musical Association, Oakland City Council, Junior Chamber of Commerce, and the orchestra committee helped the orchestra choose its new name, The Oakland Symphony.⁵⁶

The Oakland Symphony moved to a new venue, the Oakland Civic Auditorium, for their opening concert on January 8, 1935. The newly-formed Oakland Symphony Publicity Committee member Mrs. Homer B. Maris stated in 1934, weeks before the opening concert,

⁵³ Larry Rothe, *Music for a City, Music for the World: 100 Years with the San Francisco Symphony*, (San Francisco: Chronicle Books LLC, 2011), 181. The passage reads: "With the move to Davies Symphony Hall, the San Francisco Symphony could no longer share personnel with the San Francisco Opera Orchestra, for their seasons would be concurrent. Some musicians remained with the Opera Orchestra, offering de Waart the chance to assemble an ensemble he believed would reflect his concept of good music-making. As the 1980 season opened, 20 percent of those onstage were new to the Symphony: twenty new musicians out of a hundred, including the concertmaster Raymond Kobler."

⁵⁴ "The LA Phil Story," Los Angeles Philharmonic, updated April 13, 2020, <https://www.laphil.com/about/la-phil/la-phil-story/>.

⁵⁵ The building is now called the Hamilton Apartments, and serves as public housing in Oakland.

⁵⁶ "Orley See to Conduct Musicians," *Oakland Tribune*, January 20, 1935.

that by moving the orchestra to the Oakland Auditorium, “the permanency of the enterprise seems guaranteed.”⁵⁷ A long list of “music lovers and prominent citizens and East Bay social leaders” had pledged their support for three years, in order to ensure the financial success of the group.⁵⁸ Edwin W. Ehmann was elected president of the new symphony, and a list of important members of the community were elected to other officer and board positions.⁵⁹ The Oakland Civic Auditorium, a beaux arts structure which had been completed in 1915 by John J. Donovan and Henry Hornbostel, was funded by bond measures in 1911 and 1914. The auditorium served many purposes in addition to housing the Oakland Symphony, as I will discuss in the context of the Paramount Theatre later in the chapter. See’s decision to add professional ringers from the San Francisco Symphony allowed him to continue operating both the amateur “Y” orchestra at the YMCA as well as the semi-professional Oakland Symphony at the Oakland Civic. As Mason asserted, it also allowed See the opportunity to “weed out” some of the more “phlegmatic” members of the orchestra.⁶⁰ The YMCA orchestra was not forgotten, and continued to perform in the 1930s, including free public concerts such as their concert on June 18, 1936 in the YMCA Gymnasium, a larger venue than the building’s lobby in which they had previously performed.⁶¹

Contrary to the expectations of twenty-first century musicians, the desire for a full-time professional orchestral musician had not yet calcified by the 1930s. There were often murky boundaries between amateur and professional music-making, because the work for a

⁵⁷ Jack Mason, “Music and Musicians,” *Oakland Tribune*, December 25, 1934.

⁵⁸ “Opening of Symphony Concerts Set,” *Oakland Tribune*, January 20, 1935.

⁵⁹ See “Opening of Symphony Concerts Set,” *Oakland Tribune*, January 20, 1935. In addition to Ehmann, Mr. W.O. Morgan and Mrs. Frank L. Burckhalter were elected vice presidents, Mr. Ralph E. Fischer was elected treasurer, and Mr. J. Frederick Ching was elected secretary.

⁶⁰ Jack Mason, “Music and Musicians,” *Oakland Tribune*, December 25, 1934.

⁶¹ “Music Calendar,” *Oakland Tribune*, May 31, 1936.

professional musician involved wearing many hats by necessity. One could play in an orchestra concert once or twice a week, then perform in theater or vaudeville performances another few days a week, and then play chamber music in a café or hotel lobby another few days a week, on top of teaching music students or holding another job entirely. Orchestras did not have the ability to pay a full-time salary, even if they had wanted to. Additionally, there was the question of how many orchestral concerts the region could support in the first place. Given the San Francisco Symphony's steady expansion, and changing infrastructure in the region, it was not an obvious choice that the Oakland Symphony should expand into a professional organization. For many musicians and audiences in the Bay Area in the 1930s, traveling to San Francisco for a concert was easier than ever before. The Bay Bridge (between San Francisco and Oakland to the east) was completed in June 1936, and the Golden Gate Bridge (between San Francisco and Marin County to the north) was completed in 1937. Both of these bridges afforded motorists easy access to San Francisco to play in concerts, or to attend them. Therefore, See's decision to expand the Oakland Symphony was facilitated by San Francisco Symphony musicians' easy access to the East Bay, and created a cross-pollination of musicians throughout the Bay Area.

See's influence on the orchestra was felt in many ways during his tenure with the group, even after his death. On November 26, 1957 Orley See died unexpectedly in his home in Los Gatos, shortly after conducting the opening concert of the 1957-1958 season. The conductor's death forced the Oakland Symphony Association to reevaluate their role in the community. They decided that they were ready to invest in a more serious professional organization. Their first step in this endeavor was to seek out a new conductor to help professionalize the Oakland Symphony. Italian conductor of the UC Berkeley Symphony, Piero Bellugi (1924-2012), was engaged as a guest conductor for two trial concerts. Shortly thereafter, he was hired as the permanent conductor and set to work auditioning every seat in the orchestra. Bellugi evaluated

the orchestra's members, and slowly replaced the amateur musicians with professionals.⁶² It is unclear what parameters Bellugi used to determine who was the amateur and who was the professional, or even how the musicians evaluated themselves within the organization. But as was often the case before collective bargaining agreements found their ways into orchestras, Bellugi maintained the authority to decide whom he wanted to stay, and who was to be asked to leave. Conductors in this era were revered as the figureheads of symphony orchestras and utilized their unquestioned power, augmented by the public obsession with the cult of personality of prominent conductors to hire and fire musicians as they saw fit. Before audition and tenure practices were formalized through collective bargaining agreements with the union, the conductor had the ultimate authority, however arbitrary.⁶³ Bellugi decided to leave the Oakland Symphony in 1959 to become the music director of the Portland Symphony Orchestra (now the Oregon Symphony).⁶⁴ Although he did not remain at the Oakland Symphony for long, he set the orchestra in motion toward becoming a larger, full-time orchestra.

Upon his departure from the Oakland Symphony, Bellugi recommended the Association hire German-American conductor Gerhard Samuel (1924-2008), a close friend of Bellugi's from their studies together under the Dutch conductor Paul Van Kempen (1893-1955). Samuel's family had fled Germany to the United States in 1939 to escape Nazi

⁶² Wooten, 64

⁶³ There are many biographies of conductors in the United States who wielded their power over personnel matters. There was a history of conductors "cleaning house" when they arrive at a new orchestra, sometimes bringing in new personnel from their previous orchestras, or simply firing musicians whose playing they disliked, or with whom they did not get along. The biographies of the "Great" (male) conductors often focus on the genius, brilliance, and exacting nature of the conductors, who lorded over "their" musicians. Unfortunately, this stereotype still holds true in many cases, although a new generation of conductors are beginning to take a more collaborative approach in their conducting styles.

⁶⁴ The Italian conductor spent most of the rest of his career in his home country, conducting the *Orchestra di Torino della Radiotelevisione Italiana*, or RAI Orchestra, in Turin. Bellugi also guest conducted at La Scala, and other European and American concert and opera halls.

persecution, and Samuel remained in his adopted country for the rest of his life, ultimately retiring in Seattle. He served as music director for the Oakland Symphony Orchestra (1959-1971) and the San Francisco Ballet (1961-1971), and guest conducted the San Francisco Opera.⁶⁵ Samuel continued Bellugi's work of clearing the roster of amateur musicians and worked to help the orchestra find a niche in terms of its musical offerings. Samuel was a champion of contemporary music and programmed many twentieth-century works on his programs. Joshua Kosman, music critic for the San Francisco Chronicle, wrote that nearly one third of the programmed music with the Oakland Symphony Orchestra during the time Samuel was the conductor was written by twentieth-century composers.⁶⁶ The orchestra's contemporary programs set it apart among the orchestras in the region. Even the San Francisco Symphony, an orchestra that is known today for championing contemporary works, was far more conservative than the Oakland Symphony in its programming at the time.

However, not everyone in Oakland was as enthusiastic about twentieth-century compositions as Gerhard Samuel. Conflicting ideas about programming caused tensions between Samuel and the board, which eventually led to the conductor's resignation in 1971. He subsequently joined the Los Angeles Philharmonic as associate conductor under Zubin Mehta. Samuel departed the Oakland Symphony having created the Oakland Symphony Youth Orchestra in 1964, a group that toured internationally, made professional recordings, and in September 1972 won the silver medal at the Herbert von Karajan Festival in Berlin.⁶⁷ Back in

⁶⁵ Joshua Kosman, "Conductor, composer Gerhard Samuel dies at 83," *San Francisco Chronicle*, March 29, 2008, Accessed August 21, 2019 <https://www.sfgate.com/bayarea/article/Conductor-composer-Gerhard-Samuel-dies-at-83-3220236.php>.

⁶⁶ Joshua Kosman, "Conductor, composer Gerhard Samuel dies at 83," *San Francisco Chronicle*, March 29, 2008, <https://www.sfgate.com/bayarea/article/Conductor-composer-Gerhard-Samuel-dies-at-83-3220236.php>

⁶⁷ Beene, *Autopsy of an Orchestra*, 2, and Barbara Toby Stack, "Oakland Youth Orchestra Repertoire History," <https://www.btstack.com/OYO%20Repertoire%20History.html> accessed October 20, 2020.

the U.S., the Youth Orchestra won an ASCAP award for contemporary programming in 1976, after Samuel's departure. Samuel also expanded the season from eight concerts to twenty-four concerts per season.

Samuel left two major legacies at the Oakland Symphony. The first was in programming, as mentioned above. The second was unionizing the ensemble. The Oakland Symphony negotiated its first union contract in 1965, while Samuel was still the conductor.⁶⁸ While this change was not directed by Samuel, or even negotiated by him, Samuel did not actively try to fight the musicians' desire to unionize, as many other conductors had done, and continue to do to this day.⁶⁹ Samuel had personal connections to the musicians, including Robert Hughes, a composer and Oakland Symphony bassoonist, who also founded the Cabrillo Festival of Contemporary Music in Santa Cruz. Hughes brought Samuel on as the first conductor of the festival in 1963, and the two worked together for many years at the festival and in Oakland. Perhaps Samuel's connections to musicians like Hughes helped convince the conductor to support the union contract. Regardless of the reasons why Samuel agreed to the contract, unionization certainly helped the musicians establish themselves as professionals in the minds of the board and management, as well as in the community.

Whereas Oakland had drawn its audiences for its adventurous and novel programming, Farberman was not interested in continuing this facet of the Oakland Symphony's musical identity. Although the Oakland Symphony had only recently become a fully professional

⁶⁸ Melanie M. Beene, Patricia A. Mitchell, and Fenton Johnson. *Autopsy of an Orchestra: An Analysis of Factors Contributing to the Bankruptcy of the Oakland Symphony Orchestra Association*, (San Francisco: Melanie Beene, 1988. Digital Reprint, Melanie Beene, 2012), 53.

⁶⁹ When an orchestra becomes unionized, the contracts usually contain very detailed information about hiring and firing musicians, which takes most of the power away from the conductor and puts it in the hands of a committee. Many conductors have attempted to thwart union contracts in order to hold on to their own power over personnel matters.

orchestra in 1965, the organization was garnering national attention, largely for its innovative programming. The orchestra was also quickly becoming a steppingstone for its conductors to move to larger musical institutions, as seen with Bellugi and Samuel. After a conductor search by the Oakland Symphony Association, Harold Farberman (1929-2018) was chosen to replace Gerhard Samuel. Farberman followed in Samuel's footsteps and expanded the season further, from twenty-four concerts to thirty-three per season. Farberman also led an initiative to diversify the orchestra.⁷⁰ However, although a 1970 New York Times article lauded Farberman as "a young man of equally progressive tastes" as Samuel, the new music director eschewed contemporary music in favor of more traditional programming.⁷¹ Beene, Mitchell, and Johnson assert that Farberman's penchant for more traditional programming, in the vein of the San Francisco Symphony, drew audiences toward the more illustrious San Francisco Symphony and away from the Oakland Symphony. Farberman's programming choices were echoed by later conductors, which took away even more potential audiences, particularly after the construction of a state-of-the-art concert hall in San Francisco's Civic Center, Louise M. Davies Symphony Hall, in 1980.⁷² Beene, Mitchell, and Johnson argued that the shift in programming made the Oakland Symphony less unique, less interesting, and less enticing for a potential audience. The Oakland Symphony at that time disregarded the branding and identity niche it had created for itself in favor of following the canonical repertoire expectations. There are only so many interpretations of a Brahms symphony audiences want to hear per season.

⁷⁰ Wooten, 67. It is unclear what this initiative consisted of, but the Oakland Symphony today is one of the more diverse orchestras in the Bay Area, beginning from the podium with Michael Morgan.

⁷¹ Raymond Ericson, "The Men Who Wield the Baton," *The New York Times*, April 19, 1970, <https://www.nytimes.com/1970/04/19/archives/the-men-who-wield-the-baton-men-who-wield-the-baton.html>, accessed August 21, 2019.

⁷² Beene, Mitchell, and Johnson, *Autopsy of an Orchestra*, 4.

It is also possible that the Board did not want to hear the contemporary music that Samuel had championed and encouraged their new conductor to program more traditional works. The different opinions on repertoire between Bellugi, Samuel, and Farberman exacerbated the Oakland Symphony's lack of a clear brand identity. Beene, Mitchell, and Johnson argued that the orchestra was unable "to reestablish a unique artistic niche for the Oakland orchestra," and this lack of a clear identity "accentuated the difficulty presented by competition with the San Francisco Symphony, a short drive away."⁷³ The orchestra musicians were also dissatisfied with the conductor, and 66% voted to not extend Farberman's contract when it came up for renewal in 1977. Despite the musician's objections, the board nonetheless decided to renew his contract, thereby eschewing the musicians' opinions in favor of their own desires for canonical repertoire, among other things. The board's decision compounded the uneasiness and unrest between the two parties. Farberman remained the Oakland Symphony conductor until 1979, when he moved on to other projects. In addition to his work as a conductor and composer, Farberman was interested in pedagogy. He founded the Conductor's Guild in 1976,⁷⁴ and the Conductor's Institute in 1979.⁷⁵

Fracturing Finances and the Ford Foundation

Despite Farberman's ill repute among the musicians, he was part of several fundraising campaigns and grant applications and attempted to grow the orchestra through more traditional means of philanthropy and patronage. It was during Farberman's tenure that the Oakland

⁷³ Beene, Mitchell, and Johnson, *Autopsy of an Orchestra*, 4.

⁷⁴ "History," Conductors Guild, accessed August 21, 2019, <https://www.conductorsguild.org/history-of-conductors-guild>.

⁷⁵ "The Conductors Institute at Bard College Announces its Summer 2003 Program and Faculty," Bard College Press Report, 2003, accessed August 21, 2019, <http://www.bard.edu/news/releases/pr/fstory.php?id=507>.

Symphony received one of their most important grants, the Ford Foundation Symphony Orchestra Program. The Oakland Symphony had been able to survive through several financially difficult seasons due to the largesse of some of its major patrons, Edwin W. Ehmann in the beginning of the orchestra's history, and later, Edgar J. Kaiser who supported the orchestra for decades until his death in 1980. These two supporters helped make up the difference at the end of the season and in turn enabled the next season to continue without incurring a deficit. As convenient as it was to have a single patron who could cover operational costs for an organization, it also led to difficulties, particularly when the patrons passed away. At a time when the Oakland Symphony was expanding its concert offerings and consequently, its budget, in the 1960s, they needed bigger supporters, and more money. Boards realized that if their funding sources decided to go elsewhere, there would be no way for them to present their seasons in a financially-viable way.

In the 1960s and 1970s, orchestras across the country began to set their sights on creating or expanding an endowment for their organizations. Endowments have become a crucial safety net for many orchestras in the United States, and allow orchestras to have a stable income outside of performance revenue from which they can draw operating funds. Orchestra leaders had to look outside their immediate communities for larger funding institutions that could support the orchestra. The Oakland Symphony would find this support in the Ford Foundation Symphony Orchestra Program.

The Ford Foundation was created by Henry and his only child, Edsel Ford, in 1936, in the midst of the Great Depression.⁷⁶ By placing their money in a tax-free charitable foundation,

⁷⁶ For a detailed account of the Ford Foundation Symphony Orchestra Program and the Oakland Symphony, see Ben Negley, "First of All You Need a Good Foundation: The Ford Foundation's Program for Symphony Orchestras," (PhD Diss, UC Santa Cruz, 2019). See also, Michael Sy Uy, *Ask the*

the automobile industry tycoons were able to avoid the increased taxes they would have had to pay as part of President Franklin Delano Roosevelt's Revenue Act of 1936.⁷⁷ By creating a foundation, Henry and Edsel Ford were able to avoid the estate taxes. In 1966, The Foundation initiated the Symphony Orchestra Program, which was designed to augment or create an orchestra endowment fund with the community donating a required matching fund. \$25 million of the planned \$80 million fund was given to orchestras outright, often to pay down their debts, while the rest of the funds were given to orchestras in the form of Ford Motor Company Stocks.⁷⁸ The leaders of the Foundation realized that orchestras desperately needed a source of income that was not direct patron-to-orchestra donations and attempted to provide these funds to improve the financial viability of American orchestras. The Ford Foundation stocks were intended to be endowment seed money from which orchestras could derive yearly income.

The Ford Foundation worked with the American Symphony Orchestra League to establish three objectives for their symphony grants:

1. Improving artistic quality by making it possible for players to devote more of their time to symphony work.
2. Strengthening orchestras to enable them to increase audiences, extend their seasons, and diversify their service.
3. Raising the income and prestige of the music profession, thus making it more attractive to talented young people.⁷⁹

These three objectives illuminate many of the prevailing ideologies surrounding what an orchestra should do in its community, and, importantly, prioritized the needs of the musicians themselves. The first objective, which aimed to allow musicians more time to devote to playing

Experts: How Ford, Rockefeller, and the NEA Changed American Music, New York: Oxford University Press, 2020.

⁷⁷ Roy G. Blakey and Gladys C. Blakey, "The Revenue Act of 1936," *The American Economic Review*, 26/3 September 1, 1936, 468-482.

⁷⁸ Rachel Vandagriff, "American Foundations for the Arts," *Oxford Handbooks Online*, 2015, 14. DOI: 10.1093/oxfordhb/9780199935321.013.112.

⁷⁹ Philip Hart, *Orpheus in the New World: The Symphony Orchestra as an American Cultural Institution*, (New York: W.W. Norton & Company, 1973), 340.

in orchestras, indicates the Ford Foundation's devotion to orchestral repertoire and the institutions, as well as an interest in making a living as an orchestral musician a financially viable option.

By 1970, the Ford Foundation was the largest philanthropic organization in the country for orchestras, with its \$2.9 billion representing eleven percent of the national total of foundation money. Between 1957 and 1970, 77% of the \$109 million granted to musical institutions was given to symphony orchestras.

Ben Negley, in his 2019 dissertation, asserts that many of the failings of the Oakland Symphony stemmed from the money they were granted by the Ford Foundation through their Orchestra Grants. Between 1966 and 1976, The Ford Foundation donated \$80 million to orchestras in the United States and Puerto Rico in order to help grow their endowments.⁸⁰ Rather than put the Ford Foundation money into an endowment (as was the Ford Foundation's explicit intended purpose), the Oakland Symphony Association used it to cover operating costs.

In order to receive the grants, orchestras were required to raise matching funds that would be placed in the endowment. Some orchestras, including the Oakland Symphony also received Development Funds and Expendable Funds. The Oakland Symphony received \$1,000,000 in Expendable Funds, \$250,000 in Development Funds, and \$1,000,000 in Endowment funds. They were able to receive the Endowment funds through raising a \$1,000,808 in matching donations.⁸¹ Endowments, particularly when they are in the hundreds of millions of dollars, as with San Francisco Symphony, Los Angeles Philharmonic, Chicago

⁸⁰ Ben Negley, "The Ford Foundation Symphony Orchestra Program," *Journal of Musicological Research*, 36/2 (2017), 115.

⁸¹ *Ibid*, 130.

Symphony, and New York Philharmonic, to name a few, are a crucial source of income for orchestras' operating costs.

The Oakland Symphony also received a Cowell Foundation grant of \$200,000, and The Ford Foundation Symphony Orchestra Grants. Instead of putting this money into an endowment fund, the board decided to place that money in an operating fund in order to pay off their bank note and existing debt. While operating deficits and massive amounts of debt are far from ideal for an orchestra, the Ford Foundation grants were not meant to simply cover immediate operating costs, but to promote the professionalization of symphony orchestras in the United States, and to provide a measure of financial stability through providing the seed for endowment funds or other long-term financial improvements.⁸² The Oakland Symphony was not prepared for all of the responsibilities that came with the large sum of money from the Ford Foundation, and quickly squandered the money. Within two years, their grand ideas for expansion had not only backfired, but put the symphony in a worse financial position than they were before.

After seeing the sometimes-deleterious effects of the symphony orchestra grants, the Foundation commissioned a study of the orchestras. The Ford Foundation no longer supports endowments, but rather is interested in prioritizing “artist-driven projects and organizations that include deep and meaningful engagement with communities.”⁸³ In the twenty-first century, the Ford Foundation’s interests lie not in the highbrow symphonic world, but rather, in the “vision

⁸² Ben Negley has written about the Ford Foundation Orchestra Grants, in Ben Negley, “The Ford Foundation Symphony Orchestra Program,” *Journal of Musicological Research*, 36/2 (2017), and Ben Negley, “‘First of All You Need a Good Foundation:’ The Ford Foundation’s Program for Symphony Orchestras” (PhD Dissertation, University of Santa Cruz, 2019).

⁸³ “Creativity and Free Expression: Challenging Inequality.” Ford Foundation Website, <https://www.fordfoundation.org/work/challenging-inequality/creativity-and-free-expression/>.

of a social justice” across the world.⁸⁴ As with many foundations toward the end of the twentieth century, the Ford Foundations decided to shift its focus away from domestic projects such as orchestras and toward global social justice projects.

The Paramount

The Ford Foundation grant money and successful matching campaign from the community encouraged the Oakland Symphony Orchestra Association to believe they could expand their operations. The association believed that the Oakland Civic Auditorium, where the orchestra had been performing since 1935, no longer met their needs. They thought the theater was unattractive, in an unsafe neighborhood, and lacked public amenities.⁸⁵ Given the orchestra’s goal of raising their rank to become a major orchestra in the country, they asserted that having a permanent home was crucial for them to expand and attract wider audiences. After a few years of searching, the association found great potential in the Paramount Theatre in downtown Oakland.

Rather than renting out another venue in the area that suited their needs better than the Oakland Civic, the association believed that the goodwill and financial support from the community and larger foundations would continue indefinitely, and that buying a hall would be a sound decision. The Oakland Symphony experienced what is called the “edifice complex,” a term often used in context with extravagant and politically-motivated architecture.⁸⁶ Whereas most regional orchestras (and some of the major orchestras in the country), usually rent their

⁸⁴ “Mission,” Ford Foundation website, <https://www.fordfoundation.org/about/about-ford/mission/>.

⁸⁵ Beene, Mitchell, and Johnson, 14.

⁸⁶ The term “edifice complex” is derived from Freud’s Oedipus Complex. The edifice complex deals with the desire of the wealthy to leave a lasting mark on the world through often opulent architecture. Although there is not a clear date that the term was coined, it has been used in relation to arts buildings since the 1960s, with Herbert Hechs’s *Music Journal* article, ““The Year of the Edifice Complex,” *Music Journal*, September 1, 1965.

hall on an as-needed basis, the impetus behind edifice complex encouraged leaders to think that owning their hall would lead to increased public support and ticket sales. The edifice complex was important to arts organizations, who wanted to perform in an architecturally important venue to remind their communities of the importance of their organizations. Orchestras across the country raised enormous sums of to buy or renovate permanent halls, with the belief that these venues would help ensure the longevity of the orchestra.

The Association's financial decisions also elucidate several of the labor conflicts and musicians' frustrations that had been slowly bubbling to the surface. When an orchestra purchases its own concert hall, it often symbolizes financial security for the organization, with the money and vision to become a full-time orchestra. After all, why would a recently-professionalized regional orchestra purchase a multi-million-dollar performance venue if it did not have plans to maximize its income by presenting public performances as often as possible, and therefore increase musicians' wages? This belief was further corroborated by the 160% increase in ticket sales during the Oakland Symphony's first season at the Paramount in 1972. However, after the first year, once the excitement about the new Paramount theatre subsided, ticket sales were worse than they were before. The dream of an upwardly mobile regional orchestra becoming one of the major national players late in the twentieth century was turning out to be too good to be true.

The importance of concert halls as physical representations of the magnitude and influence of US orchestras can be seen in concert halls across the country, many of which have become inextricable from the orchestras' identities. In addition to being tied to a specific geographic location, many major orchestras have becoming associated with their halls to the point where mentioning the hall alone is a synecdoche for the orchestra. For example, Boston Symphony Hall, Severance Hall in Cleveland, Symphony Center in Chicago, and the newer

additions of Davies Hall in San Francisco, and Disney Concert Hall in Los Angeles. These halls have themselves been the objects not only of architectural but also musicological scholarship, such as Robert Fink's scholarship on the Disney Concert Hall as postmodern space.⁸⁷ These buildings represent power, and often become icons for a city and for the arts.

Owning a concert hall for the Oakland Symphony was not solely for the purpose of housing the orchestra in a more desirable neighborhood or finding a venue with better facilities. It was also an important status symbol for the group. The beautiful architectural masterpieces of concert halls often lend professional credence to orchestra. The history of erecting edifices to assert cultural hierarchy is a centuries-old tradition, and architects and city planners in the United States such as Frederick Law Olmstead and Daniel Hudson had used their work as a way to "reorder society, to fight chaos, to create meaning out of what they conceived to be the frightening anarchy of urban life," argues Lawrence Levine.⁸⁸ The importance and awe-inspiring qualities of physical structures is certainly not new or applicable only to concert halls, as many corporations have built their offices as an extension of their branding.⁸⁹ Europe's gothic cathedrals, built sometimes over the course of centuries, were designed specifically to inspire in parishioners the power of God through visual and sonic means, and up to the industrial revolution, church bells were some of the loudest, most pervasive sounds that townspeople

⁸⁷ Robert Fink, "Unwrapping the Box: Frank Gehry's Walt Disney Concert Hall as Postmodern Space," Paper read at the national meeting of the American Musicological Society, Philadelphia, November 2009.

⁸⁸ Lawrence Levine, *Highbrow/Lowbrow: The Emergence of Cultural Hierarchy in America*, (Cambridge, MA: Harvard University Press, 1988), 203.

⁸⁹ In San Francisco, many buildings are known for the corporations that inhabit them. For example, the Salesforce Tower is one of the recent additions to the city, and garnered massive attention for its size and architecture when it was being built in the 2010s. There is also the Twitter Building on Market Street, the Bank of America Building, now known simply for its address, 555 California Street, and the Transamerica Building on Montgomery Street. These major edifices in the Financial and SoMa (South of Market Street) districts of San Francisco are physical manifestations of corporate power. In many ways concert halls fulfil similar indications of artistic/corporate power.

would hear.⁹⁰ The field of sound studies has written extensively about the importance of sound and music in the church and religious experiences⁹¹ and in concert halls.⁹² Orchestra concert halls have, in their own way, become a center of spiritual sonic power, and their concert halls symbolize a cathedral to classical music. Robert Fink argues for a “spatial” musicology that studies the importance of space and place in twenty-first century musicological scholarship.⁹³ The importance of orchestral spaces is pertinent not only for acoustics, but also for drawing an eager audience who wants to experience a concert in a beautiful venue.

In addition to their architectural beauty, physical structures connote power and status, whether it is a corporate building or an arts building. Herbert Hecsh argued in a 1965 *Music Journal* article that the edifice complex was more in service of elite power-mongers than to the future of the arts in the United States. “All of this construction would seem to have a good bit more to do with the pompous, ego-puffing business of committees, socialite fund drives with their attendant, splendid parties, and a brass plaque on the back of a seat,” he wrote.⁹⁴ Perhaps it was the result of the pervasiveness of the “American Dream” of owning one’s own home and being able to live a better life than previous generations that led the Oakland Symphony to want to buy their own hall. Or, perhaps it was the belief that avoiding rent and putting that money toward real estate equity would contribute to the financial stability and longevity of the orchestra. Buying and renovating a hall costs a lot of money, but as Hecsch argued, the Oakland

⁹⁰ Alain Corbin, *Village Bells: Sound and Meaning in the Nineteenth-Century French Countryside*, trans. Martin Thom (New York: Columbia University Press, 1998), 95-158.

⁹¹ For one example on sonic practices of early American Christians, see Leigh Eric Schmidt, “Sound Christians,” in *Hearing Things: Religion, Illusion, and the American Enlightenment*, (Cambridge: Harvard University Press, 2000).

⁹² Emily Thompson, *The Soundscape of Modernity: Architectural Acoustics and the Culture of Listening in America, 1900-1933*, (Cambridge, MA: MIT Press, 2002).

⁹³ Robert Fink, “File Under: American Spaces,” in Charles Hiroshi Garrett, Carol J. Oja, George E. Lewis, Gayle Sherwood Magee, Alejandro L. Madrid, Sherrie Tucker and Robert Fink, “Studying U.S. Music in the Twenty-First Century,” *Journal of the American Musicological Society*, 64/3 Fall 2011, 708-715.

⁹⁴ Herbert Hecsh, “The Year of the Edifice Complex,” *Music Journal*, September 1, 1965, 48.

Symphony Orchestra Association believed that donors would want to see their names on the back of a seat in a new hall. In an art form that is temporal and ephemeral, there was a draw for donors to see a physical representation of their dollars at work. The status and prestige associated with patrons maintaining power in the concert hall is a centuries-old endeavor.⁹⁵ But for the Oakland Symphony, the next logical step for them after receiving the first installment of Ford Foundation money was to look for a permanent home that allowed them ultimate flexibility.

The Oakland Civic served as the symphony's home for nearly forty years. Between 1935-1972, the Auditorium also hosted many important events in addition to the Oakland Symphony concerts, ranging from a speech by Martin Luther King Jr. in 1962 on the centennial of the Emancipation proclamation, to hosting the Ringling Brothers and Barnum and Bailey circus, performances by Elvis Presley, the Grateful Dead, and Aretha Franklin, as well as roller derby events.⁹⁶ In the words of journalist Sam Lefebvre, the Oakland Civic Auditorium was “a civic fixture for most of the 20th century.”⁹⁷ Concert Promoter Rusty Jackson asserted that “the Henry J. Kaiser has an outstanding history as a building that hosted African American cultural arts and entertainment,” and that the “building has hosted events of historical significance in

⁹⁵ Beth and Jonathan Glixon's work on seventeenth-century Venetian opera explicates the importance box seats in the world of early opera patronage. Patrons would decorate their rented boxes, which served as fiercely protected status symbols within the larger opera ecosystem. For more, see Beth L. Glixon and Jonathan E. Glixon, *Inventing the Business of Opera: The Impresario and His World in Seventeenth-Century Venice*, (Oxford University Press, 2006).

⁹⁶ Bay Area News Group, “Allen: Oakland Municipal Auditorium was site of Dr. Martin Luther King Jr. visit in 1962 to commemorate Emancipation Proclamation,” *East Bay Times*, December 27, 2012. <https://www.eastbaytimes.com/2012/12/27/allen-oakland-municipal-auditorium-was-site-of-dr-martin-luther-king-jr-visit-in-1962-to-commemorate-emancipation-proclamation/>. For a pictorial history of roller derby in the Bay Area, including the Oakland Auditorium, see <https://blog.sfgate.com/parenting/2011/03/10/six-decades-of-roller-derby-in-the-bay-area-photos/>.

⁹⁷ Sam Lefebvre, “Arts-Centered Plan for Kaiser Auditorium Draws Both Praise and Doubt in Oakland,” *KQED Arts*, March 8, 2019, accessed August 26, 2019, <https://www.kqed.org/arts/13852472/arts-centered-plan-for-kaiser-auditorium-draws-both-praise-and-doubt-in-oakland>.

the Black community.”⁹⁸ However, this historical significance did not lead the city of Oakland to continue investing in the infrastructure and upkeep of the venue. Even if infrastructure maintenance had been a priority, the city did not have the financial means to do so. The area around Lake Merritt, where the Oakland Civic is located, became a city of civic decay as the twentieth century wore on. The symphony association decided that in addition to the safety and amenities they desired, the organization wanted to perform in a bespoke performing arts venue rather than a municipal multi-purpose venue.

The association set its sights on the Paramount Theatre in downtown Oakland, a depression-era art deco movie palace built in 1931 that had recently shut down in 1970.⁹⁹ The Paramount was designed by San Francisco Architect Timothy L. Pflueger and completed during the first years of the depression. Pflueger had a “flair for showmanship and the perfect unselfconsciousness that often accompanies genius,” and wanted the theater to be something the public could enjoy, as a distraction from the woes of the Great Depression.¹⁰⁰ Publix Theatres, the theater subsidiary of Paramount Pictures, initiated the construction, and employed several creative artists from various disciplines to complete the building. The Paramount is one of the several beautiful art deco buildings in the Bay Area that remain from that time period. Within six months of the opening show on December 16, 1931, financial troubles forced Paramount to close their doors.¹⁰¹ They would be shut for almost a year, unable to pay for the \$27,000 per week operating expenses, until they sold the building to Fox-West Coast

⁹⁸ Quoted in Eddie Dillard, “New Life for Oakland Henry J. Kaiser Convention Center,” *Post News Group*, July 5, 2019, <https://postnewsgroup.com/2019/07/05/new-life-for-oakland-henry-j-kaiser-convention-center/>, accessed August 26, 2019.

⁹⁹ “Guide to the Paramount Theatre records, 1929-1999,” Online Archive of California, accessed August 28, 2019, http://pdf.oac.cdlib.org/pdf/berkeley/bancroft/m99_269_cubanc.pdf.

¹⁰⁰ Susannah Harris Stone, *The Oakland Paramount*, (Oakland: Oakland Paramount Theatre, 1992), 18.

¹⁰¹ Susannah Harris Stone, *The Oakland Paramount*, (Oakland: Oakland Paramount Theatre, 1992), 19.

Theatres.¹⁰² The latter movie conglomerate decided to keep the Paramount name, likely because they had their own theater on Telegraph Avenue, a few blocks away from the Paramount. However, Fox-West Coast Theatres decided to close The Paramount 1970. It was only shuttered for three years, one of which was a massive remodel.¹⁰³ Coincidentally, the Fox suffered a far worse fate, and sat vacant for forty years before being completely renovated.¹⁰⁴ Both buildings are open for performances today, although neither of them is used for their original purpose as movie palaces.

In 1972, during Farberman's second season, the Association bought the Paramount and spent the rest of the season (nine months) renovating it. The Association entered the facility on the National Register of Historic Places, and it remains an important historic building in downtown Oakland today. The new Paramount Theatre opened in 1973 to great public interest and acclaim. During the first season ticket sales went up 160%, which was a vast improvement over the declining ticket sales at the Oakland Civic.¹⁰⁵

The association's planned to raise \$4 million to cover the purchase price, renovation costs, and an operating endowment for the Paramount.¹⁰⁶ However, they were able to raise only \$705,000 in long-term pledges and current gifts toward the purchase and restoration, and were not able to create an operating endowment.¹⁰⁷ Therefore, they decided to take out a loan from a

¹⁰² "A Brief History of the Paramount Theatre," Paramount Theatre of the Arts, accessed August 26, 2019, <http://www.paramounttheatre.com/history.html>.

¹⁰³ "Guide to the Paramount Theatre records, 1929-1999," Online Archive of California, accessed August 28, 2019, http://pdf.oac.cdlib.org/pdf/berkeley/bancroft/m99_269_cubanc.pdf.

¹⁰⁴ For a history of the Fox Theater, a venue that suffered perhaps more than the Paramount (it was shut down for forty years, from 1966 to 2006, and suffered so much damage from neglect, arson, and a leaky roof that mushrooms were growing in the floors), see the history page on the Fox Oakland website: <https://thefoxoakland.com/venue-info/history/>.

¹⁰⁵ Beene, Mitchell, and Johnson, 14.

¹⁰⁶ Beene, Mitchell, and Johnson, 14.

¹⁰⁷ Beene, Mitchell, and Johnson, 14.

Bay Area bank to make up the difference.¹⁰⁸ It was exceedingly difficult to interest donors in paying off this loan, which left them with the responsibility of servicing it themselves. Beene asserted that the building “needed from the outset to have been under the aegis of a separate not-for-profit entity,” first so that they could first keep the finances from the symphony separate from the Paramount, and second so that they could easily book other arts groups in the venue when the orchestra was not playing.¹⁰⁹ But the leadership was more concerned with acting quickly on the opportunity to buy the Paramount than on the financial viability of their decision. Ben Negley asserts that “Kaiser’s death in 1981 left the orchestra without its sustaining patron, and the overreliance on him throughout the 1960s and 1970s illustrates the board’s greatest failure to capitalize on the Ford Program by expanding the orchestra’s donor base.”¹¹⁰ The board’s belief that they would be able to solicit enough public support to pay off the loan quickly stemmed from the Ford Foundation fundraising success, but more importantly, from the knowledge that Kaiser would bail out the orchestra whenever it needed help. However, in the case of the Paramount, the association’s expectations did not match with reality.

Although completing the project as quickly as possible ensured that the Paramount was finished by opening night of the Oakland Symphony’s fortieth season in September of 1973, the Association found it exceedingly difficult to encourage potential donors to cover the costs of a remodel that had already been financed and completed.¹¹¹ Philanthropists were not interested in paying off a bank loan: they wanted to focus their money and energy on future endeavors. It is also possible that the Association was not forthcoming in their financial

¹⁰⁸ Beene, Mitchell, and Johnson, 14.

¹⁰⁹ Beene, Mitchell, and Johnson 16-17.

¹¹⁰ Negley, 173.

¹¹¹ Beene, Mitchell, and Johnson, *Autopsy of an Orchestra*, 14.

stressors nearly as much as they could have been at the time. In 1975, the Symphony Association wrote a letter to the Oakland City Council stating that it was “obvious that the Association will not be able to keep the Paramount open under present conditions.”¹¹² In May of 1975, to stem the loss of \$50,000 annually in property taxes as well as an increasing operating deficit, the Oakland Symphony board voted to transfer ownership of the Paramount to the city of Oakland for \$1. After only three years of operating the Paramount, the symphony association realized they had made an untenable financial decision and were forced to take steps to ameliorate the hemorrhaging of money as a result of their decision.

The board knew, however, that they wanted to retain usage of the Paramount for their concerts, even if they did not own the hall. One of the agreements the Symphony had made with the city of Oakland was that they would be able to use the Paramount Theatre free of charge for forty years. This number was decided by calculating how much money the Symphony Association had put into the project (\$1.6 million) and amortizing that figure at the current rental rates.¹¹³ Whereas the symphony had priority in the weeks they performed, the relationship between the symphony and the new city-operated Paramount leadership grew tense. The Symphony did not even retain ownership of their own stands, lights, chairs, and risers, which they had to rent back from the Paramount whenever they wanted to perform run-out concerts in other venues. The Oakland Symphony had traditionally performed on Tuesday and Thursday nights, which then became only nights the Paramount allowed the orchestra to perform there. When the association wanted to change the schedule for weekend performances in the 1986-1987 season, they were resoundingly denied in favor of other nonprofit and

¹¹² Quoted in Beene, Mitchell, and Johnson, *Autopsy of an Orchestra*, 14.

¹¹³ However, once the Symphony Association filed for bankruptcy and dissolved all their assets, the agreement dissolved as well, and thus the forty years of free rent all but evaporated as part of the losses.

commercial groups who also had preexisting relationships with the Paramount.¹¹⁴ Because so many acts came through the venue, the Oakland Symphony was not often the first priority for Paramount management. The Executive Committee decided to look into buying back the Paramount in 1981, but nothing came of this suggestion.

In addition to performing at the Paramount, the Oakland Symphony expanded their operations into venues throughout the East Bay, including Zellerbach Hall in Berkeley, Rheem Theater in Moraga, and the Concord Pavilion. Between 1973-1986 there were 100% more tickets to be sold, but as Beene asserts, the increase in supply “was not driven by any increase in demand from the market.”¹¹⁵ The run-out concerts did not lead to higher ticket sales or a higher renewal rate of season tickets. The symphony tested out the different venues, often changing the days of the week, times of the concerts, and number of performances from season to season, which meant that audiences had to adjust their expectations of when and how often the performances would be offered.¹¹⁶ Some contracts with the outside venues were renewed for several years, and other were dropped, but the Symphony continued to play at the Paramount Theatre throughout the 1970s-1980s.

By 1986, the relationship between the Paramount and the Oakland Symphony had soured to the point that symphony decided that it would return to the Oakland Civic Auditorium theater the following season. The Oakland Civic had been renovated in 1984 and renamed the Henry J. Kaiser Convention Center.¹¹⁷ The theater there, the symphony’s former home, had also been renovated and was named the Calvin Simmons Theater in honor of the

¹¹⁴ Beene, Mitchell, and Johnson, *Autopsy of an Orchestra*, 15.

¹¹⁵ Beene, Mitchell, and Johnson, *Autopsy of an Orchestra*, 24.

¹¹⁶ Beene, Mitchell, and Johnson, *Autopsy of an Orchestra*, 27.

¹¹⁷ Henry J. Kaiser was the father of Edgar F. Kaiser, longtime patron and board member of the Oakland Symphony. Henry Kaiser established Kaiser Shipyards, Kaiser Aluminum, and Kaiser Steel, and he organized Kaiser Permanente, one of the largest nonprofit health care providers in the United States.

beloved late Oakland Symphony conductor. However, the Oakland Symphony filed for bankruptcy shortly before they decided to move back to the Calvin Simmons Theater. After the symphony re-formed post-bankruptcy, they resumed performances in the Paramount Theatre and continue to perform there. In 2006 the Kaiser Convention center was shut down and remains closed. In 2015, Eddie Orton, a Bay Area developer, bought the Convention Center with the intention of reviving it and bring back the center as a locus of activity for nonprofit arts organizations. Orton, who grew up in Cincinnati but is based in Emeryville, a city just north of Oakland, was friends with Simmons before his untimely death in 1982, and thus felt a special connection to the Kaiser Convention Center.¹¹⁸ It will be renamed the Oakland Civic, and although the plans have not been finalized or approved as of Fall 2020, there is a possibility the Oakland Symphony will return to the Civic in the future.¹¹⁹

The financial repercussions of the Oakland Symphony's decision to buy the Paramount remained unresolved after they bequeathed the building to the city of Oakland for \$1 in 1975. The orchestra still had to pay off their loan. In 1976 the Oakland Symphony finally received \$1.2 million from the Ford Foundation for having successfully matched the endowment funds from the community. Rather than placing this money in an endowment, however, the association placed the money in their operating fund and used the money to pay off the bank note and debt from the Paramount.¹²⁰ Thus, at the end of a ten-year fundraising drive facilitated by the Ford Foundation Symphony Orchestra Program, which had placed the Oakland

¹¹⁸ Chip Johnson, "Restoring Kaiser Convention Center more than just a job for developer," *San Francisco Chronicle*, July 23, 2015, accessed August 26, 2019, <https://www.sfchronicle.com/bayarea/johnson/article/Restoring-Kaiser-Convention-Center-more-than-just-6402395.php#photo-8351840>.

¹¹⁹ "The Oakland Civic," as it will be known, will be a \$52 million project, and will include a renovated Simmons Theater, restaurants, and nonprofits workspaces. The official website of the Orton development project: Home Page, Oakland Civic, accessed August 26, 2019, <https://www.theoaklandcivic.com>.

¹²⁰ Beene, Mitchell, and Johnson, *Autopsy of an Orchestra*, 15.

Symphony at the top of the heap of US orchestras in the middle of the century, the Oakland Symphony was left without a hall, without the matching endowment funds from the Ford Foundation, and a season that had 100% more tickets to be sold to an audience who was not interested in attending them.

Calvin Simmons and the New Decade

The symphony's loss of the Paramount was not the only conflict that escalated during the 1970s. Harold Farberman, the conductor from 1971-1979, developed a contentious relationship with the musicians, which also found its way into the press. Farberman had also shifted away from Samuel's dedication to new music, particularly by West Coast composers, toward a more traditional program of canonical works. Once Farberman resigned in 1979, the association knew that they had to find a conductor who could help turn the organization around. They also knew that they had to try to find a way to connect with the community in Oakland as performance income in the final three years of Farberman's tenure only covered 26%, 33%, and 31% of total expenses, respectively.¹²¹ They wanted to hire a new conductor who would invigorate the audience, develop a new name for the organization, and chart a new path forward for the organization.

In the 1979-1980 season, the twenty-eight-year-old conductor and Bay Area native Calvin Simmons was appointed music director of the Oakland Symphony. Simmons quickly became a national icon of the Oakland Symphony for his adventurous programming, his ability to conduct a wide variety of musical styles well, and because he was one of the first Black conductors of an important symphony orchestra in the United States. Simmons was the first

¹²¹ Beene, Mitchell, and Johnson, *Autopsy of an Orchestra*, 30.

recipient of the Leopold Stokowski Conducting Award, had guest-conducted several leading orchestras internationally, and as a Black Bay Area native, represented a point of connection and identity in the orchestral landscape for local BIPOC audiences.¹²² The Oakland Symphony aimed to celebrate the diversity of its community with Simmons's appointment and wanted to continue Bellugi's goal of inclusivity in the orchestra. Simmons helped the Oakland Symphony win its second ASCAP Award for Adventurous Programming in 1981.

Simmons was not one to resist a challenge, and programmed music that pushed his musicians. He believed they could rise to each of his challenges, even though they might be overworked and underpaid. In fact, Simmons argued that his musicians were not being compensated fairly and acknowledged that in order to keep good musicians in the orchestra, they would need better remuneration. "Programming these last two years, nothing came to mind that I thought we couldn't play. But it's a part-time orchestra; these people are playing for \$6,000 a year—they should be making \$20,000. How are you going to attract good players for \$6,000? How are you going to keep them?"¹²³ While Simmons supported better financial remuneration for his musicians, like many conductors, he also wanted to retain control over his own musicians and didn't want them to leave. "I had to refuse permission recently to a couple of players who wanted to skip a concert to audition elsewhere!" Simmons told Shere, "I won't stand in front of a pickup orchestra. I won't look out into a section and see faces I've never seen before."¹²⁴ Simmons, like Farberman before him, wanted an orchestra with personnel who were there every week. He was reticent to admit that one of the unique qualities of freelance orchestral life in the Bay Area was cobbling together a living from playing in several orchestras

¹²² Beene, Mitchell, and Johnson, *Autopsy of an Orchestra*, 2-3.

¹²³ Charles Shere, "Why Simmons hasn't signed a contract."

¹²⁴ *Ibid.*

every month. The board and leadership of the Oakland Symphony preferred to have their contracted musicians in their seats for each set, but the musicians had to balance meeting minimums for each orchestra and trying to take the best opportunities they have available, particularly when some orchestras did not pay nearly as well as others. Simmons's, and later, Buckley's insistence on not allowing musicians to miss sets would become one of the main bargaining points in the 1985 strike.

For the Oakland Symphony in the first years of the 1980s, Simmons was a boon. Ticket sales, which had been slumping at the Paramount, started to turn around. George Alan Smith, a consultant the Oakland Symphony hired to help turn around the group, said that "Calvin Simmons was the best thing that could have happened" to the Oakland Symphony.¹²⁵ But despite the strong patronage and expanding season, the orchestra was far from being the vibrant world-class ensemble that Simmons desired. Shere asserts that "like many Oakland institutions, it has managed to acquire substance in recent years, but still lacks class."¹²⁶ Simmons wanted the board to support the orchestra more. Simmons's larger-than-life persona and his virtuosic conducting made him a crowd favorite, a conductor on the rise.

Sadly, during a trip to New York state in 1982, thirty-two-year-old Simmons died in a canoeing accident on Lake Placid. In Melanie Beene's new preface to the 2012 digital edition of *Autopsy of an Orchestra*, she recalls opening the locked doors of the Oakland Symphony office months after the bankruptcy filing in 1986. Amid the many abandoned items she found in the office were unretrieved messages on the answering machine, which she recalls in the New Preface of the 2012 digital reprint of *Autopsy of an Orchestra*. One of the most poignant messages

¹²⁵ Ibid.

¹²⁶ Ibid.

left for Beene was a caller who remarked, “the Symphony died because Calvin died.”¹²⁷ The tragedy of Simmons’s death shocked the Oakland Symphony and sent patrons, musicians, and the administration reeling at a time when many of the other threads of its existence were unraveling. His funeral was attended by some of the most important musical figures of the day, with a performance by Marilyn Horne, and remarks made by Kurt Herbert Adler (see Appendix). During his few short years with the Oakland Symphony, Simmons wanted the Oakland Community to step up and put their resources into the orchestra. If Oakland wanted a “vital, stylish, innovative orchestra,”¹²⁸ it would better for them to “crash with panache,” in Simmons’s words, than to fade into obscurity. Simmons could not have known how true his words would be in the next four years.

Despite only having served as Oakland Symphony’s Music Director for three years (from 1979-1982), Simmons was a highly influential public figure in the Oakland Symphony’s history. After Simmons’s death, Leonard Slatkin, who was then the Music Director of the St. Louis Symphony, worked with the Oakland Symphony on an interim basis for a year, until the Association appointed Richard Buckley in 1983.¹²⁹ In addition to being remembered as a talented conductor, he was also commemorated via the Calvin Simmons Middle School,¹³⁰

¹²⁷ Beene, Mitchell, and Johnson, *Autopsy of an Orchestra*, iii.

¹²⁸ Charles Shere, “Why Simmons hasn’t signed a contract.”

¹²⁹ Slatkin is today one of the most important American conductors working in American orchestras. In his role as Music Director of the Detroit Symphony he has paid attention to the community in which he works to make the Detroit Symphony a more vibrant part of the fabric of Detroit.

¹³⁰ The middle school, in the Peralta Hacienda neighborhood, located in the Fruitvale District, was formerly known as Alexander Hamilton Junior High School, and in 2006 was taken over by the United for Success Academy, encompassing grades 6-8, and Life Academy, a high school. For more, see “Home Pages,” United for Success Academy, accessed August 26, 2019, <https://www.ousd.org/ufsa>. It is difficult to find information on the Calvin Simmons Middle School except for stories about how terrible the academics were before it was taken over by United for Success Academy. There is a short page on the Oakland Local Wiki page (https://localwiki.org/oakland/Calvin_Simmons_Middle_School), and an article in edutopia.org about how the school was going to start over with United for Success Academy (<https://www.edutopia.org/starting-over-in-oakland-one-school-becomes-two>). Although education is not a central topic in this chapter, the trajectory of an educational institution named after one of the

Calvin Simmons Theater, and in part of the “Grand Performance” mural, all in Oakland. There is also the Calvin Simmons Center for the Performing Arts, founded and chaired by Conway B. Jones, Jr., “a patriot, businessman, and arts patron,” who continues to support the Oakland Symphony musicians today.¹³¹ The “Grand Performance” mural on Grand Avenue, under the 580-overpass near MacArthur Boulevard is a mural in Oakland that pays homage to important Bay Area artistic figure. “Grand Performance” was painted by Daniel Galvez and Keith Sklar, Brooke Fancher, Karen Sjöholm, as well as other artists in 1984. It is 140-feet long, and includes portraits of Calvin Simmons, Malvina Reynolds, Julia Morgan, Mary Watkins, Jack London, and the San Francisco Mime Troupe, among others. Since the 1980s, the paint has faded, and the mural is in a state of disrepair, but it remains one of the few memorials to Calvin Simmons that remain open to the public in 2019.

Richard Buckley

In 1983, after Leonard Slatkin completed his year working with the Oakland Symphony following Simmons’s untimely death, Richard Buckley was hired as Music Director of the Oakland Symphony. With Buckley at the helm, the relationship between the musicians and the administration crumbled. Buckley was a polarizing figure in the Oakland Symphony, and had a prickly relationship with the orchestra musicians. He was known for berating the musicians,

most important classical music leaders in the Bay Area (who happened to be a person of color) falling into disrepair until it was “rescued” by an academy designed to turn around “at risk” children is yet another example of white saviorism in Oakland, of which the Oakland Symphony Association was also a part. Sometimes a name is just a name, but when Calvin Simmons Middle School was changed United for Success Academy, Simmons’s legacy in the community was subtly smudged out.

¹³¹ “Calvin Simmons Center for the Performing Arts,” Calvin Simmons Center, <http://www.calvinsimmonscenter.org/>. In July 2020, Conway B. Jones was the underwriter for the Musicians of the Oakland Symphony video project in which they performed Woody Guthrie’s “This Land is Your Land.” It was a moment of Oakland solidarity during the first months of the 2020 COVID-19 pandemic. <https://www.youtube.com/watch?v=EDVeE4bNbp4>.

using insults and yelling at them, both to their faces and behind their backs. The musicians, for their part, disliked Buckley's technique and musical choices, and the press felt similarly too. Richard Pontziou, the *San Francisco Examiner* music critic, wrote about the contentious relationship between Buckley and the musicians in a May 14, 1986 article. After Buckley spoke ill of the Oakland Symphony musicians at an audition in San Antonio, the musicians grew even more dissatisfied with the conductor.¹³² "Quality slipped," Pontziou concluded. "Nerves were [sic] stretched to the breaking point when musicians discovered that some of their own had been targeted for dismissal."¹³³ When Buckley attempted to oust one of the musicians in the orchestra, he was thwarted every step of the way.

In addition to the growing dissatisfaction between musicians and conductor interpersonally, the musicians and the press did not have much confidence in Buckley as a conductor. "Buckley has taken on mannerisms that get in the way of the music," Pontziou wrote. "The tension in his arm inhibits a natural flow and slows tempos."¹³⁴ Buckley was an exciting conductor to watch, but he did not always adapt to what he was hearing in the live performance. Pontziou asserted, "Buckley doesn't listen to the orchestra, hence balance is uneven and contrasts in dynamics and tempos are never all that they should be."¹³⁵ Conductors often learn repertoire by hearing the score in their minds during their score study and practice, in order to create a clear picture of what they want the orchestra to do and how they want the piece to sound. Some conductors are able to get out of their minds to hear the music as it

¹³² Whisper networks are very strong among classical musicians, partially because so much work relies on word-of-mouth recommendations from colleagues.

¹³³ Richard Pontziou, "Dark days at the Oakland Symphony: 'Carmina Burana' a high note to end a miserable season," *The San Francisco Examiner*, May 14, 1986. Debbie Spangler Archive.

¹³⁴ Richard Pontziou, "Dark days at the Oakland Symphony: 'Carmina Burana' a high note to end a miserable season," *The San Francisco Examiner*, May 14, 1986. Debbie Spangler Archive.

¹³⁵ Richard Pontziou, "Dark days at the Oakland Symphony: 'Carmina Burana' a high note to end a miserable season," *The San Francisco Examiner*, May 14, 1986. Debbie Spangler Archive.

happens before them, but others, as Pontziou argued, are unable to listen to the live music, and are thus less capable of adjusting the orchestra playing in front of them. Buckley had neither the talent nor the technique to assuage the musical desires of the musicians and the public.

Buckley's role in the bankruptcy will be discussed in the next chapter, but he is important to mention here because of his lack of initiative in trying to ameliorate the work conflict. A conductor concerned with working together and forging helpful relationships might have been able to unite the two sides of the table. Buckley's relationship with the musicians, combined with his lackluster reviews in the press, did not ingratiate him to most people in the organization. Buckley was not involved in the negotiation process during contract negotiations or the strike, which was, and remains, the standard practice in orchestra negotiations. He did involve himself tangentially, however, by visiting some influential orchestra musicians in their homes and pleading with them to compromise.¹³⁶ This might have even had the opposite effect in the end, because he seemed to be trying to convince the musicians to step onto the side of management rather than trying to convince management that they should acquiesce to some of the musicians' demands.

The 1985 Strike Begins

The fissures and fractured relationships between the many parties involved with the Oakland Symphony, however tangentially, provide a window into the many shifts that orchestras had to contend with in the final decades of the twentieth century. By considering the confluence of many diverse events, assumptions, and actions, experienced over decades, it is

¹³⁶ From a conversation with Stu Gronnigen, former principal horn of the Oakland Symphony, November 25, 2019.

possible to understand how the organization met its end in terms of historical precedents, rather than the community's rejection of classical music.

In Oakland during the 1980s, mayor Lionel Wilson was more interested in empowering the Black community through the Oakland Redevelopment Agency than underwriting a failing symphony orchestra.¹³⁷ Beene asserted that the symphony was not successful in developing nonwhite audiences, and their reach amid the white audience also declined in the 1980s.¹³⁸ The lack of racial diversity both within the organization and in the audience was problematic in itself, but more important to the longevity of the orchestra, their declining audience was indicative of larger problems related to attending an orchestra concert. In the beginning of the twentieth century, argues Lawrence Levine, promoters of "high culture" attempted to create a more refined, well-trained audience for classical concerts.¹³⁹ Promoters did this by segregating audiences, and taking away their participatory interaction with the concerts (including applause, real-time reactions, conversation), in favor of a more refined "passive politeness."¹⁴⁰ Most of the music that the Oakland Symphony played in its final seasons under Buckley was drawn from nineteenth-century European composers, whose pieces are known as "Masterworks." The symphony attempted to fulfil different musical tastes from the community by programming multiple types of concerts (pops, light classical, family concerts, masterworks), but given the low ticket sales, the orchestra was not supplying a product in which the public was interested.¹⁴¹ The nineteenth-century ideal of music as "civilizing agency," according to music critic John Sullivan

¹³⁷ Chris Rhomberg, *No There There: Race, Class, and Political Community in Oakland*, (Berkeley: University of California Press, 2004), 184.

¹³⁸ Beene, Mitchell, and Johnson, 13.

¹³⁹ Lawrence Levine, *Highbrow/Lowbrow*, 195.

¹⁴⁰ Levine, 195-197.

¹⁴¹ For a chart of subscription ticket sales by venue, see Beene, Mitchell, and Johnson, Table 7.1 "Subscription Sales Trends 1973-86," *Autopsy of and Orchestra*, 25.

Dwight,¹⁴² was a point of tension at the end of the twentieth century, as the cultural hegemony of white European cultural ideals was questioned in favor of a more inclusive cultural hierarchy.

On October 3, 1985, musicians and union representation for the Oakland Symphony walked out of a meeting with the Association. The contract was up in 1985 and needed to be renegotiated. After sitting through negotiations since July 14th, the eighty-six musicians in the orchestra decided to strike. Eighteen musicians began to picket in front of the Paramount theater where they were supposed to rehearse.¹⁴³ The musicians had been trying to bargain for better working conditions and benefits, including a living wage. In a press release from October 3rd, they wrote, “despite every effort to accommodate management, the musicians have been unable to secure a living wage.”¹⁴⁴ The musicians were frustrated, but despite beseeching the Association over months and months, management told the musicians that the money just was not there. “The Oakland Symphony Association’s final offer would have held the guaranteed minimum at the poverty level in the first two years of the new contract” the musicians wrote.¹⁴⁵

Strikes and other work stoppages are not decisions that unions, musicians, or managements take lightly. They are a last attempt by labor unions to make their point, after all powers of negotiation and bargaining in good faith have been exhausted, and after the Association feels it has nothing left to offer. The Oakland Symphony musicians wanted a better work environment, which would combine “a more definite schedule with a better salary, working conditions, and benefits.”¹⁴⁶ They felt their demands were not were not being taken

¹⁴² Quoted in Levine, 200.

¹⁴³ “Oakland Symphony Musicians on Strike,” *San Francisco Chronicle*, October 4, 1985. Debbie Spangler Archive

¹⁴⁴ Oakland Symphony Players’ Committee, “News Release: Oakland Symphony on Strike,” October 3, 1985. Debbie Spangler Archive.

¹⁴⁵ Oakland Symphony Players’ Committee, “News Release: Oakland Symphony on Strike,” October 3, 1985. Debbie Spangler Archive.

¹⁴⁶ Sarah Cahill, “Players’ Strike: Behind the Picket Line at the Oakland Symphony,” *East Bay Express*, October 18, 1985. Debbie Spangler Archive.

seriously, so after months of sitting across the negotiating table from the Association, the musicians felt their only recourse was to go on strike.

The Oakland Symphony's 1985 strike was the culmination of deteriorating relations between the orchestra (represented in negotiation meetings by the president of Local 6 of the American Federation of Musicians, William Catalano), and management. It was exacerbated by fraught intrapersonal interactions between the orchestra and the Executive Director, Henson Markham, as well as conflicts between the musicians and Music Director and conductor, Richard Buckley. The strike and subsequent bankruptcy were documented extensively in the press, notably by Robert Commanday of the *San Francisco Chronicle* and the founder of San Francisco Classical Voice, and by Paul Hertelendy of the *Oakland Tribune* and *Musical America*.

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¹⁴⁷ Chris Rhomberg, *No There There: Race, Class, and Political Community in Oakland*, 184.

¹⁴⁸ Beene, Mitchell, and Johnson, 13.

¹⁴⁹ Lawrence Levine, *Highbrow/Lowbrow*, 195.

¹⁵⁰ Levine, 195-197.

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The strike also illuminated the lack of communication between the musicians and management, and the community. The Management obfuscated their financial realities (as they were abetted by their accounting firm) and did not think that paying the musicians a full-time salary was a remote possibility, despite the musicians’ desire to the contrary. And the community (including the public and city officials) were largely ambivalent to the conflict. Musicians, as laborers, saw their union’s power decimated by the rise of neoliberal economics in the 1980s. The Oakland Symphony musicians were treated as hobbyists by the board of trustees, who thought their demands for a living wage could not possibly justify a higher salary. Along this same vein, the value of the arts within Oakland was seen as an elitist ideal, a pastime for the wealthy who were moving further away from Oakland’s Downtown center. Oakland was changing, and the “pillars of the old downtown elite,” including Henry and his son Edgar Kaiser, had died or disinvested in downtown Oakland, argues Chris Rhomberg.¹⁵³ The strike also showed long-lasting deleterious effects of the Ford Foundation money, which had been

¹⁵¹ For a chart of subscription ticket sales by venue, see Beene, Mitchell, and Johnson, Table 7.1 “Subscription Sales Trends 1973-86,” *Autopsy of and Orchestra*, 25.

¹⁵² Quoted in Levine, 200.

¹⁵³ Rhomberg, *No There There*, 183.

nearly squandered by the time of the strike, unbeknownst to the musicians who thought those millions of dollars were funding an endowment and could pave the way for a full-time professional orchestra in Oakland. The board of directors had recently been overhauled, and the staff and management were constantly turning over, which meant that the institutional memory, so important in arts organizations when little is written down outside of the CBA, was largely eschewed in favor of individual opinions that lacked both consensus and foresight. The strike, in other words, was the rupture that precipitated the end of the organization.

But the strike also provides an important point of reflection, for the Oakland Symphony specifically, and regional orchestras across the country. The Oakland Symphony did not know how to consider its role in the community, did not have a clear sense of its brand or its product, and attempted to expand operations without considering what the community wanted and what musicians needed in order to survive as professionals in the area. The strike showed that it is crucial to have open and honest communication between parties. It also illuminated the tensions between desires and realities in the financial realm, as well as tensions in how the musicians viewed their professional identities versus how the board and management view them. I approach each section below from the perspective of different parties involved in the strike, and how they contributed to miscommunication stemming from historical misunderstandings.

The Oakland Symphony Musician's Demands

The Oakland Symphony musicians' goal was to find a way to achieve a middle-class lifestyle through their work in the orchestra. They had seen the rapid expansion of their concert season, knew about the Association's goals of making the Oakland Symphony into the musical centerpiece of its city and a major orchestra in the country, and had witnessed the prestige of

being awarded one of the Ford Foundation orchestra grants. It seemed to the musicians that the orchestra was ready to become a major player, and they wanted their talents and achievements as musicians to be recognized in the workplace.

It is difficult to define the arts primarily in terms of their economic influence, so it is therefore also complicated to nestle the arts within a neoliberal outlook. Because the arts have been known as a hobby for most and a career for very few, this translated into requiring the musicians of the Oakland Symphony to define their worth within an economic vocabulary.¹⁵⁴ David Burkhart, trumpet player and spokesperson for the Oakland Symphony musicians implored the thousands of Oakland Symphony ticket holders to consider them as professionals as well as artists who loved their jobs. In addressing the public, he asserted, “we hope they understand that although we love what we do, this is not our hobby—this is how we make our livings.”¹⁵⁵ The musicians argued that the Oakland Symphony Association was more focused on the patrons receiving music than on providing enough financial remuneration for the musicians to pay their bills, let alone thrive. Burkhart further enumerated the musicians’ demands.¹⁵⁶ “We’re looking for a package that would recognize our commitment to the orchestra,” Burkhart

¹⁵⁴ In addition to defining their worth in an economic sense, the Oakland Symphony musicians were struggling with the beginnings of digital media in addition to their job of defining their worth from a labor perspective in the post-Reagan vs. Air Traffic Controllers strike, when the public perception of unions was at an all-time low.

¹⁵⁵ Gerald Davis, “Symphony to perform—but on picket line,” *Oakland Tribune*, October 8, 1985. Debbie Spangler Archive.

¹⁵⁶ Dave Burkhart had a difficult series of career events at the end of the twentieth century. He was in the Oakland Symphony when it filed for bankruptcy, then won a job in the San Diego Symphony shortly before their bankruptcy, and also won a job in Sacramento shortly before their bankruptcy. Partially because of this, and partially because he wanted more stability in his career, Burkhart took a job at Anchor Brewing as one of their brewers, and now serves as the Anchor Brewing historian, among other responsibilities. Burkhart still plays trumpet regularly.

told reporter Sarah Cahill.¹⁵⁷ Burkhart and the rest of the musicians utilized Marxist theory (that had been adopted by the AFM) by arguing they were both the labor *and* the product.

The musician negotiating committee wrote a memo near the beginning of the strike titled “OAKLAND SYMPHONY ON STRIKE: WHY??” in which they discussed their decision to go on strike. In it, they laid out their desire for a salary that reflected their professional training and dedication to the job. The musicians argue that their salaries were incommensurate with the “bright future” they had been promised by the Association, and that they were going on strike because the money they were offered neither matched the salaries of similar orchestras nor allowed them to live a decent life. “We can’t continue subsidizing that growth with salaries at the poverty level,” the musicians wrote, “without a tangible recognition of our commitment, our professionalism, the bills we must pay, and the sacrifices we have made to help the Symphony reach its goals.”¹⁵⁸ They created a chart that compares the Oakland Symphony salary to other salaries of US orchestra with similar budgets.¹⁵⁹

The Oakland Symphony musicians wanted a fair salary, given the money the Association was able to raise through their development efforts and the Ford Foundation grant. However, the musicians were not aware that the money they wanted from the Oakland Symphony Association was simply not there. Rather than being placed into an endowment, the Ford Foundation grant money was utilized immediately toward operation costs.¹⁶⁰ If the musicians had had access to the Oakland Symphony’s financial records, they would have seen

¹⁵⁷ Sarah Cahill, “Players’ Strike: Behind the Picket Line at the Oakland Symphony,” *East Bay Express*, October 18, 1985. Debbie Spangler Archive.

¹⁵⁸ Memo by the Musicians of the Oakland Symphony, “OAKLAND SYMPHONY ON STRIKE: WHY??” Undated, but likely from the very beginning of the Strike. Debbie Spangler Archive.

¹⁵⁹ Memo by the Musicians of the Oakland Symphony, “OAKLAND SYMPHONY ON STRIKE: WHY??” Undated, Debbie Spangler Archive.

¹⁶⁰ Melanie Beene, Mitchell, and Johnson, *Autopsy of an Orchestra*, 49.

that the Association painted a picture far rosier than it actually was. The association obfuscated their finances through their accounting practices. One of the bigger sleights was how the amortization of the Paramount Theatre was made to look like an asset in the form of offset rental costs. The \$1.6 million in offset rental costs over the course of forty years helped to mask the size of the deficit because these “future rental benefits” were placed in an unrestricted fund.¹⁶¹ This meant it would have been difficult to discern precisely how the budget was calculated. When the controller finally succeeded in figuring out this financial obfuscation in 1985, the future rental benefits had to be placed in a plant fund, and the Oakland Symphony’s true deficit came to light.

Many strikes have slogans, and the Oakland Symphony musicians developed their own trenchant phrase for one of their biggest workplace frustrations: “We have to be available for work any hour of the day, any day of the week, any week of the year.” The symphony’s erratic schedule prevented most musicians from working other jobs to supplement their meager earnings from the orchestra. Burkhart continued, “We’re like an old suit in the closet—they take us down and put us on when they want to. It’s difficult to schedule anything else on a regular basis when we have to be on call at all hours.”¹⁶² Far from the traditional 9-5 job schedule, musicians in the Oakland Symphony had to work erratic hours, often scheduled with very short notice.. Management could change plans when they wanted, and the highly variable schedule generally precluded musicians from working the other jobs they had held in the past. Perhaps one reason for the haphazard schedule stemmed from the Paramount’s restrictions on

¹⁶¹ Beene, Mitchell, and Johnson, *Autopsy*, 52.

¹⁶² Sarah Cahill, “Players’ Strike: Behind the Picket Line at the Oakland Symphony,” *East Bay Express*, October 18, 1985. Debbie Spangler Archive.

the Oakland Symphony's use of the space, but the association also did not work with the Paramount staff early enough to book their desired dates.

The musicians of the Oakland Symphony argued that The Association treated its musicians as *laborers*, not *artists*. This argument was central to their plea to consider the orchestra musicians not only in terms of the hours they worked, but to also consider them as skilled artisans who deserved a salary commensurate with their skills. The debate as to whether musicians should organize themselves under the definition of artists or laborers has existed in the United States since the nineteenth century. George Seltzer argued in his monograph, *Music Matters: The Performer and the American Federation of Musicians*, that one of the early questions musicians asked themselves in the nineteenth century is how they wanted to define their work and their organizational units.¹⁶³ One of the early organized groups of musicians organized themselves as artists, similar to the music guilds that stretched back to the middle ages. The National League of Musicians (NLM) had a very high standard for their members: namely, that they could read sheet music well, which meant that only classically-trained musicians were allowed to join. The NLM would exclude potential members who they deemed not skilled enough, in their attempt to prevent “imposters and impecunious musical quacks from practicing their knavish arts and infirm capacity in the public.”¹⁶⁴ A divide developed between the more high-minded musicians of the East Coast and the trade union-oriented musicians of the Midwest. The latter group decided to pair up with the Knights of Labor and the American Federation of Labor (AFL) to form competing unions across the country. By 1896, there were fifteen music unions in New York City alone, some associated with the AFL, and others forging

¹⁶³ George Seltzer, *Music Matters: The Performer and the American Federation of Musicians*, (New Jersey: Scarecrow Press, 1989).

¹⁶⁴ *International Musician* (January 1946), 1. Quoted in George Seltzer, *Music Matters: The Performer and the American Federation of Musicians*, (Metuchen, NJ: The Scarecrow Press, Inc., 1989), 6.

their own paths. By October of that year, the AFL set up a meeting in Indianapolis, where they implored the delegates, representing unions across the country, that they should all join together in one union, the American Federation of Musicians (AFM).¹⁶⁵ The NLM attempted to expel members who were also members of the AFM to disastrous effect. Rather than encouraging the musicians to be involved only in their union, NLM musicians left in droves to join the AFM. The NLM eventually accepted defeat, and the coup that the AFM had staged won out as they became the prevailing national musicians union.¹⁶⁶ The AFM had been closely associated with the AFL since its inception, and therefore was born with a bent toward trade unionism and labor, rather than an artisan guild. These are the prevailing ideologies that carry the AFM to this day, although the question of whether musicians are artists or laborers is not a forgone conclusion. Most classical musicians consider themselves artists, but they are also interpreters, or as one colleague says, musicians in orchestras are curators rather than creators.¹⁶⁷

There are many high-skill fields represented by labor unions, but not many high-skilled labor unions represent people who identify as artists.¹⁶⁸ Perhaps this is because the arts are often considered solitary endeavors, and why the myth of the lone genius is so pervasive in classical music.¹⁶⁹ The cultural imagination surrounding the myth of “The Artist” does not lend itself to

¹⁶⁵ Seltzer, *Music Matters: The Performer and the American Federation of Musicians* 7-8.

¹⁶⁶ Seltzer, *Music Matters*, 9.

¹⁶⁷ Darby Hinshaw, a friend and horn-playing colleague in the San Diego Symphony, describes classical musicians this way. It is an apt description of the role orchestral musicians are trained to perform. My term for this is to call classical musicians “aural historians,” although I am fairly sure I am not the first to lay claim to that phrase.

¹⁶⁸ Ray Hair, the president of the American Federation of Musicians, asked this question in an email to members on November 12, 2019.¹⁶⁸ “Are musicians artists?” Hair pondered, in order to entreat members to support negotiations for residual pay for streaming services, specifically for Disney and their upcoming cable channel, Disney+. Musicians wanted to be treated as professionals as well as artists, which can cause ideological tensions within the union.

¹⁶⁹ The cult of genius and the idea of divine inspiration has a long historical precedent in classical music. See Scott Burnham, *Beethoven Hero*, (Princeton, NJ: Princeton University Press, 1995), and J. Peter Burkholder, “Museum Pieces: The Historicist Mainstream in Music of the Last Hundred Years,” *The Journal of Musicology*, 2/2 Spring 1983, 115-134.

the quotidian banality of paying bills, finding a reasonable health insurance plan, or paying for a babysitter at night when the musician is at work. Therefore, while the question of whether musicians should be considered laborers or artists has not changed much from the 1880s to the 2020s, the answer would seem to be *both*. The work of the AFM has been to create a workplace where musicians can use their creative abilities and their skills to inspire an audience, in addition to earning enough money to be able to afford to live a relatively middle-class lifestyle.

One of the “major concessions” from the Association was to the musicians to miss up to 50% of the services for the season. However, Walter Ayres, one of the members of the musician negotiating committee, did not think it was such a great concession. If a musician wanted to miss a set, they would have to submit a written notice to the executive director thirty days in advance of the desired absence. The Executive director would then decide whether to excuse the musician on a case-by-case basis.¹⁷⁰ While it was an attempt on the part of management to make a compromise, in actuality this method would have made working other jobs nearly as difficult as before. In the freelance orchestral musician world, work offers often come in shortly before the gig and don’t last for long (musicians must often let the contractor know whether they are available within twenty-four hours or the contractor will move on to the next person), and musicians are commonly asked to play in different groups only a few days in advance, let alone weeks in advance. What management was offering might have looked good on paper to outside observers, but it would not have allowed musicians the flexibility they needed in order to take better work and make ends meet.

The job title of musician is difficult to parse within the market economy, particularly because the business model is so contrary to American capitalistic doctrine. Robert

¹⁷⁰ Don DeMain, “Symphony stages ‘final’ negotiations,” *The Oakland Tribune*, November 13, 1985. Debbie Spangler Archive.

Commanday was the music critic for the *San Francisco Chronicle* for many years, until he founded the *San Francisco Classical Voice*, a blog and music site devoted to music in the Bay Area.

Commanday was an ardent advocate for the musicians about whom he wrote, but he also adhered to the rhetoric that classical music has the potential to elevate the audiences' souls, and that listening to it might take them to a higher spiritual plane.¹⁷¹ He weighed in on the matter in his long-form Sunday column on October 27, 1985. "Sometimes," he wrote, "I think that the central villain is the verb 'to play' with its noun, 'players.' Those words cannot help but encourage the public to think that musicians are, after all, having a lot of fun up there, so why should they—how can they—make demands like regular working folk? They love what they do so why should they expect to be paid as much as a building custodian, postal service clerk, bus driver?"¹⁷²

Commanday argued that musicians should not simply be considered artists living their passion, eschewing the American dream of decent housing, income and middle-class lifestyles in favor of playing the music they love for a pittance. One does not have to hate one's job by default, nor should one be forced to accept lower wages because the job is more enjoyable than another.

Working as a musician is a job like any other, but the neoliberal valuation of the job is of a lower economic value. Marianna Ritchey argues that within a neoliberal system "a product's (or a person's) ability to generate profit on a competitive free market is an index of social value," and because the classical music industry relies on patronage to subsidize their

¹⁷¹ For more on the historical precedents of the construction of listening in the 19th century, see Sara Ballance, "Learning to Listen: Musical Hearing and the Construction of Musicality in the Nineteenth Century" Ph.D. diss., UC Santa Barbara, 2017.

¹⁷² Robert Commanday, "A Striking and Disorienting Situation," *SF Chronicle*, Sunday, October 27, 1985, Debbie Spangler Archive.

operations, they are rendered socially irrelevant.¹⁷³ In other words, the product does not create revenue that offsets the cost of production and therefore does not deserve a wage that is higher than the revenue. Commanday further argued that musicians were largely ignorant of the simple economics of the market economy and capitalism. “For their part, however, the musicians are often equally uninformed about the realities of the context in which they work,” Commanday wrote. “Whether it is also due to a lack in education itself or to a concentration of focus or blinder-mentality, musicians will too often take an overly simplified view of the traditional functioning of society and economics. What is loosely called ‘musical intelligence’ does not necessarily translate into other kinds of intelligence or govern other than musical behavior.”¹⁷⁴ Commanday argued that the Oakland Symphony musicians were out of touch with “normal” lives and did not understand how to function within capitalist society. That might have been true in some cases, but it did not pay attention to the symphony’s business model that was predicated on centuries of patronage within private and eventually state-run European orchestras. The contemporary American model does not fit into this framework and has by necessity become a hybrid organization caught somewhere between America’s obeisance to corporate hierarchy, courtly European-derived systems of patronage, and community-driven musical and educational services.

The musicians of the Oakland Symphony found a new sense of agency during the strike. From an economic perspective, they changed their identity from being musical laborers who would show up and play when and where management told them, to an autonomous organizational unit. They organized a few of their own benefit concerts, solicited sponsors and

¹⁷³ Marianna Ritchey, *Composing Capital: Classical Music in the Neoliberal Era*, (Chicago: University of Chicago Press, 2019), 3.

¹⁷⁴ Robert Commanday, “A Striking and Disorienting Situation,” *SF Chronicle*, Sunday, October 27, 1985, Debbie Spangler Archive.

donations, and wrote to their local councilmembers. The musicians invited Oakland city councilmember Leo Brazile to their upcoming benefit concert at the Calvin Simmons Memorial Theatre on October 22, 1985. Their mission and sense of purpose was not much different Henson Markham's in his October 18, 1985 letter to Oakland Symphony Subscribers. In his letter, Markham appealed to his readers by restating their mission of serving the audience first and foremost. The musicians described the same mission. "The musicians of the Oakland Symphony are giving this concert as one of many efforts to continue to serve the East Bay community. We do not wish to abandon our public and so will be performing regularly throughout the area until a settlement is reached, both in chamber ensembles and as a full symphony orchestra."¹⁷⁵ A common refrain among union leaders in the AFM is the idea that without the musicians, there is no orchestra. The musicians are both the labor *and* the product, so without them, the organization ceases to exist. The musicians of the Oakland Symphony knew this and reached into the community by performing free concerts for them (with suggested donations to help the musicians during the strike). These free concerts served multiple purposes of not only giving the musicians an opportunity to play—which they had not been able to do for several weeks—but also provide music for the East Bay community and to show that the musicians were dedicated to their cause of being an integral part of the area's musical fabric. The benefit concerts were well received, and performed well, in the words of several local music critics. However, playing concerts to a full requires more than just great performers. It also requires a lot of behind-the-scenes administrative work.

There is a reason why orchestras in the United States have evolved to include performers and management. Beyond the default corporate structure of American industry,

¹⁷⁵ Letter from The Musicians of the Oakland Symphony to Oakland City Councilmember (District 6) Leo Bazile, October 20, 1985. Debbie Spangler Archive.

orchestras have increasingly needed more and more fundraising to meet the costs of labor and production, not to mention marketing, development, and leadership. This takes a lot of time, effort, and skill. Classical musicians spend decades honing their skills as performers, and in the eyes of dedicated musicians, taking up the mantle of manager and organizer is often undesirable when compared to the ability to perform. The Musicians of the Oakland Symphony did their best to present benefit concerts from an administrative perspective. They had a script of what to say to whomever they could reach via phone. They sent out invitations to members of the public as well as local government officials. They invited the press. The musicians spent an enormous amount of time organizing, calling, preparing, and managing the concert. However, the musicians did not want to become part time musicians and part time administrators. The musicians were conflicted; they wanted to perform, and if the Association could not put on a concert, they were going to try to do it themselves. This was all in service of trying to bring the orchestra back together during their strike to present their own concert to the public.

Management's Rebuttal

As soon as the musicians walked out of the negotiation meeting, management and the board set to work sorting out the problem. In a letter October 5, 1985, Executive Director Henson Markham wrote to the musicians with his version of events.¹⁷⁶ Markham expressed contrition for not being able to reach an agreement but was firm in asserting that the money the Oakland Symphony musicians wanted did not exist. “Unfortunately it is impossible, as your committee was told, to promise more money than at this juncture the Association has or will

¹⁷⁶ Letter from Henson Markham to Oakland Symphony Musicians, October 5, 1985. Debbie Spangler Archive.

have the ability to pay. And we made it clear that we could not put into the contract language which in good faith could not be fulfilled.”¹⁷⁷

Markham’s letter elucidates the trepidation many leaders in the arts were feeling at the time. Their institutions were not earning enough money to help offset operating costs (which were often cited as payroll costs despite the many other yearly expenses for orchestras) and fundraising for classical music institutions was difficult in a city where there were far more pressing matters in the eyes of civic leaders and community organizers. Between 1981 and 1988, asserts Chris Rhomberg, Oakland lost twelve thousand jobs (out of a population of less than 375,000) in its manufacturing, transportation, communications, and utilities industries.¹⁷⁸ Unemployment was at 9.6 percent, but nearly 20 percent in West Oakland, and the overwhelming poverty led to gangs who capitalized on the crack cocaine and heroin epidemics at the time.¹⁷⁹ The changes and decay were sometimes exacerbated by the very structures intended to improve the general quality of life, such as the construction of new portions of the I-980 Freeway, and rehabilitating abandoned structures in an attempt to revitalize the downtown area, such as the Paramount Theatre’s extensive remodel. Henson was the leader of an orchestra in the time when ticket sales covered fewer and fewer operating expenses. Orchestras are nonprofit entities that often operate at a small deficit each season. It is a common practice that is offset by more vigorous fundraising in future seasons.

The Oakland Symphony Board did not want to accept the musicians’ strike, but they had little recourse. The negotiations had reached a critical point shortly before the opening concert of the 1985-1986 season, which was problematic not only because of the potential loss in ticket

¹⁷⁷ Ibid.

¹⁷⁸ Rhomberg, *No There There: Race, Class, and Political Community in Oakland*, 186-187.

¹⁷⁹ Ibid, 186-187

revenue, but also the loss of revenue from cancelling fundraising events the opening concert. Jack Bethards, the former manager of the Oakland Symphony recalls, “I can remember one of the big negotiations; we were just near opening night for a season, and I said [to the board], ‘Let’s take the strike....’ And they would not do it because all of their opening night parties were all arranged and that’s the true reason, they said so.... The board would never take the hard way and face a strike.”¹⁸⁰ The board members planned several lavish events in order to raise operating funds, but also because parties and donor events are an important part of maintaining the social status and prestige of an orchestra.

Boards often look at musicians as hobbyists who should get a “real job” if they want to get paid a living salary. Working a non-musical job as a source of income and performing as an amateur musician as a pastime was, of course, the historical reality for most musicians, particularly in the United States.¹⁸¹ Both of the orchestras in this study began as amateur groups which later professionalized. They both inflated past their financial reality, however, and both eventually burst. Orchestral musicians in the United States only began to earn decent salaries in the latter half of the twentieth century because of efforts of the AFM to create, and then negotiate contracts with orchestra managements, who in turn have become much better fundraisers and marketers. It is also important to note that many orchestras into the early nineteenth century were comprised of servants who were paid salaries commensurate with their

¹⁸⁰ Ben Negley, “‘First of All You Need a Good Foundation:’ The Ford Foundation’s Program for Symphony Orchestras” (PhD Dissertation, University of Santa Cruz, 2019), 155.

¹⁸¹ George Seltzer notes that in the St. Louis Local in 1906, there of the 600 members, 100 had steady employment. In 1913, there were 975 members, but still only 100 of them had steady employment. It shows that although many musicians were joining the union, they were not all joining as full-time professional musicians. George Seltzer, *Music Matters: The Performer and the American Federation of Musicians*, (Metuchen, NJ: The Scarecrow Press, 1989), 22. Even the San Francisco Symphony musicians had to work other jobs to make ends meet in the middle of the twentieth century. See David Schneider, *The San Francisco Symphony: Music, Maestros, and Musicians*, (Novato, CA: Presidio Press, 1983).

status as musicians. Additionally, they often did not even own their own instruments.¹⁸² It would be easy to eschew the idea of patronage as a necessity and view the orchestra within the context of the market economy, but perhaps that is an impossibility unless the model of the orchestra were changed completely. No one has figured out how to place the orchestra within the market economy and still find a way to pay musicians a living wage.

For the major orchestras in the United States, the work week is around twenty-five to thirty hours at the hall for the musicians' full-time salary. This does not include the extra twenty or so hours spent practicing and learning repertoire, or instrument maintenance and repair. Allen Berk emphasized the number of hours spent at the Paramount as the definition of musicians' work. "This is not a 9-to-5 job," Berk told the *Oakland Tribune* on October 6, 1985. "You're talking about \$15,000 a year for rehearsals and concerts that are 2 ½ to 3 hours long. When you break it down, that is less hours in a year than some people work in a month."¹⁸³ By making the Association's arguments about number of hours working in the hall versus a "normal" 9-5 job, Berk cited the number of work hours as the reason for lower pay in the contract negotiations. He compared the musicians' work week with the forty-hour work week paradigm. Ironically, most of the members of the Oakland Symphony board and staff members also did not work a strictly-forty-hour work week. Double reed players, for example, have to create several reeds a week, which takes hours and hours of work. Per-service orchestral musicians are not compensated for the many hours of work and practice they commit to their craft outside of rehearsals and concerts. Combined with the roughly twenty hours of work each

¹⁸² John Spitzer and Neal Zaslaw, *The Birth of the Orchestra: History of an Institution, 1650-1815*, (New York: Oxford University Press, 2004), 399.

¹⁸³ Lonnie Brittenum, "Symphony talks are cut off for now," *Oakland Tribune*, October 6, 1985. Debbie Spangler Archive.

week in the hall and the commute times to and from the hall, there was little time outside of the workday for musicians to work other jobs that could support living in the Bay Area.

Arguments of sublime transcendence and aspirational quality of musicians' livelihoods toward the highest levels of art could not persuade board member Allen Berk and the rest of the association to go back to the negotiating table. Berk was brought on as head negotiator for the Association. A labor lawyer who represented businesses' interests at the San Francisco law firm Petit and Martin, Berk shifted the rhetoric surrounding the negotiation.¹⁸⁴ Berk reminded the musicians that the world they wanted was not the one they were going to have. "Eventually (the musicians) will wake up and realize that none of them can afford to be out of work," Berk asserted. "Although it's tough to say, I hope the cruel reality of the world we all have to live in convinces them to go back to work."¹⁸⁵ Berk blamed the musicians' naïveté for causing the strike. If they had provided more value, he argued, they could have been paid more. Berk also pointed the finger at the AFM-appointed negotiator, Lew Waldeck, for how poorly the negotiations had gone. Waldeck was one of the most famous negotiators for the AFM during the mid-to-late twentieth century. He was known for asking for living wages and drew a hard bargain. Berk was annoyed with Waldeck for not showing up to each of the negotiation sessions and blamed Waldeck for the union's demands. "What's fascinating to me," Berk told Lonnie Brittenum of *The Oakland Tribune*, is that other symphonies—Sacramento, Tampa, Fla., and Richmond, Va.—are in similar situations and he [Waldeck] is the negotiator for those

¹⁸⁴ Allen Berk was brutally murdered in a mass shooting at his law firm in 1995. Steven A. Chin and Erin McCormick, "101 Calif. Massacre law firm closing," *San Francisco Examiner*, March 6, 1995, accessed August 29, 2019, <https://www.sfgate.com/news/article/101-Calif-massacre-law-firm-closing-3158509.php>.

¹⁸⁵ "Symphony Strike," *The Montclarion*, October 16, 1985. Debbie Spangler Archive.

symphonies.”¹⁸⁶ Other members of the Oakland Symphony Association blamed the orchestra negotiating committee.

Jack Bethards, former manager of the Oakland Symphony, argued that the orchestra committee was far more adamant about every detail of the contract than the union. “If you were dealing directly with the union,” he wrote, “it would be a relatively reasonable contract. But the players’ committees are made up of lower section players, and symphony players in general are a very depressed bunch.... So, the players’ committee was very tough and hard to reason with, and most of it was the Ford Foundation’s fault.”¹⁸⁷ The lower section players, string players at the back desks of a section, or section players in the wind and brass sections, did not carry the same stress of the job as principals, and were often more amenable to volunteering because it gave them a voice in the organization. Not only did Bethards assert the musicians were asking for too much, but he also conceded that the musicians thought that the Ford Foundation money was still available, when in reality the money had already been nearly exhausted.

Fraying Communications

Allen Berk, the management lawyer and spokesperson was frustrated by trumpet player David Burkhart, the musicians’ spokesperson, and said it was “crazy having the chief spokesperson for the players being someone who isn’t interested enough in the symphony to stick it out,” regarding Burkhart’s recent leave of absence to play with the San Diego

¹⁸⁶ Lonnic Brittenum, “Symphony talks are cut off for now,” *The Oakland Tribune*, October 6, 1985. Debbie Spangler Archive.

¹⁸⁷ Jack Bethards, quoted in Ben Negley, “*First of All You Need a Good Foundation:*” *The Ford Foundation’s Program for Symphony Orchestras*, Dissertation, UCSC, 2019, 156.

Symphony.¹⁸⁸ The San Diego Symphony was a full-time orchestra that paid more than the Oakland Symphony, but unfortunately, it too would shutter its doors due to a bankruptcy in 1996.¹⁸⁹ However, like the Oakland Symphony, the Sacramento and San Diego Symphonies reformed themselves after their bankruptcies. Whereas the Sacramento Philharmonic and Opera, as it is now named, offers only a fraction of the services than it did before the bankruptcy, the San Diego Symphony is one of the few full-time orchestras on the West Coast, and has a growing operating budget and endowment.¹⁹⁰

The musicians refute the percentage increase facts that Markham provided in his letter, stating that percentages,

“fail to take into account the fact that none of the salary figures proposed by the Association constitute a living wage for a professional living in an area with one of the highest costs of living in the country and required to make a full-time commitment to his or her job. The meaningful percentage is that 68% of the Oakland Symphony musicians depend on the Oakland Symphony for their main source of income. We are working under a schedule which requires that we be available for work any time of the day, any day of the week, any week of the year, at the Association’s whim.”¹⁹¹

¹⁸⁸ Sarah Cahill, “Players’ Strike: Behind the Picket Line at the Oakland Symphony,” *East Bay Express*, October 18, 1985. Debbie Spangler Archive.

¹⁸⁹ Tony Perry, “San Diego Symphony Files for Liquidation of Assets,” *Los Angeles Times*, June 1, 1996. <https://www.latimes.com/archives/la-xpm-1996-06-01-ca-10607-story.html>.

¹⁹⁰ In 2002, The San Diego Symphony was gifted \$120 million from Joan and Irwin Jacobs, the co-founder of Qualcomm. \$50 million was granted to the San Diego Symphony Endowment from 2002-2012, \$20 million was given to the symphony’s operating fund in \$2 million increments from 2003-2013, and the final \$50 million is a bequest that will be given to the symphony after the Jacobses pass away. The San Diego Symphony operating budget is \$29 million. <https://www.sandiegosymphony.org/faq/#:~:text=With%20a%20current%20budget%20of,the%20League%20of%20American%20Orchestras.>

¹⁹¹ Memo by the Musicians of the Oakland Symphony, “OAKLAND SYMPHONY ON STRIKE: WHY??” Undated, Debbie Spangler Archive.

In an interview with *The Montclarion*, Berk refuted the orchestra members' claims that other orchestras around the country with similar budgets were able to pay their musicians more.¹⁹²

"Talk about apples and oranges!" Berk replied:

"Sure, those salaries are right, but Birmingham only plays that amount to 40 people, and Fort Worth only pays that high salary to 38 people. *That's* what the union isn't telling you. Those orchestra have a nucleus of full-time people, and they hire more players for individual concerts when they need them. If we did that, it would save us half a million dollars a year. Why don't we? Because the union refuses to pare down the number of people we guarantee. At the last meeting I said to them, 'Okay, you want Birmingham salaries? You can *have* Birmingham salaries. Pick the 40 people you want to give it to.' You can imagine how they reacted to that."¹⁹³

Berk argued that the Oakland Symphony Association wanted incremental change. They wanted first to see if they could expand the season, sell more tickets, and raise more money. "We'll see if we can fill the halls, and then we can commit more," Berk said.¹⁹⁴ David Burkhart, on the other hand, pointed out that the Oakland Symphony's budget was \$3.5 million for the 1985-1986 season, but musician salaries comprised twenty-six percent of the total budget. The Oakland Symphony at that time was spending enormous amounts of money on soloists, marketing, and had recently hired full-time office administrators. Berk replied that those expenditures were causing the symphony to lose around \$250,000 each season.¹⁹⁵ In an October 9, 1985 *San Francisco Chronicle* article, the loss was \$600,000 on a \$3.5 million budget.¹⁹⁶

Regardless of the exact fact and figures, losing as much money as the Oakland Symphony was

¹⁹² Sarah Cahill, "Players' Strike: Behind the Picket Line at the Oakland Symphony," *East Bay Express*, October 18, 1985. Debbie Spangler Archive. In the article, Cahill quotes the Oakland Symphony musicians' statistics for the 1984/85 season: Oakland's budget was \$2.9 million, but they paid their musicians \$10,461, Birmingham, Ala. Had a \$2.3 million budget but paid the musicians \$11,200, and Fort Worth had a \$2.5 million budget and paid musicians \$16,431.

¹⁹³ "Symphony Strike," *The Montclarion*, October 16, 1985. Debbie Spangler Archive.

¹⁹⁴ Sarah Cahill, "Players' Strike: Behind the Picket Line at the Oakland Symphony," *East Bay Express*, October 18, 1985. Debbie Spangler Archive.

¹⁹⁵ Sarah Cahill, "Players' Strike: Behind the Picket Line at the Oakland Symphony," *East Bay Express*, October 18, 1985. Debbie Spangler Archive.

¹⁹⁶ "Formal Picket Line," *San Francisco Chronicle*, October 9, 1985. Debbie Spangler Archive.

on their moderate regional orchestra budget meant that their budget was not working as it should have. The musicians wanted to be treated as professionals, and even if they were not compensated for their practice time, they wanted their salaries to reflect their professionalism. “I don’t charge *my* employer for the time it takes me to keep up with my skills, or for the nights I bring my books home or do research at the library,” Berk told Cahill, reacting to principal flutist Angela Koregelos’s statement that “it feels very insulting to have one’s professionalism overlooked.”¹⁹⁷ The stalemate between management and musicians indicated a problem that was larger than the hourly wage.

The problem of salary was not as clear in the nonprofit orchestra industry as it was in a major San Francisco law firm, because the two professions occupy different sectors in the economy. Lawyers often charge an hourly rate which will allow them to live a healthy lifestyle, or they might charge for a project. However, if a lawyer chooses to charge for their product, they will be making far more than their overhead, and the client has to pay them. In the case of an orchestra such as the Oakland Symphony, they were contractually obligated to provide a certain number of services, and the musicians would be paid regardless of how many people showed up to the concert. The product was offered before paying attention to demand, and even if every concert were sold out, the revenue would have only covered 31 percent of the operating budget in 1985. That meant that the board and development staff were responsible for how to raise the rest of the money required for the budget. The board did not think they could meet the orchestra budget as it was, despite the promise of the Ford Foundation and their hope to become one of the major orchestras in the country. By the time the musicians went on strike, management had created a budget that was far larger than they could sustain, so

¹⁹⁷ Sarah Cahill, “Players’ Strike: Behind the Picket Line at the Oakland Symphony,” *East Bay Express*, October 18, 1985. Debbie Spangler Archive.

they decided the best step forward would be to cut the musicians' services in order to decrease the size of the season. The musicians, on the other hand, expected that management should raise more funds in order to meet the operating costs. The musicians wanted to increase their income because it was their livelihood, and the board and management wanted to decrease the budget because they thought it was unsustainable.

It is clear that the two sides had difficulty seeing the others' perspectives, which exacerbated the contentious relationship between them. Both wanted to see the "light at the end of the tunnel," but as Sarah Cahill put it, they were looking at "two different tunnels, with two completely different lights."¹⁹⁸ Berk had become the de facto spokesperson for the board, but Markham did not shrink away from the conflict. The musicians respected Markham, and trombonist Mark McConnell said that they would have preferred working with him than Berk. However, on the day Cahill published her piece in the *East Bay Express*, October 18, 1985, Markham put in his thoughts on the conflict in writing, via a letter to Oakland Symphony subscribers.

Markham's impassioned letter described management's perspective on the strike. Markham subsequently sent the letter to the musicians of the Oakland Symphony. The letter had a very different tone from the measured, albeit "disappointed" letter he sent to the musicians two weeks prior, and its tone further fanned the flames of frustration and divisiveness between the musicians and management.¹⁹⁹ Markham's letter unequivocally placed the blame on the musicians, claiming that they tried to bargain for far more money than the symphony was able to grant them, without mentioning the Association's responsibility to raise

¹⁹⁸ Sarah Cahill, "Players' Strike: Behind the Picket Line at the Oakland Symphony."

¹⁹⁹ Letter from Henson Markham to Oakland Symphony Subscribers, October 18, 1985. In Debbie Spangler archive, see Appendix C.

enough funds to make up the difference between ticket sales and operating costs. This letter was a firm statement to the public and the musicians that Markham was going to side with his board, and that he would not be the ally the musicians had hoped he would have been. It would eventually take the help from voices outside the organization to finally quell the acrid state of affairs between musicians and management.

The letter was intended to stoke anti-labor sentiment against the musicians and was informed, however implicitly, by the prevailing ethos of American anti-unionism at the time. Labor scholar Nelson Lichtenstein asserts that the 1970s and 1980s were a “disaster” for the labor movement, and management and the board seized on this sentiment.²⁰⁰ Markham provided calculations in his letter which were intended to make the musicians seem greedy and oblivious to market forces. He asserted that the orchestra was given a 73% pay increase in the four years from 1981-1985. The minimum pay in 1981 was \$5,455 for “only” 262.5 hours of work, and \$9,250 for 370 hours of work in 1985. Under the proposed contract, by 1988, the musicians would receive \$15,040 for 450 hours of work, which Markham states is an additional 62% increase. “This would therefore amount to an increase in guaranteed wages of 135% in seven years—surely a figure that private industry would find hard to match!”²⁰¹ By appealing to subscribers who worked outside of the music industry, or who were themselves struggling with union employees, Markham made the claim that the musicians did not understand their industry or how money worked.

The economic downturn of the 1980s, and specifically, the dire situation in downtown Oakland, bolstered Markham’s argument. He appealed to the fears his mostly white subscribers had about the downtown area in general and its viability as a center for classical music. Whereas

²⁰⁰ Nelson Lichtenstein, *State of the Union*, 213.

²⁰¹ Henson Markham Letter, October 18, 1985.

in 1977 downtown Oakland had seven department stores, by 1987 there were only four left in the entire city.²⁰² Plans had been made and then scrapped several times for shopping centers downtown, as several developers worked to convince retailers that Oakland's racial diversity was not a "stumbling block" or part of an "image problem" with the area.²⁰³ The subscribers would have been aware of these issues, and might have been more sympathetic to Markham's assessment that it would be a "tremendous risk," to raise musician salaries. "To accede to the union's additional, and totally unrealistic, demands would add in three years an additional half-million dollars to our already projected continuing deficit!" Markham beseeched the public for its support, stating that "new management and new Board leadership, coupled with public support, had hopefully begun the difficult task of reversing this trend" of enormous annual deficits. Markham's argument fell squarely within the decades-long rhetoric of strike-busting managerial tactics.²⁰⁴ But in the case of the Oakland Symphony, the irony was that the correlation between musician salaries and revenue was small. Markham tried to draw attention to musician salaries as the culprit for budget deficits when the true problem lay with the financial mismanagement of the organization by Markham and his predecessors.

Markham's letter perpetuated several assumptions about regional orchestras, orchestral musician pay rates, and the role of an orchestra within a community. He wrote, "the only reason for our existence is to provide you with the means of experiencing great music and now we find ourselves unable to do so."²⁰⁵ When this statement is interpreted through the lens of neoliberal

²⁰² Rhomberg, *No There There*, 184.

²⁰³ *Ibid.*, 185, 186.

²⁰⁴ For more on labor politics in the United States, see Nelson Lichtenstein, *State of the Union: A Century of American Labor*, (Princeton, NJ: Princeton University Press, 2002). See also, Steven Greenhouse, *Beaten Down, Worked Up: The Past, Present, and Future of American Labor*, (New York: Alfred A. Knopf, 2019).

²⁰⁵ Letter from Henson Markham to Oakland Symphony Subscribers, October 18, 1985. In Debbie Spangler archive, see Appendix C.

economic policies—which had steadily gained in popularity during President Ronald Reagan’s time in office from 1981-1989—it clarifies the mentality of the Association. The “product,” the music, is presented for the benefit of the community, and the welfare of the musicians takes a subsidiary role. This statement also adheres to the historical precedent of the orchestral ecosystem as a space of sublime, soul-nourishing, almost religious musical experience. Just as the Paramount was intended to be a cathedral to classical music, Markham’s statement perpetuates the idea that music is supposed to be ethereal, and not concerned with the quotidian issues of paying rent and feeding a family. The musicians, though they considered themselves both laborers and artists, were distanced from their work and daily lives through their art form. This “idea of classical music,” as Marianna Ritchey argues, stems from nineteenth-century associations of Beethoven’s symphonies with “timeless moral virtue,” and “timeless, universal, idealized truth.”²⁰⁶ The timelessness element of Ritchey’s argument is important in this context because of the paradox of musicians wanting to be treated as living, breathing laborers, and the public (and to a certain extent, managerial rhetoric) viewing musicians as vessels for masterworks, who therefore could not be considered concomitantly as workers deserving a living wage. Markham’s statement draws this connection and separates the musicians from their unionized laborer status. He denies musicians’ financial realities in favor of their failure to perform an important service to the community. He also evades responsibility for paying the musicians by placing the responsibility to perform in the hands of the musicians. They could have performed if they wanted to, but instead they are preventing the public from experiencing live music.

²⁰⁶ Marianna Ritchey, *Composing Capital: Classical Music in the Neoliberal Era*, (Chicago: University of Chicago Press), 2019.

Management also turned to the public's familiarity with free-market economics to argue that musicians were being too greedy for what the association could bear, obfuscating the fact that orchestras do not fit into traditional ideologies of capitalist economics. "The whole idea of unionism, from an economic perspective" Lichtenstein asserts, "is that of a working-class defense against the unfettered forces let loose by the market economy."²⁰⁷ Management could cite market forces when describing their lack of revenue relative to the budget, but musicians could not argue their need for a living wage in order to pay market price for rent and food. The "market" for the Oakland Symphony, as with most nonprofits, was a combination of ticket sales and other incidental revenue, and more importantly, donations. This also meant that the role of the AFM was to prevent management from diminishing the amount of work musicians had to the very smallest number so that management did not have to work as hard to elicit donations. Musicians have had to contend with retaining work for over a century. In the depression, argues Robin D.G. Kelley, "executives insisted that the plight of jobless musicians was not their responsibility; if they needed relief they ought to turn to the government."²⁰⁸

Professional American orchestras have never functioned fully within the market economy, meaning, orchestras have not functioned under the model of supply and demand, and their earned revenue from performances (the product) does not determine the operating budget. Economist Robert J. Flanagan, in his book *The Perilous Life of Symphony Orchestras: Artistic Triumphs and Economic Challenges*, asserts that in 2005, ticket sales to orchestra concerts covered

²⁰⁷ Nelson Lichtenstein, *State of the Union: A Century of American Labor*, (Princeton, NJ: Princeton University Press, 2002), 225.

²⁰⁸ Robin D.G. Kelley, "Without a Song: New York Musicians Strike Out against Technology," in Howard Zinn, Dana Frank, and Robin D.G. Kelley, *Three Strikes: Miners, Musicians, Salesgirls, and the Fighting Spirit of Labor's Last Century*, (Boston: Beacon Press, 2001), 153.

only 37 percent of orchestra revenues in the United States.²⁰⁹ This meant that even if there were a substantial increase in ticket sales at the Paramount, the management would still have to be responsible for raising substantial sums of money in order to cover operating expenses. During the Oakland Symphony's 1984-1985 season, income from performances amounted to \$1,001,300, and total expenses were \$2,913,800, which meant that the performance income covered 34 percent of total expenses.²¹⁰ The average cost of paying the Oakland Symphony orchestra members between 1981-1985 was 35 percent of expenses.²¹¹ That meant that the musicians cost 35 percent of the budget, but their performances also brought in nearly as much as they were paid. By framing the work conflict between the musicians and management in terms of the market economy, Markham insinuated that the orchestra was in a deficit because the cost of labor was far greater than the income from ticket sales, and therefore precluded a balanced budget. However, when compared regionally with other orchestras in the area, the Oakland Symphony musicians were actually paid a smaller portion of the budget than the 42% musicians earned in other nearby orchestras.²¹² Management and the board in Oakland were spending nearly twice as much of their budget on marketing (13 percent versus 7 percent regionally), but this did not lead to higher ticket sales. Therefore, Markham's goal of showing the musicians' demands for more pay as far more of the budget than the symphony could afford did not match the statistics.

Rather than focus on diminishing the musicians' pay, Markham and the association could have focused on earning more revenue, or, how to fill their hall. A slightly different set of

²⁰⁹ Robert Flanagan, *The Perilous Life of Symphony Orchestras: Artistic Triumphs and Economic Challenges*, (New Haven: Yale University Press, 2012), 34.

²¹⁰ Beene, Mitchell, and Johnson, *Autopsy of an Orchestra*, 30.

²¹¹ *Ibid*, 45.

²¹² *Ibid*, 45.

calculations elucidates how much money the Oakland Symphony could have earned during a single hypothetical concert week and how much it would have cost the Association to produce that concert. The average price of a concert ticket to hear the Oakland Symphony at the Paramount during the 1984-1985 season was \$38 (around \$90 in 2020 dollars).²¹³ If each of the 2,998 seats in the house were sold, ticket sales alone would earn the symphony \$113,924.00 per concert.²¹⁴ For an entire concert weekend, with three concerts and four rehearsals, a total of seven services, the cost of employing the orchestra in a standard-instrumentation concert would have been around \$39,659.55.²¹⁵ The Oakland Symphony could stand to earn up to \$341,772.00 per week from ticket sales alone if they could sell out the house. In this hypothetical scenario, the orchestra musicians' total weekly salary of \$39,659.55 would have been just under twelve percent of total operating costs if the Association. In reality, however, the Symphony offered discount tickets for seniors and students, gave away around \$35,000 worth of tickets through their ticket sponsorship program to try to fill the house in addition to the tens of thousands of dollars of unsold tickets, and sold few tickets at full price.²¹⁶ According to one staffer at the symphony, there was a "widespread understanding" that one need not buy a full-price ticket to see a show.²¹⁷ This led the product to be devalued through oversupply and not enough demand, which was compounded by lower underpriced tickets, and many unsold seats throughout the season.

²¹³ For each statistic dealing with inflation, I use the US Bureau of Labor Statistics inflation calculator. <https://data.bls.gov/cgi-bin/cpicalc.pl?cost1=38.00&year1=198510&year2=202002>.

²¹⁴ Depending on how the stage is configured, the Paramount can seat up to 3,040, but with the way Oakland Symphony uses the stage, I have decided to use 2,998 seats instead.

²¹⁵ I made this calculation according to the \$62.50 service rate in 1985. If principal musicians earned the standard twenty-five percent overscale, and assistant principals 15% overscale, in the 86-member Oakland Symphony orchestra, the total cost per service would be around \$5,665.65 for the entire orchestra.

²¹⁶ Beene, Mitchell, and Johnson, *Autopsy of an Orchestra*, 28

²¹⁷ Quoted in Beene, Mitchell, and Johnson, *Autopsy of an Orchestra*, 28.

The Public Weighs In

Henson Markham's October 18, 1985 letter was intended to apprise the Oakland Symphony's subscribers of the labor conflict within the organization. While it provided much information, it also sowed some division between pro-management and pro-labor sides of the work stoppage. Rather than bring the community in on the conflict in the hopes of helping to find a resolution, the letter assumed the public would be on the side of management, rather than the musicians. One subscriber, Donald J. Mechling, PhD, sent a response to Henson Markham, which he also sent to the Oakland Symphony musicians. Mechling wrote,

“the tone and content of your letter concerns me, since it implies an adversarial relationship between the Symphony Management and the musicians themselves. I do not believe that such a relationship is beneficial to the orchestra or the public, especially at a time when contract negotiations are in progress. Your letter seems to paint Management as patient, willing, generous and aggrieved benefactors, and the musicians as lazy, overpaid and uncooperative ingrates. I do not believe that either “picture” is justified. All of you have a common goal: to keep the wonder of beautiful music filling the Paramount.”²¹⁸

Mechling challenged Markham's calculations, and argued that the actual pay increase, calculated as an hourly rate, constituted a rate that barely kept up with inflation, and would hardly be the exorbitant pay increase Markham provided to incense the corporate audience.²¹⁹ Even though the pay would have increased with the AFM's proposal, the yearly total in 1988 would have been \$15,400, or around \$33,000 in 2020 dollars. The cost of living in the Bay Area has risen dramatically in the last thirty years, but even in 1988, that amount of money would have been difficult to live on. As Burkhart asserted, the musicians were expected to be available to work

²¹⁸ Donald J. Mechling, PhD, Letter to Henson Markham, October 1985. Debbie Spangler Archive.

²¹⁹ For a copy of the letter, see index. This letter provides the calculations, which are not necessary to understand how Markham inflated the pay increase (through real calculations, but done in a way that does not provide an accurate idea of the actual musician salary increase) in order to paint the musicians as greedy and lazy.

“any time of the day, any day of the week, any week of the year.”²²⁰ Therefore, when Markham asserts that it is an exorbitant raise for the musicians, he is not taking into account the financial reality that the musicians would still probably have to work other jobs in order to support themselves and their families.

Mechling also drew attention to the common argument that orchestra musicians did not work the standard number of hours per day, even if their orchestra was considered a “full-time” job. As discussed above, the number of hours spent working in the hall per week is only a portion of the number of hours musicians have to commit to their craft in order to be successful. Mechling asserted that Markham’s insistence on writing that the musicians “only” work a certain number of hours per season was “insidiously insulting.” He continued, “A surgeon may spend ‘only’ an hour performing an operation, but his pay is not for the time: it is for his skill and his talent. Likewise, professional musicians should be compensated for **talent**, not ‘labor.’”²²¹ Musicians similarly argued that they should not be compensated for the time spent in their chairs at the concert hall, but also all the labor that goes into creating the product. For example, a carpenter will consider the cost of his materials, equipment, labor, and expertise when pricing out the cost of a chair or table, and musicians wish to be likewise compensated.

Dr. Mechling was one member of the public, and therefore cannot be analyzed in terms of the general audience sentiment. By his own admission, “clearly, I support the players in their hopes to turn the Oakland Symphony into a **professional** organization. I do not agree with you that their ‘demands’ are unreasonable.” His perspective is valuable because it indicates how public the feud between musicians and management had become. Unlike the many other realms

²²⁰ Robert Commanday and Michael Harris, “Oakland Symphony Board’s Ultimatum,” *San Francisco Chronicle*, November 13, 1985. Dave Burkhart is credited with this statement in other articles, although in this article it is credited to the negotiating committee at large.

²²¹ Donald J. Mechling letter.

of employment that were being outsourced to other countries through the neoliberal globalization in the 1980s, it was impossible to manufacture a live performance abroad for an audience in Oakland, so the musicians knew that if the community could support them, they might have more leverage. On the other hand, there were many recent music school graduates who were eager to work, and Oakland Symphony management leveraged the idea that there were plenty of musicians willing and able to do the job, no matter the price.²²²

More than one member of the public became involved with the Oakland Symphony strike, though for different reasons. While Mechling wrote to voice his support for the musicians, other members of the public took it upon themselves to work on the conflict at an even closer range. By mid-November, as the strike continued and there was no resolution in sight for the labor conflict, Oakland attorney and president of United Plastics, Robert A.D. Schwartz got involved. Schwartz, who also sat on the Oakland Chamber of Commerce executive committee, convinced the Chamber to intervene. The committee, which included Chairman, David Wendel, and President, William Downing, wrote a letter on Friday, November 15, 1985, which they hand-delivered to both sides of the table. Schwartz brought together the musician negotiating committee, and the board, and was able to help negotiate a deal.

Maintaining the Oakland Symphony was important to Schwartz for several reasons. His wife, Debra Wood Schwartz, was a violinist who sometimes substituted in the Oakland Symphony, which made the Oakland Symphony's impending demise more personal. Additionally, Schwartz served as the chairman of Oakland's economic development advisory

²²² Because the rate of pay has increased so slowly, very few young musicians are able to make a living in the Bay Area. This is exacerbated by the cadre of older musicians who are hanging on to their jobs because they cannot afford to retire, and cannot get work in other full-time orchestras across the country. This is a larger argument that does not pertain directly to the musicians in the Oakland Symphony in the 1980s, but it is an important issue.

commission, which supported a large retail center plan for Downtown Oakland. If the Oakland Symphony went under, it was unclear whether the Paramount (now owned by the city of Oakland), would be able to survive the financial loss. If both the Symphony and its home were to crumble, then regenerating the city's downtown center would be much more difficult.

Schwartz asserted,

“it was also apparent that the Paramount Theater, while in trouble, still depends for its survival on the symphony, and the Paramount was the northern anchor of our retail development plan. If it went dark, how could we have a \$200 million development plan around the area of Capwell's (department store)? So it was going to be a real problem, over and above the whole question of a major city's need for a symphony.”²²³

As the chair of the economic development advisory committee, Schwartz was wanted to redevelop a thriving downtown area.

In the case of A.D. Schwartz, who donated his time rather than dollars, his actions can be better understood in the context of his desires for the economic redevelopment of downtown Oakland, in addition to his desire to help the organization his wife sometimes worked in. He knew that the two sides of the conflict were not likely to find resolution among themselves, and without a symphony, the Paramount would likely crumble. Without the Paramount, one of the bastions of “culture” in downtown Oakland, his attempts to revitalize the area would be unlikely to succeed. Therefore, it was in his best interest to help the association and Local 6 negotiate a deal.

Schwartz also knew that the city government, under the leadership of Mayor Lionel Wilson, was not going to step in to save the Oakland Symphony. Mayor Wilson had intervened with sports franchises to keep them in the area. He negotiated with the National Football

²²³ Quoted in Robert Commanday, “The Man Who Saved the Oakland Symphony,” *San Francisco Chronicle*, November 18, 1985. Debbie Spangler Archive.

League to bring the Raiders back to Oakland from Los Angeles, and with Major League Baseball to keep the Athletics in Oakland and to keep the San Francisco Giants out of the East Bay.²²⁴ When it came to the arts, however, the Mayor chose to release a statement encouraging the two sides to compromise rather than contribute city funds and personnel toward saving the Oakland Symphony. Oakland Symphony official spokesperson Herbert Scholder hoped that the city would become more involved, and told reporter Michael Hytha, “if the city comes together behind the symphony, everything will be hunky-dory. If they don’t, it will be an ongoing crisis.”²²⁵ Scholder knew that the strike was going to take more than negotiations to resolve, and had hoped that the city, and Mayor Wilson, would become more involved in resolving the conflict.

Mayor Wilson’s ambivalence frustrated many symphony patrons, some of whom wrote into their local papers and to the Symphony itself. One twenty-year-veteran musician in the Oakland Symphony told journalist Michael Hytha, “we’re very disappointed in the political leadership for not getting involved and we’re very glad the Chamber of Commerce did jump in.”²²⁶ Symphony spokesperson Herbert Scholder weighed in as well, arguing “the fact that they got involved with (the Raiders and the A’s) and not with us says something.”²²⁷ Schwartz’s fellow council member, Dick Spees, who also served on the Oakland Symphony board, argued how important it was for the city to become involved with the orchestra. Spees asserted that in order to turn the downtown into a thriving urban center, with the upcoming \$200 million

²²⁴ Mayor Wilson lost his fourth mayoral bid in 1990, partially due to his proposal to spend millions of dollars of public funds to keep the Raiders from moving to Los Angeles. See Rhomberg, *No There There*, 185.

²²⁵ Herbert Scholder, quoted in Michael Hytha, “How Strike Affected Symphony,” *The Montclarion*, November 26, 1985, Debbie Spangler Archive.

²²⁶ Quoted in Michael Hytha, “How Strike Affected Symphony”.

²²⁷ Quoted in Michael Hytha, “How Strike Affected Symphony”

shopping center next door to the Paramount, the City would have to invest in the arts. Spees also wanted to increase the city's financial support for the Oakland Symphony, which had recently loaned money to the Oakland Ballet and the Oakland Chamber Orchestra and argued that the Oakland Symphony received "less public money than orchestras in comparable cities."²²⁸ Robert A.D. Schwartz used his position in the Chamber of Commerce to influence both sides of the table and thought that the strike was going to be just a "blip" in the ongoing history of the orchestra. Schwartz believed that the strike, and its eventual resolution was a call-to-action for his community and would eventually encourage growth. "It's going to get everybody zeroed in on how to build the symphony," he said.²²⁹ He was later lauded by *San Francisco Chronicle* music critic Robert Commanday as "The Man Who Saved the Oakland Season," in a November nineteenth article.²³⁰ Schwartz may have been "the man who saved the symphony," but his optimism for the future of the orchestra might have been overstated.

The Paramount Theater was one of the architectural gems in downtown Oakland, but the rest of the once-thriving area was floundering. This was due to disinvestment in the downtown area, decimated property tax income due to the lasting effects of Proposition 13, which cut resources by over \$14 million, and affected road infrastructure in Oakland.²³¹ On March 6, 1985, after a lengthy lawsuit, the final connector of the Grove Shafter Freeway, a portion of road connecting I-580 and I-880 was opened.²³² The freeway, now known officially as I-980, connects those two main arteries in the East Bay, and runs only a few blocks from

²²⁸ Hytha, "How Strike Affected Symphony."

²²⁹ Quoted in Michael Hytha, "How Strike Affected Symphony."

²³⁰ Robert Commanday, "The Man Who Saved the Oakland Symphony," *San Francisco Chronicle*, November 18, 1985. Debbie Spangler Archive.

²³¹ Rhomberg, 184.

²³² In analyzing the influence of civic infrastructure and roadways, specifically, on musical institutions, I am influenced by Mark Slobin's work on Detroit. For further reading: Mark Slobin, "Improvising a Musical Metropolis: Detroit in the 1940s-1960s," *Ethnomusicology*, 60/1, 2016, 1-21.

downtown.²³³ The goal of the freeway was not only to connect I-580 and I-880, but also to serve as an artery into a second Bay Bridge between Oakland and San Francisco that was abandoned as I-980 was being built. The freeway skirted the downtown area, with the argument that a freeway would help with revitalization efforts.

Unfortunately, the effects of the freeway reached farther than the cars it helped transport. In addition to the 503 houses, including historic Victorian home, that were destroyed (a handful were transported to Preservation Park, near the freeway),²³⁴ I-980 effectively cut off West Oakland (where Black residents have made their homes for decades) from the rest of the city. With the completion of I-980, West Oaklanders were surrounded to the South and West by I-880, to the North by I-580, and now to the East by I-980. There is not enough public transportation to connect West Oakland residents with the rest of the city, nor are there enough auto or pedestrian crossings over the freeway to facilitate transit between the two sides of the freeway. Those protesting against the construction of the freeway, including the Black Panthers, argued that I-980 would be a “white freeway” that traversed through “black bedrooms.”²³⁵ The freeway is used mostly by drivers from the suburban regions east of Oakland to travel to other parts of the East Bay, and therefore does not serve the residents of the city in which the freeway was built. Additionally, whereas planners had hoped that the freeway would make downtown Oakland more car-accessible and therefore more lucrative for developers and business-owners, it had in fact the opposite effect. Once developers found out where the freeway would be built, some pulled out of their projects downtown. The Rouse Company had

²³³ “Grove Shafter Freeway,” Oakland Wiki, accessed 8 April 2020. https://localwiki.org/oakland/Grove_Shafter_Freeway?&redirected_from=grove%20shafter%20freeway/california%20state%20route%2024.

²³⁴ “I-980,” Connect Oakland: A vision to reconnect neighborhoods and connect cities, accessed 8 April 2020. <http://www.connectoakland.org/history/i-980/>.

²³⁵ Ibid.

embarked on a \$350 million downtown renovation project in 1985, which was later scrapped due to a lack of tenant interest.²³⁶ Though the completion of I-980 was not the most important factor in the demise of the Oakland Symphony, its effect on the surrounding area helps to illuminate the many pressures and decisions that can affect the cultural apparatus of a city. By severing the connection between West Oakland and downtown, I-980 effectively disenfranchised the people in the western part of the city and implicitly asserted that they were not worth investing in. The Oakland Symphony Association made a similar decision through their programming, their marketing, and their (lack of) financial strategies.

Journalists Cover the Conflict

Bay Area newspapers took a strong interest in the Oakland Symphony's strike and bankruptcy, as we have seen in previous discussions in this chapter, going so far as to print stories the labor conflict on their front pages. Robert Commanday of *The San Francisco Chronicle* and Paul Hertelendy of *The Oakland Tribune* were two of the more ardent examiners of the Oakland Symphony Strike in 1985, but several other Bay Area journalists covered the conflict as well. Journalistic coverage of the strike influenced the public's opinions of the labor conflict, more than the musicians picketing in front of the Paramount or management's letters to subscribers.

In his article lauding the end of the 1985 strike, Commanday questioned the Oakland Symphony Board's leadership capacity. "The larger problem is one common to the city of Oakland and its symphony: leadership. The symphony board reflects no real understanding of

²³⁶ Rhomberg, 185.

its role and larger purpose.”²³⁷ Commanday called several members of the board after the cancellation of the opening concert but was disappointed in their responses. He noted that the board regretted the strike but did not feel a sense of urgency to repair the problem. “The problem, as I see it,” Commanday asserted, “is that the board members on the one hand do not realize how good their orchestra really is, and not only for the money, but on absolute terms.” Commanday also argued that the board had “no idea what it would take and what it would mean to make it still finer; what it would mean to themselves and their community, and to those thousands more in their community about to be drawn to the symphony.”²³⁸ Commanday continued to write about classical music in the region until his death in 2015 at the age of ninety-three.

Commanday described the damage a strike could do to an orchestra, particularly for its reputation in the community in an October 27, 1985 article.

“Whenever an orchestra goes out on strike, a certain disenchantment follows the affair, different from attitudes during other labor disputes. The public would rather think of the world of symphony as a world apart. It is a place where real time is suspended and where ideal things happen. An orchestra strike is confusing, inconsistent. An organization dedicated to working in harmony has suddenly turned away from this commitment. Suddenly the office staff and the association officers who have been everlastingly addressing subscribers and patrons with glowing prose about their musicians are locked into a harsh adversarial position against them.”²³⁹

The music critic asserts that the public does not want to think of musicians as “normal” people, who have to deal with the same issues all people must contend with in their daily lives: namely, how to make ends meet. Commanday’s assessment corroborated Markham’s and Berk’s

²³⁷ Robert Commanday, “The Man Who Saved the Oakland Symphony,” *San Francisco Chronicle*, November 18, 1985. Debbie Spangler Archive.

²³⁸ *Ibid.*

²³⁹ Robert Commanday, “A Striking and Disorienting Situation.”

arguments that musicians were not working a 9 to 5 job and therefore should not have been considered workers in the traditional sense.

The public perception of musicians as artists meant that many audience members found it difficult to imagine them as neighbors, parents, providers, or regular people. For audiences who wanted to escape the “tawdry concreteness” of the real world though attending a liberating, transcendent concert, as Marianna Ritchey argues, seeing such vitriol from the organization that represented an escape from the real world must have been jarring.²⁴⁰ Commanday corroborates the rarefied, spiritual feeling of attending a live concerts by describing how the “cold reality” of the strike had “uglified” the atmosphere of classical concerts in “A Striking and Disorienting Situation,”

“We nurture forever an appealing but perhaps illusory thought about music, that it can be not only good in itself but good for us. We would like to believe that we are better persons for producing or experiencing good music even if there really may not be demonstrably moral, spiritual or intellectual benefits. Those who love music and want, idealistically, to be sure, to believe that good music does good things for the soul and for the souls who produce or support it, are disappointed at the current disruptions in their symphonic life. Cold reality has uglified the atmosphere for an activity intended to uplift the lives of the participants and compliment the life of the community.”²⁴¹

Commanday lamented the “cold reality” that the musicians were stepping out of their cultural role as performers, as creators, as interpreters, as “uplifters,” and were demanding better working conditions in a field that the audience and general public was loath to consider work in the first place. Although Commanday was frustrated by the conflict at hand in the Oakland Symphony, he also argued that the leadership was not fulfilling its role to the organization or to the community. “Leadership means having a vision of an ideal and communicating that vision and the road to it so cogently that all involved unite to make it happen. That’s what the

²⁴⁰ Ritchey, *Composing Capital*, 126.

²⁴¹ Robert Commanday, “A Striking and Disorienting Situation.”

Oakland Symphony Association lacks. It doesn't know why it's doing it. Not really. Not musically."²⁴² Without a clear vision or a clear sense of place and ethos, there was no way the Oakland Symphony Association could continue its work providing uplifting music that was "good for the soul." Commanday played into the rhetoric of what Marianna Ritchey calls "the conception of complex instrumental music as a vehicle of sublime revelation" without problematizing the real-world necessities of being a human at the end of the twentieth century.²⁴³ Being a professional musician was packaged as serving as a vessel for the sublime, which plays into neoliberal expectations that, as Ritchey argues, "all work aspires to the condition of art."²⁴⁴ When artists aspire to the condition of being workers, on the other hand, it is troubling at best, and destroys the tenets of neoliberal thought that were beginning to permeate the country at worst.

Tentative Resolutions

The Oakland Symphony musicians and the board were at a standstill for over six weeks, from October 3, 1985 to November 16, 1985. The Oakland Symphony at the time was an orchestra on the rise, finding a place among some of the larger part-time orchestras across the country. It did not have the same budget as the San Francisco Symphony or San Francisco Opera and Ballet, but it was populated by professional musicians, and management had their sights set on expansion.

There are myriad ways of looking at the finances of an orchestra, just as there are myriad ways of looking at and understanding the finances of large bureaucratic organizations.

²⁴² Robert Commanday, "The Man Who Saved the Oakland Symphony."

²⁴³ Ritchey, *Composing Capital*, 126.

²⁴⁴ *Ibid*, 87

But one important feature of the Oakland Symphony's budget were the abysmal ticket sales, coupled with the rapidly expanding concert offerings. In taking the orchestra's finances into account, it is important to note that the association had no rental costs for the Paramount after they sold the hall to the city of Oakland in 1975.²⁴⁵ The musician costs were not prohibitively expensive, given the number of hours they worked, and the general per-service rate of other orchestras at the time. The Association had dozens of wealthy board members, whose primary role (in addition to ensuring the future of the orchestra), was to fundraise for the organization. Many of the board members did not fulfil their fundraising obligations, even though they could have written personal checks to fulfil these obligations without any personal hardship. The Association's fundraising capability was known as being among the best in the country for bringing in \$1.5 million in 1984.

Despite what can be characterized as reasonable labor costs given the high skill level of the workers, a strong, wealthy board, strong track record of fundraising, and community ties, these attributes were not the salvos they appeared to be. There is one vitally important detail that the orchestra did not take into account enough: the audience. Beene, Mitchell, and Johnson assert that the reach (the total number of people who attended a concert in a twelve-month period) of the Oakland Symphony in the 1985-1986 season as six-tenths of one percent of the surrounding population. The average reach for orchestras at that time was around one to two percent, so Beene, Mitchell, and Johnson argued that the Oakland Symphony was falling far below the expected marker. The San Francisco Symphony's reach for their audience in the 1985-1986 season was 1.52%, for example.²⁴⁶

²⁴⁵ They would have had to pay the stage crew and other hall staff but renting the structure did not cost money.

²⁴⁶ Beene, et al, *Autopsy of an Orchestra* "Audience," 10-11.

It became clear that the Oakland Symphony was not up to the difficult task of selling out concerts at the Paramount. They sank an inordinate proportion of their budget into marketing and development, but these efforts did not yield the expected returns.²⁴⁷ As noted above, Markham stated in his letter to subscribers that the goal of the Oakland Symphony was to provide a worthwhile product to their consumers, the audience. Despite the neoliberal bent toward marketing products (concerts) to their clientele (audiences), the actual demand for concerts was lower than the orchestra's supply. From a classic capitalist perspective, the model just did not work.²⁴⁸ With this in mind, the association's vision for the future, their decisions to buy a hall, expand the season, and make the orchestra nearly full time for the musicians, guided more by hopeful optimism and a desire to be a part of a growing organization than the combined extensive business-savvy of the board. Contrary to the successful businesses many of the board members were running, their decisions to expand the seasons, spend more on marketing and payroll, without paying adequate attention to demand, indicates their desires lay more within the realm of status than longevity.

The public statements from the musicians and the Association elucidate the miscommunications between the two sides. Both were looking at the same problem of low wages from vastly different perspectives and were unable to persuade the other side to

²⁴⁷ For an in-depth analysis of the ineffective development and marketing work at the Oakland Symphony, see Ben Negley "First of All You Need a Good Foundation: The Ford Foundation's Program for Symphony Orchestras," Dissertation, University of California Santa Cruz, 2019, and Melanie Beene, Patricia A. Mitchell, and Fenton Johnson, *Autopsy of an Orchestra: An Analysis of Factors Contributing to the Bankruptcy of the Oakland Symphony Orchestra Association* (San Francisco: Melanie Beene, 1988), Digital Reprint 2012, 2.

²⁴⁸ There is a long history of patrons ignoring capitalist imperatives when considering their musical groups. For example, patrons and investors in seventeenth-century Venetian opera considered opera a worthy investment despite evidence to the contrary. But their investment was not based on sound business principles, but rather the optimistic hope that future seasons would yield better returns. See Beth Glixon and Jonathan Glixon, *Inventing the Business of Opera: The Impresario and His World in Seventeenth-Century Venice*, (New York: Oxford University Press, 2006).

understand their perspective. Part of the recalcitrance between the musicians and the Association stems from their ideological backgrounds. The inception of the AFM was so firmly tied to the American Federation of Labor and therefore entrenched in the ideals of organized labor in trade unions, that their arguments were made within the framework of labor politics. They wanted to be seen as both laborers who deserved a living wage, and who should be compensated in relation to their extensive training and skills as musicians and artists. On the other hand, the orchestra's managerial structure was scaffolded on corporate structures, so they approached conversations from the perspective of corporate labor/management politics, rather than considering how to create the best artistic product with the most dignity for the musician workers. Rather than focusing on how to make artistic and structural improvements that would help each interlocutor's desire for institutional longevity, the conversations between parties focused on labor conflict and money. The result of this was somewhat boring or clichéd programming and an unaddressed amount of frustration and anger between musicians and management that seeped its way into the workplace and thus, the performances. When considering the professionalization of the Oakland Symphony, both sides approached the topic in terms of their labor/management ideologies but were unable to adjust their expectations and rhetoric in order to find a resolution.

When the musicians and the Association finally reached a resolution on November 16, 1985, some were relieved, others disappointed. The musicians' ratification vote could not have been narrower: the contract passed with a 36-35 vote. Percussionist Scott Evans expressed his disappointment to Michael Hytha of *The Montclairian*. "When we got into this strike, we all believed that they could come up with what we were asking for, but obviously we are

disappointed,” Evans argued. “\$10,000 isn’t enough to support someone in this area, so everybody will be looking for jobs elsewhere.”²⁴⁹

Berk had been skeptical that the season could be saved. He told the *San Francisco Chronicle*, in an article published November 15, 1985, after the musicians rejected the latest offer from the association, that “unless they have a viable counter proposal and we can hear it and get a contract by the end of the week which I doubt, it will unequivocally [sic] and unalterably cancel the season.”²⁵⁰ After Robert A.D. Schwartz convinced both sides to come back to the table, they were able to reach a resolution and continue on with the rest of the season. Although both sides had reached a resolution for the labor conflict, much larger problems were looming in the months ahead.

²⁴⁹ Michael Hytha, “How Strike Affected Symphony,” *The Montclarion*, November 26, 1985, Debbie Spangler Archive.

²⁵⁰ “Striking Oakland Musicians Reject Symphony Contract,” *San Francisco Chronicle*, November 15, 1985. Debbie Spangler Archive.

Oakland Symphony: The Bankruptcy

“My basic dissatisfaction is with the American public...If the public isn’t willing to produce the money you need to do these things, the whole thing is pointless.”²⁵¹

-Calvin Simmons

Introduction

In November 1985, with a recently ratified contract, an eager audience for whom to play, and a hopeful new beginning on the path toward becoming a full-time, professional orchestra, the Oakland Symphony association and musicians sought to repair their strained relationship and get back to work. The concert season resumed, and the musicians, conductor Richard Buckley, management, and the board finished the 1985-1986 season. However, in July, nine months after the strike ended, the board requested to reopen and renegotiate the contract, citing a lack of community support from Oakland and East Bay residents. By September, the Symphony would file for liquidation under Chapter 7 of the Federal Bankruptcy Code.

This chapter analyzes the many assumptions about the many stakeholders in the Oakland Symphony. I argue that the reason for the bankruptcy was far more complex than a matter of finance or the community not stepping up to support the arts, as the board argued. These assumptions, which will be discussed in the chapter, were also held by members of the community, in philanthropic organizations, and in the country at large. The leaders of the Oakland Symphony therefore believed that their bankruptcy filing was inevitable, when it might have been preventable had the organization been more aware of the historical assumptions and their effects on the group. Cultural shifts are inevitable; few institutions, businesses, or people

²⁵¹ Charles Shere, “Why Simmons hasn’t signed a contract,” *The Oakland Tribune*, Sunday May 17, 1981. Museum of Performance and Design Archive, Accessed September 26, 2019.

remain exactly as they were for eternity. But the Oakland Symphony's desire to operate in the 1980s as they had in the 1970s, or even the 1960s, placed them in a dangerous realm of stagnation when the rest of their community (and their funders) had moved on to other endeavors. In this chapter, I discuss how many of the assumptions about the Oakland Symphony and its future were so strongly held that they prevented leaders and musicians from charting a new path forward.

As with most bankruptcies, the cause was not one specific event, but rather a compounding list of problems and decisions that from which it eventually became impossible to recover. The musicians wanted a livable salary and had negotiated with the board to provide that. The board and Richard Buckley wanted to expand the season because a bigger orchestra brought more prestige in their estimation. The board knew, however, that they were facing a dire financial situation that they would have to address sooner rather than later. The staff was trying to draw an audience to a product that did not appeal generally to the community. They spent 13% of their budget on advertising between 1977-1985, versus the 6% spent by other regional groups.²⁵² Additionally the development staff was not successful in securing enough funding and donations to keep the organization afloat, as philanthropic organizations shifted their missions and visions for how to spend their money. Outside of the symphony, Oakland's downtown area was changing, and developers and retailers were divesting in the area in favor of suburban malls and other locations. The city was experiencing general civic as well as social disinvestment as the city lost thousands of jobs, wealthy white residents moved elsewhere, and

²⁵² Melanie Beene, Patricia A. Mitchell, and Fenton Johnson, *Autopsy of an Orchestra: An Analysis of Factors Contributing to the Bankruptcy of the Oakland Symphony Orchestra Association* (San Francisco: Melanie Beene, 1988), Digital Reprint 2012, 30.

poverty instigated drug sales and gang violence.²⁵³ The Oakland Symphony found it difficult to contend with each of these shifts, partially because they did not recognize or acknowledge them in their operations or budgeting. Each of these factors interlocked in the Oakland Symphony during the 1980s and led to the decision to file for bankruptcy in 1986.

The musicians and board tried to avoid the bankruptcy filing over the summer of 1986. But they were not able to achieve the compromises they needed for their careers or the future of the orchestra's finances. The musicians were focused on their job stability, while the board was focused on the dire financial situation at the symphony. Neither side was able to compromise on their demands. The labor movement in the 1980s experienced a dramatic decline in reputation and ability to bargain in the United States. The era of the American laborer was declining in favor of the individualism of Neoliberalism. In their volume, *Three Strikes: Miners, Musicians, Salesgirls, and the Fighting Spirit of Labor's Last Century*, Howard Zinn, Dana Frank, and Robin D.G. Kelley assert, "The struggles of American working people were far more complex, far more diverse, and far more interesting than common lore would have us believe."²⁵⁴ *San Francisco Examiner* music critic Richard Pontziou asserted in a May 1986 article that, "The Oakland Symphony is in trouble. Its very survival depends on so many fragile factors that it's no wonder a California Arts Council official once said he lies awake at night wondering whether the orchestra will be alive in the morning."²⁵⁵ This was months before the board asked to open negotiations, which meant that despite a return to the concert hall the previous November, the public was aware of the financial worries within the orchestra.

²⁵³ This was discussed in the previous chapter. For more on Oakland History, see Chris Rhomberg, *No There There: Race, Class, and Political Community in Oakland*, (Berkeley: University of California Press, 2004).

²⁵⁴ Howard Zinn, Dana Frank, and Robin D.G. Kelley, *Three Strikes: Miners, Musicians, Salesgirls, and the Fighting Spirit of Labor's Last Century*, (Boston: Beacon Press, 2001), 2.

²⁵⁵ Richard Pontziou, "Dark days at the Oakland Symphony: 'Carmina Burana' a high note to end a miserable season," *The San Francisco Examiner*, May 14, 1986. Debbie Spangler Archive.

The different stakeholders each interacted with each other, however tangentially, to create an unfortunate alchemy of mistrust and ahistorical beliefs that were unsustainable over a long period. The board held outdated assumptions about what a community would and should support in an orchestra and mismanaged their funds partially as a result of their expectations of the community and government, and partially because they thought that musical taste and philanthropic goals would not alter over the decades. The Oakland Symphony administration also held assumptions about supply and demand in the nonprofit music sector, what types of music the community actually wanted to listen to, and how they should market their concerts. The musicians held overzealous assumptions about the value (financial and geographical) of their orchestra, often exacerbated by their musical training and strong unionism in the middle of the century. In short, the musicians assumed they should be paid a living wage. The members of the community, as well as the local government, were tired of the infighting in the orchestra, and the years of financial mismanagement had soured the symphony's reputation. By the mid-1980s, the public assumed that the orchestra was past saving, and therefore did not engage in a concerted effort to bail out the orchestra. None of the stakeholders understood the repercussions of professionalizing a semi-professional regional orchestra until after they had lost the group. The Oakland Symphony's bankruptcy filing in the 1980s, therefore, was in many ways a direct result of the several assumptions about US orchestras that had arisen out of the socio-economic shifts during the 1960s-1970s. I discuss the many stakeholders and how their assumptions led to the eventual bankruptcy filing.

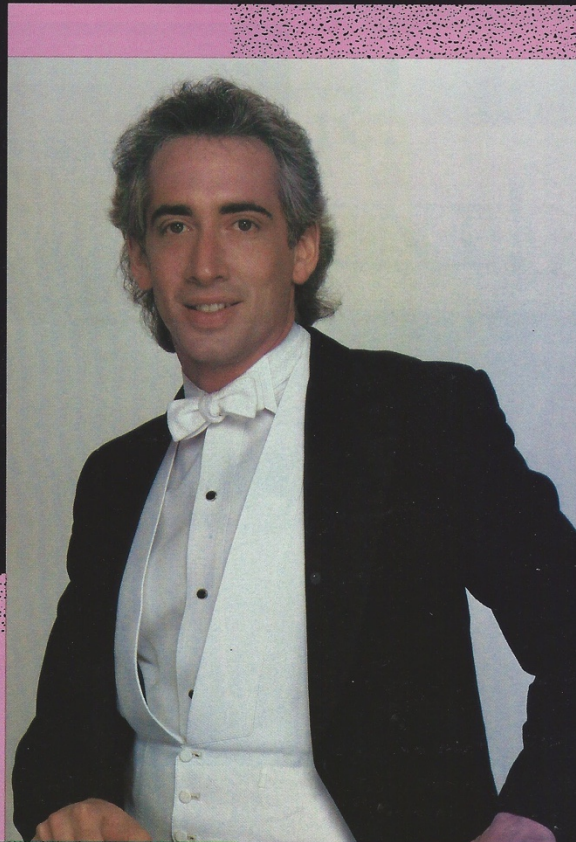
The 1986-1987 Season

With the 1985-1986 season wrapping up, the association announced their upcoming season in March of 1986. It was the largest season yet, with concerts in multiple venues across the East Bay, offered five days of the week. The board assumed that more supply would lead to more demand, rather than demand determining supply. The long season was the result of the union's successful negotiation for more services in their contract as well the board's attempt to compete with the number of concerts given by the San Francisco Symphony across the Bay.

Not only were there several more concerts planned for the upcoming season, but they were to be presented at venues across the East Bay. Potential patrons had no fewer than twenty-two series options to choose from, at four different venues (Calvin Simmons Memorial Theatre in Oakland, The Paramount Theatre in Oakland, Zellerbach Hall on the UC Berkeley Campus, and Rheem Theatre in Moraga). Concerts took place over five days of the week, depending on the series and location, rather than the more conventional weekend concert set. Some of the series contained the same repertoire as other series, and others were one-off concerts. The brochure for the Oakland Symphony's 1986-1987 season is a paean to late 1980s aesthetics, designed perhaps in an attempt to appeal to a younger, hipper audience, as seen in the cover, below. But the bright colors and chunky graphic design did not match with the sensible, conservative programming and general image of the symphony as a more formal orchestra.

H E A R T H E S U P E R B
OAKLAND SYMPHONY
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86-87 Season*



Richard Buckley, Music Director



Full ticket information inside for exciting concerts at Calvin Simmons and Paramount Theatres in Oakland, Zellerbach Hall in Berkeley, Rheem Theatre in Contra Costa.

Figure 1: Cover of Oakland Symphony's 1986-1987 Season Brochure

The inside of the brochure was confusing and difficult to navigate. “To look at the way management is marketing the orchestra,” *San Francisco Examiner* music critic Richard Pontzius wrote, “one has to conclude that an evil force is trying deliberately to muck up the works.”²⁵⁶ The season showed a lack of vision, clarity, and unity within the organization.

The confusing season brochure made the task of choosing a subscription more difficult than in previous seasons and automatically renewing a previous subscription all but impossible. Additionally, the repertoire was far from universally appealing. Pontzius asserted that “The soloists [Buckley has] chosen for the season have names that few subscription buyers will recognize, and the music he’s chosen can be viewed as an all-out attempt to fail at the box office.”²⁵⁷ Pontzius likely was expecting more from canonical composers such as Beethoven, Brahms, Mozart, Tchaikovsky. Although those composers were certainly represented, there was also a smattering of less-known composers from the US, Europe, and even the Brazilian composer Heitor Villa-Lobos.

Pontzius’s assertion that the program was bound to fail stemmed from the historical cult of personality that was so prevalent in the classical music industry. The musical cult of personality in the twentieth century, which stemmed from famous conductors and soloist collaborating on big-budget (for the classical industry) record releases, encouraged orchestras to spend large portions of their budgets on internationally known soloists. This was augmented by the work of music agents and managers, such as Arthur Judson, who represented both the soloists and the orchestras, and could therefore charge an exorbitant fee for his soloists and

²⁵⁶ Richard Pontzius, “Dark days at the Oakland Symphony: ‘Carmina Burana’ a high note to end a miserable season,” *The San Francisco Examiner*, May 14, 1986. Debbie Spangler Archive.

²⁵⁷ Richard Pontzius, “Dark days at the Oakland Symphony: ‘Carmina Burana’ a high note to end a miserable season,” *The San Francisco Examiner*, May 14, 1986. Debbie Spangler Archive.

have his orchestra pay for it.²⁵⁸ The Oakland Symphony could not afford to pay for these expensive soloists, although there were a few famous faces on the roster, including contralto Maureen Forrester singing Mahler's 3rd Symphony, Maxim Shostakovich, conducting his father Dmitri's first cello concerto (op. 107), Kim Kashkashian playing the Walton viola concerto, and Jeffrey Kahane performing Mozart's piano concerto no. 24 in C minor (K. 491).²⁵⁹

The Oakland Symphony had stepped away from its former reputation as a champion of contemporary music, specifically by regional composers. The organization had won two ASCAP awards for adventurous programming, once with the professional orchestra in 1977, and once with the Oakland Symphony Youth Orchestra in 1976 (the first youth orchestra to win an ASCAP award). Calvin Simmons, one of the first Black conductors of a major symphony orchestra, was equally happy to program the standard "masterworks" of the canon as well as twentieth-century compositions. He was dedicated to performing new works during his tenure with the Oakland Symphony from 1979 until his tragic death in a boating accident in 1982 (discussed in the previous chapter). Simmons told reporter Harry Haskell, "People should stop shying away from twentieth-century music...If you present something with enthusiasm, people will accept it, but if you do it because you feel you have to, you're fighting a losing battle."²⁶⁰ He wanted to challenge his audience, and the Oakland Symphony had developed its brand as an orchestra unafraid to push the envelope when it came to repertoire. Buckley, following in the footsteps of Farberman, was not as interested in new works, but he did program a few premieres, including the West Coast Premiere of Stephen Paulus's *Symphony in*

²⁵⁸ For more on Arthur Judson, see James M. Doering, *The Great Orchestrator: Arthur Judson and American Arts Management*, (Champaign: University of Illinois Press, 2013).

²⁵⁹ 1986-1987 Season Brochure, Debbie Spangler Archive.

²⁶⁰ Harry Haskell, "A veteran at an early age: 30-year-old maestro conducts himself with flair before orchestra," *Kansas City Star*, March 27, 1981. Museum of Performance and Design Archive, accessed Sept 26, 2019.

Three Movements (Soliloquy), and the premiere of Frank Ahrold's Flute Concerto,²⁶¹ played by Oakland Symphony principal flute Angela Koregelos.

Paulus, Ahrold, and Koregelos, as well as concertmaster Nathan Rubin, who was scheduled to play "Winter" from Vivaldi's *Four Seasons*, were all involved in the Oakland Symphony in some capacity, which clarified several priorities and assumptions made by the Oakland Symphony leadership. First, the opportunity for rostered musicians to perform as soloists was an olive branch extended by Buckley and management toward to musicians, to place a spotlight on the talent within the ensemble. Orchestra musicians do not often receive many opportunities to perform as soloists during their tenure within their ensembles, so an opportunity to play a concerto is rare and exciting. At the same time, using musicians from within the orchestra could have been a way for the Association to save money. The orchestra musicians probably could not command the same soloist fees as the "name brand" soloists who were represented by managers who demanded higher fees. Finally, it might have been difficult for the symphony to engage a famous soloist because of all the public turmoil the organization had experienced. It is possible that some soloists did not want to perform with an orchestra with such a tarnished reputation, perhaps out of fear that the orchestra might not make it through the season, and they would not have the opportunity to play at all.

The programming for the season in fact combined works from the nineteenth and twentieth century, and in terms of twenty-first century regional orchestras, was relatively balanced. In addition to the Paulus and Ahrold, much of the repertoire for the 1986-1987 season contained a combination of well-known works by canonical composers as well as some

²⁶¹ Frank Ahrold was the pianist with the Oakland Symphony. For more information on Frank Ahrold, see the Online Archive of California: <https://oac.cdlib.org/findaid/ark:/13030/tf5199n7wd/dsc/>

less-well-known pieces by relatively famous composers. The resulting programs included works such as Mahler's Third Symphony, the Verdi *Requiem*, Brahms's Fourth Symphony, Prokofiev's Fifth Symphony, Berlioz's *Symphonie fantastique*, Strauss's *Don Juan*, Stravinsky's *Firebird*. Oakland had branded itself and garnered national attention for its adventurous programming, its desire to give voice to underrepresented composers, and setting itself apart from other Bay Area regional orchestras. But in the 1986-1987 season, late twentieth-century composers were all but absent.

The final season favored the old chestnuts they thought audiences would want to hear, but they knew they could not program works that overlapped with the San Francisco Symphony too much. The board and Buckley had assumed that their audience did not want to hear contemporary music. Contrary to Simmons's belief that it was important to challenge the audience, the symphony's leadership in 1986 was concerned with trying to sell tickets to their expanded season above all else. The problem was that the assumption this repertoire would draw an audience did not bear truth. The audience did not buy enough subscriptions to justify the longer season. New music has polarized audiences since before Beethoven's famous *Eroica* Symphony baffled its Viennese audience in 1804. Classical music, as with many other genres of music and types of art, sometimes operates with the desire to please the audience, and other times, creates tension between the music and the audiences because the music is challenging to listen to. Far from being old fashioned, classical music has a long history of innovation, which sometimes frustrates the audience. Will Robin and Marianna Ritchey have discussed the influence of "indie classical" in their work. The desire of these "indie classical" composers to appeal a wide audience can be juxtaposed with Milton Babbitt's famous (and often misused) article, "Who Cares if you Listen?" or the riot of shocked audience members at the premiere of

Stravinsky's *Rite of Spring*.²⁶² Whether contemporary music was designed to please and soothe an audience or confound and challenge them, new music was a crucial part of performance life through the nineteenth century.²⁶³

Orchestras are named for their location and are thus tied to their spatial identities. The Oakland Symphony's overreliance on their physical home, the Paramount Theatre, defined their value (in the spirit of the edifice complex which was discussed in the previous chapter) in the eyes of the symphony administration and board. Because of their impressive edifice, the symphony leadership also assumed that they would have a built-in audience of people who would be more enticed to attend because of the structure, in addition to the music. In other words, their brand and location were inextricable, and locality was important to their audience. This was generally true for orchestras earlier in the twentieth, when travel was more difficult, particularly across the Bay. More importantly, regional orchestras in particular, such as the Oakland Symphony, were far more representative of their communities earlier in the century, when local amateur and semi-professional musicians congregated at the YMCA to rehearse and perform in the lobby. The Oakland Symphony had started as an amateur orchestra for students and had only expanded to a professional group since the 1960s. Even then, many of the members of the orchestra lived in Oakland and supplemented their part-time Oakland salaries by working other jobs. This meant that when their friends and family visited a symphony concert, it was not because they wanted to hear the best performance in the region, but because they were personally invested in the group. Daniel Cavicchi describes the agency nineteenth-century listeners felt when they attended a concert, largely for the concert's potential for self-

²⁶² For more, see Will Robin, "The Rise and Fall of 'Indie Classical': Tracing a Controversial Term in Twenty-First Century New Music," *Journal for the Society of American Music*, 12, no. 1 (2018), 55-88.

²⁶³ William Weber, *Music and the Middle Class: The Social Structure of Concert Life in London, Paris and Vienna*, (New York: Holms and Meier, 1976).

transformation of the audience. “Urban concert going functioned for many middle-class urbanites as a tool for self-transformation,” Cavicchi argues. “It is clear from the diaries of the period that the dreamworld of commercial music entertainment—with its spectacle, virtuosity, and intense emotions—especially embodied for many the city’s overwhelming power and capability for self-renewal. As Walt Whitman notes, ‘Music is what awakens in you when you are reminded by the instruments.’”²⁶⁴ If an audience member knew someone in the orchestra (or more likely, the amateur chorus), they might have felt a stronger connection to the group.²⁶⁵ But when the group expanded to become nearly a full-time group, the semi-professionals who had to balance their other jobs were less likely to be able to continue, and thus more full-time musicians took over.

Professionalization brought more than quality to the Oakland Symphony. It weakened community ties and encouraged audiences to seek the highest quality product rather than invest their dollars locally into a smaller orchestra. Rather than attempting to draw an audience that was interested in their community, their local residents and the art they brought to life, the Oakland Symphony marketed themselves as being at their highest point yet. “Now Is The Hour!” the season brochure proclaimed. “This Is The Moment! To subscribe to the Oakland Symphony- now at its highest peak in fifty-two years! Riding high on a wave of acclaim from the press and public alike, the Oakland Symphony offers you a joyous and expanded new season.”²⁶⁶ This statement meant that the orchestra had to compete directly with the best band in town: the San Francisco Symphony. Audiences were experiencing the globalization of the

²⁶⁴ Daniel Cavicchi, *Listening and Longing: Music Lovers in the Age of Barnum*, (Middletown, CT: Wesleyan University Press, 2011), 79

²⁶⁵ For further reading on the importance of community in regional orchestras, see Andrea F. Bohlman and Philip V. Bohlman, “The Family Symphony Orchestra: Growing Up Making Music,” *Australian Music Research* 9 (2007).

²⁶⁶ Oakland Symphony 1986-1987 Season Brochure, Introduction. Debbie Spangler Archive.

economy, which was predicated on the idea that it was better to buy the best product than to support local makers. It is no wonder, therefore, that audiences decided to travel across the Bay Bridge to hear the San Francisco Symphony perform similar works to those the Oakland Symphony programmed, often on a higher level. The Oakland Symphony was certainly a high-caliber orchestra, but the San Francisco Symphony salary was rising rapidly, and with a higher salary came better and better talent. In orchestras, as with most businesses, you get what you pay for, as the adage goes.

The Oakland Symphony leadership team had to contend with several competing assumptions: that they existed to serve the community, that they were running a business and had to expand, and that they were also supporting the musicians who played in the orchestra. These three competing assumptions were to create several issues in the season. In reality, the decision to try to compete with the San Francisco Symphony weakened the Oakland Symphony's operations. Rather than focus on locality and supporting the local community's desires for a concert season, the association attempted to "globalize" their market by focusing on expansion and assimilation of their identity into the national expectations of what an orchestra should be. They were focused on profit and money in the service of what David Harvey calls neoliberalism's "financialization of everything."²⁶⁷ In this way, the orchestras treated their arts organization as a corporate business functioning within the interests of the nascent neoliberal economy.

Board Reorganization and Decision-making

²⁶⁷ David Harvey, *A Brief History of Neoliberalism*, (New York: Oxford University Press, 2005), 33.

The board on an orchestra is the boss of everyone in the organization, including the music director and the manager. Although Richard Buckley received most of the critical attention for the 1986-1987 season programming, these decisions were all made in consultation with the board. The board operated under several assumptions about how to run the orchestra, many of which were predicated on the idea that an orchestra is a business and should function within the market economy. They assumed that the musicians did not need to know about the symphony's finances, and that the best way to ensure the institution's longevity would be to cut the budget as much as possible. However, the board in the final year was different to that which had run the orchestra for the previous decade. The board decided to completely reorganize in an attempt to change the public's perception of the orchestra.

In April of 1985, Ronald J. Vincent resigned as chair of the Oakland Symphony board. Vincent had succeeded longtime patron and board chair Edgar F. Kaiser in 1980 and attempted to staunch the financial hemorrhaging in the organization during the five years he served as chair. Vincent's predecessor had not only served as the chair of the board but had also written checks at the end of each season to help make up for the increasing deficits.²⁶⁸ Once Kaiser passed away in 1981, no other board member stepped into his role of major benefactor, and thus the board was forced to spend increasingly more time and energy fundraising in order to meet the budget. In the spring of 1984, the board underwent a massive reorganization, wherein several members of the board were ousted and new leadership elected.²⁶⁹ Vincent was one of the casualties, and Cornell Maier was elected as the new board chair.²⁷⁰ Cornell Maier served as chair until December 1985, when Jean Wentz took over and saw the organization through its

²⁶⁸ For more on Edgar Kaiser's patronage of the Oakland Symphony, see the previous chapter.

²⁶⁹ For more on the board reorganization, see Beene, Mitchell, and Johnson., *Autopsy of an Orchestra* "Board Leadership" Chapter, pp. 67-71.

²⁷⁰ Beene, Mitchell, and Johnson., *Autopsy of an Orchestra*, 3.

final days.²⁷¹ The Oakland Symphony board was populated by important businesspeople in the Bay Area, and their decisions for the orchestra were heavily informed by their economic backgrounds. Jean Wente, the board chair, had married into a family of famous California vintners. As a proprietor of one of the most prominent wineries in Livermore, with expanding operations in Monterey County, Wente was part of a successful business. She was familiar with the business practices and marketing strategies that had turned an age-old product (wine) into an important marker of culinary elitism. The wine industry had existed in a modest form in California since the nineteenth century, but it was only in the 1970s that California wine rose to international acclaim, with the blind Paris Tasting of 1976.²⁷² Like California wine, the Oakland Symphony board wanted to repackage and market the orchestra, a centuries-old product, in a new guise, even if the product was nearly the same as it had been.

The board, under Wente's leadership, made that assumption that running an orchestra was similar to running a for-profit business, despite its lack of financial solvency and nonprofit status. They expanded the season, increased musician pay, and attempted to make the orchestra into a full-time professional orchestra that could reach out into the community and become a musical hub. It was an idealistic plan made by a board that was not savvy in nonprofit leadership. Just a few months after announcing the 1986-1987 season, the board abruptly changed direction in July 1986.

²⁷¹ I discuss Jean Wente's involvement in Wente Vineyards more later in the chapter, but she was part of one of the most prolific wineries in the Livermore Valley, and as such, had an eye toward growth, supply and demand, and the value of capitalism over collectivism.

²⁷² The wine industry in California has exploded since the 1976 Paris Tastings, in which Chateau Montelena's Chardonnay and Stag Leap's Cabernet Sauvignon took top prizes in a blind taste test. The CA wine industry, particularly in Napa county, changed from a humble agribusiness to a global marker of elitism, with prices to reflect its popularity. Wente was part of an industry that not only operated within capitalism, but thrived on the ideology of supply and demand, because vintners can only create so many bottles of wine in a given terroir. It is also a marker of neoliberalism because it exemplifies the "entrepreneurial spirit" of marketing a commodity as a marker of upward mobility. EDIT

The Summer of 1986, in between orchestra seasons, was when the final demise of the Oakland Symphony occurred. On July 23, 1986, the Board of Trustees recommended massive cutbacks in the season. Wentz, as board chair, asserted that “the community is not willing or able to support the orchestra at its current level.”²⁷³ The board had assumed that audiences would throng to the symphony after a few months without the orchestra during the strike a few months prior. But despite new board leadership and a new marketing campaign, the symphony’s reputation had been tarnished. The public was wary of the organization, particularly given how much the labor conflict had been covered in the local newspapers. Additionally, the very narrow margin of victory (one vote) in ratifying the new contract had led to some misgivings from the public. The board had already made its decision, however, and had to let the musicians know.

Two days later, executive director Henson Markham wrote to Mark Drury, chair of the players committee, asking to reopen negotiations for a new Collective Bargaining Agreement. “After the Concord Pavilion concert July 25,” Drury told reporter Charles Shere, “Markham handed me a letter asking us to renegotiate the contract (to reduce the number of services) and saying that a public announcement had to be made immediately.”²⁷⁴ It is not common practice to hand out important correspondence at work services, but the situation was dire enough in Markham’s estimation to warrant breaking precedent in this manner.

The association had indeed overpromised on their ability to present a robust 1986-1987 concert season and found themselves at a crossroads: either renegotiate a new contract, or fold. Markham wrote to Drury, “...The Association’s present financial crisis makes it impossible to

²⁷³ Quoted in Beene, Mitchell, and Johnson, *Autopsy*, 72.

²⁷⁴ Charles Shere, “Symphony on the brink over union, money woes,” *The Tribune*, August 7, 1986. Debbie Spangler Archive.

issue, in good faith... a schedule with 170 services for the 1986-1987 contract year...Consequently, the Association must request that renegotiations begin immediately with respect to modifying the labor contract... there will have to be both a reduction in the number of services and in the size of the orchestra, by attrition from unfilled vacancies, in order to establish a sound economic footing.”²⁷⁵ Drury replied to Markham on July 28, 1986 that the musicians could not consider reopening contract negotiations until they had access to the Association’s financial records that they had requested in June. “We might go into negotiations if they’d open the books to us,” Drury said, but “any unilateral announcement of a schedule change would result in an unfair labor charge” with the National Labor Relations Board.²⁷⁶ The musicians wanted to know how bad the financial situation truly was before they made any decisions about renegotiating their contract and accepting a major pay cut.

Despite the threat from musicians of an unfair labor practice charge, the association decided they would cut back the season anyway. “After years of running operating deficits,” the association announced, they would, “in a bold move of fiscal responsibility,” reduce the season by thirty-seven concerts “in order to achieve a balanced budget.”²⁷⁷ The next day, on July 29, 1986, Wentz sent out a press release announcing the cuts in the season. “While the Board deeply regrets having to make these changes on such short notice and under these circumstances,” she wrote, “it is only by such sound financial planning that the future of the Symphony can be assured.”²⁷⁸ Beene asserted that the board had considered bankruptcy in 1984, but because the CBA was not up for renegotiation for another year, there was not enough

²⁷⁵ Quoted in Beene, Mitchell, and Johnson., *Autopsy of an Orchestra*, 72.

²⁷⁶ Quoted in Charles Shere, “Symphony on the brink over union, money woes.” See also, Beene, Mitchell, and Johnson., *Autopsy*, 72.

²⁷⁷ Quoted in Beene, Mitchell, and Johnson, *Autopsy*, 72.

²⁷⁸ Oakland Symphony News Release, July 29, 1986. Debbie Spangler Archive.

support from some of the board members and the idea was dropped.²⁷⁹ If the Board had decided to file for bankruptcy in 1984, the Oakland Symphony could have avoided the long and painful 1985, and could have avoided incurring more debts the following year.

It is unclear why the Association decided to wait until 1986 to take action on the financial problems they had known about for years. Instead of trying to solve the problem in 1985, the board waited until after the 1986-1987 season was announced, after the brochures were sent out, and long after subscription sales were already underway to announce their cutbacks. It is also unclear why they refused to release their financial records to the orchestra members. If the board had released their financial information to the musicians in the first round of negotiations in 1985, the musicians would have understood how dire the financial situation was and might not have tried to bargain for as much during negotiations. As important as it was for the musicians to earn a living wage from the orchestra, if they had been aware of how little money was available, they might have acquiesced more in their proposals. But the contentious relationship between musicians and management precluded an open and honest communication between the sides.

Markham and the Association refused to work with the musicians' request for financial transparency. Instead, Markham wrote to Drury that if the musicians did not agree to reopen the contract and accept lower pay, the Association would "have no option but to seek the protection of a bankruptcy court, and to request the invalidation of the collective bargaining agreement."²⁸⁰ Like the strike negotiation only a few months before, the two sides were locked into their positions. This time, as opposed to the 1985 strike, the Association was playing a game of life or death.

²⁷⁹ Beene, Mitchell, and Johnson, *Autopsy*, 52.

²⁸⁰ Beene, Mitchell, and Johnson, *Autopsy*, 72.

Rather than wait for the postal service to deliver a letter to Mark Drury's house, the Association expedited their request. "Markham brought a letter to my apartment saying that if we filed a charge, they'd file for bankruptcy," Drury told *The Tribune* on August 7, 1986.²⁸¹ This is highly unusual in most fields and signals the desperation on the part of the association, not only for bringing business issues to a musician's home, but also to threaten bankruptcy in the face of a request for financial transparency. In response to Markham's threat, Drury and the musicians filed an Unfair Labor Practice charge with the National Labor Relations Board (NLRB) against the Oakland Symphony Orchestra Association on August 3, 1986.²⁸²

The association assumed that the musicians would agree to the cut and accept the lower pay. Or, that they would refuse, and the board would be able to file for Chapter 11 bankruptcy and negotiate a new contract. The board's hubris created the expectation that they could determine the outcome because they had power of finance. The board had made plans several years into the future, which were predicated on cutting the season.²⁸³ While the Board might have wanted the musicians to have a better salary, the same leaders would never have made the same decisions for their own companies. They approached the financial realities of the Oakland Symphony through their aspirational desires of making the orchestra into one of the major institutions in the country, without having the vision, or the pragmatism, to support their actions. The board wanted to treat the institution as existing outside of the confines of the market economy, outside of supply and demand, without adjusting their expectations to fit into the realities of the neoliberal shifts in the late 1980s. That is to say, their wishful thinking existed

²⁸¹ Charles Shere, "Symphony on the brink over union, money woes," *The Tribune*, August 7, 1986. Debbie Spangler Archive.

²⁸² Beene, Mitchell, and Johnson, *Autopsy*, 72.

²⁸³ The Oakland Symphony Orchestra Association made many planning decisions up to the 1989-1990 season, but obviously these decisions never came to fruition. For more information, see Beene, Mitchell, and Johnson., 18-23.

more in terms of their social aspirations rather than their business acumen. The Oakland Symphony had experienced many successes in the previous decades, which made the group seem like an orchestra on the rise, despite its financial issues. So much money was poured into orchestras in the 1960s and 1970s by major donors and institutions, and while two decades can seem like an historical trend-made-reality, this was not the case by the 1980s. Robert J. Flanagan argues that Congress has “diminished the amount of direct federal support for the arts” since the 1980s, as well as the money available through the National Endowment for the Arts.²⁸⁴ Orchestra leaders over the last two decades of the twentieth century have been forced to address the changing philanthropic ideals, and to remake a new model for orchestras going forward. Some orchestras were able to transition to new models of funding and operation. The Oakland Symphony Orchestra Association was not.

As a result of these conflicting visions and realities, the Association and the musicians found themselves at an impasse. The association refused to release its financial statements, and the musicians refused to renegotiate the contract. But at the end of the day, management had the power and will take whatever means necessary to find solvency. Therefore, on August 20, 1986, the Board approved filing for reorganization under the Chapter 11 Federal Bankruptcy Code.²⁸⁵ They voted to file for bankruptcy in a “good faith effort to save the organization,” citing projected a deficit of \$965,000 (\$2,279,239 in March 2020 US dollars).²⁸⁶ Many orchestras operate with a small yearly deficit, but a deficit nearly one third the size of the yearly operating costs is untenable for even one season. In order to help with the reorganization, the board

²⁸⁴ Robert Flanagan, *The Perilous Life of Symphony Orchestras: Artistic Triumphs and Economic Challenges*, (New Haven: Yale University Press, 2012), 93-94.

²⁸⁵ For more information on Chapter 11 bankruptcy, see <https://www.uscourts.gov/services-forms/bankruptcy/bankruptcy-basics/chapter-11-bankruptcy-basics>

²⁸⁶ Beene, Mitchell, and Johnson, *Autopsy*, 73.

appointed a task force of community leaders to “reassess organizational goals and establish a long-range plan.”²⁸⁷ The time for protracted negotiations was over.

Orchestra Management teams run the day-to-day tasks of an orchestra. But it is the Orchestra’s board that makes many of the larger financial and planning decisions, in conjunction with artistic and executive leadership. The board was trying to make the best decisions they could to improve the orchestra, but they did not always have all the financial information they needed, and there were too many people on the board for it to function as a cohesive unit.²⁸⁸ The board’s vision was often conservative, lacking innovation, and girded on the social mores of a mid-century upwardly-mobile white middle-class audience. More importantly, their fiscal responsibility often extended only as far as their deep-pocketed former Board Chair, and heavy reliance on one-time funding. “In the good old days,” executive director Henson Markham asserted, “Edgar Kaiser and a couple of others picked up the tab. Then the (Ford grant) unrestricted endowment took care of the deficit. Now those days are gone.”²⁸⁹ Edgar Kaiser, like Edwin W. Ehmann in the 1930s, was the first person who the Oakland Symphony asked to close the expense gap at the end of a season. After Kaiser died in 1981, no one had the inclination (or perhaps financial ability) to take his place, so the Association was forced to look elsewhere for money to help cover expenses. At first, they looked to the Ford Foundation Grants, but they quickly burned through these funds. By the

²⁸⁷ Beene, Mitchell, and Johnson, *Autopsy*, 73. Some of these community leaders had no experience with orchestras or the arts in general, so their decisions were based in their experience in business (within the market economy) rather than the Nonprofit sector.

²⁸⁸ Earlier board bylaws allowed for up to ninety-nine members. This created a fractured, disorganized leadership team.

²⁸⁹ Charles Shere, “Symphony on the brink over union, money woes,” *The Tribune*, August 7, 1986. Debbie Spangler Archive.

mid 1980s, they had little in the way of a benefactor, a spent endowment, and an orchestra season that cost more and more to produce each season.

The board was responsible for the financial solvency of the orchestra, which included fundraising, donor events, and personal giving. Not all orchestras have a giving requirement to serve on the board, but there is an implicit expectation that boards will donate to the orchestra each year. Beene, Mitchell, and Johnson assert that several members of the board were more interested in their social standing than the financial health of the Symphony.²⁹⁰ The fiscal crisis had been simmering for over a decade, but by the time it boiled over, few of the board members knew the full extent of the problem. Gordy Slack, reporter for *The Tribune*, noted in late August of 1986 that only three of the seven Oakland Symphony executive board members had been on the board for a year or longer.²⁹¹ Cornell Maier, the former board chair, had stepped down six months prior to devote himself to his company, Kaiser Aluminum, in order to prevent the company from being taken over by the KACC Acquisition Group.²⁹² Maier had been responsible for the radical reorganization of the group, and was also the only board member who gave more than \$5,000 to the orchestra, in the 1984-1985 Registry of Charitable Trusts of the State's Department of Justice.²⁹³ Although the following year showed more giving

²⁹⁰ Michael Morgan discussed the importance of a balanced budget in relation to San Jose Symphony's bankruptcy. This passage should be incorporated elsewhere: "Morgan is all business when he talks about the way to remake a symphony whose budget is overextended. Morgan says that cash-strapped symphonies can, for instance, choose between laying off musicians or cutting the season short. 'You have to figure out the maximum number of services that you can get for the musicians and the maximum salaries,' Morgan explains. 'Then you have to balance that against what the market will bear.'" (From, Allie Gottlieb, "Silence of the Jams: Is it possible that to get out of its decade-long rut the San Jose Symphony had to destroy itself?" *Metro* (Silicon Valley's Weekly Newsletter) Jan 17-23, 2002. <http://www.metroactive.com/papers/metro/01.17.02/symphony1-0203.html>)

²⁹¹ Gordy Slack, "Oakland Symphony board mulls over bankruptcy: Contract talks may be last hope, says attorney," *The Tribune*, August 20, 1986. Debbie Spangler Archive.

²⁹² Ibid.

²⁹³ Robert Commanday, "Adieu Oakland Symphony," *The San Francisco Chronicle*, September 21, 1986. Debbie Spangler Archive.

from the members of the Board, only half of the members gave between \$1000-\$4,999, and a few gave more. Board Chair Jean Wenté told *San Francisco Chronicle* music critic Robert Commanday, “I can’t answer questions about the average level of giving of board members. I don’t want to put any pressure on the board about anything. Each member gives according to his ability.”²⁹⁴ Given the number of very wealthy members on the Oakland Symphony board, it is likely that they could have given more if they were pressured. One of the main responsibilities of an arts organization board is specifically to raise money for operating costs.

The board argued that the community demand and support should determine the supply. This ideology was informed by the capitalist leaders of the board who operated their own businesses in this manner and assumed they could do the same in an orchestra. When asked about the public and its obligation to the Oakland Symphony, Association chair Jean Wenté asserted, “we have to fashion a season in accordance with the needs and abilities of the supporting Eastbay community,” but that “the community has made it clear that it can’t support this kind of symphony.”²⁹⁵ Wenté had inherited a position in an organization that had not only expanded rapidly over the last decade, but one that had done so without the explicit support of the community. The board asserted that neither the public nor the city of Oakland had given much money in support of the Oakland Symphony during their strike, and once it became known that the Oakland Symphony’s finances were in a state of complete disarray, the public did not greet the issue with alarm or a call to action. However, city officials claimed in 1986 that they had not received any requests to help out the symphony before their bankruptcy filing in September of that year.²⁹⁶ Robert Commanday, music critic for *The San Francisco*

²⁹⁴ Ibid.

²⁹⁵ Gordy Slack, “Oakland Symphony board mulls over bankruptcy: Contract talks may be last hope, says attorney.”

²⁹⁶ Ibid

Chronicle, pointed to the Oakland Symphony Board's inadequacies. He writes that the board members, the executive officers in particular, "could not have a clue as to the real value of symphony in society." The superficiality of commitment was proved by how readily it was vacated when the going got tough: Witness the Oakland board's less than honorable action as it cut and ran.²⁹⁷ Commanday argued that the board had been more interested in the social aspects of serving on the board of an arts organization than on being actively involved in the difficult decisions the orchestra was facing.

The board realized that their desire to make the orchestra into a full-time organization was misplaced, but in their desperation, orchestra leadership still pointed the finger at the public rather than looking at their own mismanagement. Allen Berk, Oakland Symphony trustee and de facto spokesperson for the Association, disagreed. "For a long time the association has had its head in the sand," he told Charles Shere. "A full-time orchestra is not the route to go. We can't run the orchestra on the scope and scale that was hoped—the community won't pay for it. Most cities Oakland's size give millions of dollars to the arts: not Oakland."²⁹⁸ Berk, like Wentz, assumed that the entire community should have rallied behind its orchestra, when in reality the orchestra had been underwritten by a few individual donors as well as corporate and philanthropic granters.

The Executive Board also did not reach out to the other members of the board for help, which was a source of frustration for some of the less central members of the board. Dr. Frank Wilson, a former member of the Board who had been shuffled into the Contra Costa County committee during the recent reorganization, said "there were a number of places where

²⁹⁷ Robert Commanday, "The Importance of Being Smaller," *The San Francisco Chronicle*, February 15, 1987. Debbie Spangler Archive.

²⁹⁸ Charles Shere, "Symphony on the brink over union, money woes," *The Tribune*, August 7, 1986. Debbie Spangler Archive.

the downslide could have been avoided.”²⁹⁹ He argued that it was the change in leadership, and the Executive Board’s unwillingness to bring in other members of the board to help that had the most fatal consequences for the Oakland Symphony. The Executive Board and Markham sequestered themselves from all outside input from other board members, from the musicians, from the Oakland Symphony League, and from the City of Oakland. The lack of involvement from the community and the local government will be discussed later in the chapter, but the symphony leadership put more of the blame on outside forces than was truly justifiable. While it is true that the City of Oakland did not step up to support the organization financially when they needed to be bailed out, part of this is because the City did not know how dire the situation was until far into the bankruptcy process. The Oakland Symphony Association did not reach out to the city or members of the public for a “Save Our Symphony” campaign until it was too late.

Musicians and Labor

The musicians and board of the Oakland Symphony had ratified their Collective Bargaining Agreement (CBA) in order to end the strike in the Fall of 1985. After a massive public upheaval during the strike and a contentious, protracted negotiation period, finally a workable agreement seemed to address some of the issues musicians were facing. Despite the efforts from both sides, the contract and all of its promises turned out to be financially untenable. The musicians had been guaranteed a \$12,500 salary for the 1986-1987 season which the Association could not uphold. After the board implored the musicians to renegotiate the CBA a few short months after its ratification, the musicians had been willing to accept a thirty-

²⁹⁹ Michael Harris, “Oakland Symphony Cancels Season,” *The San Francisco Chronicle*, September 13, 1986. Debbie Spangler Archive.

two percent pay cut for the 1986-1987 season, for a salary of \$8,500, but ultimately rejected an offer of \$5,872 from the Association.³⁰⁰ The musicians were trying to understand how to move forward with the upcoming season without cutting half of the concerts. They had filed an Unfair Labor Practice charge with the NLRB and were awaiting the bankruptcy court date on September 8, 1986. On August 28, 1986 Markham sent another letter to Drury asking for concessions in a new, modified CBA. Drury and the musicians denounced the pay cuts and refused to renegotiate the contract without several concessions on management's part. The two sides were at a stalemate. In order to take an over fifty percent pay cut (from a contractually guaranteed \$12,000 to less than \$6,000)³⁰¹ the musicians expected certain concessions. They wanted to understand where the symphony was headed. Carla Picchi, a freelance violinist in the Bay Area, asserted in a September 14, 1986 *Tribune* article. "I've never felt really secure or sure about the direction of the symphony over the last couple of years," she told reporter Janet Ghent, continuing "I think what we need is people with vision."³⁰²

The musicians of the Oakland Symphony were reticent to open discussions with the Association in the final months of the conflict. They argued that if the season were cut drastically and the personnel list reduced, the quality of the orchestra would be threatened because the best players would look for work elsewhere. In response, the secretary to the executive board, Justin Roach, told *The Tribune* reporter Gordy Slack, "One good thing is that the Bay Area is blessed with an enormous pool of musicians who could take the place of the orchestra players without bringing the quality of the symphony down below the acceptable

³⁰⁰ Michael Harris, "Oakland Symphony Cancels Season."

³⁰¹ Gordy Slack, "Oakland Symphony Stalemate," *The Tribune*, September 1986. Debbie Spangler Archive. (Exact Date Unknown).

³⁰² Janet Ghent, "Coping with the symphony's demise," *The Tribune*, September 14, 1986. Debbie Spangler Archive.

level.”³⁰³ Roach’s argument corroborated the labor versus management relationship between the musicians and the board. In essence, Roach argued that the musicians were fungible, and that it would be no problem to replace them with other musicians. By downplaying the importance of individual contributors to the orchestra, management argued that the current workforce was being greedy for wanting work that is better than future employees might accept. If another musician would be willing to work this job with reduced pay, hours, and benefits, then either the current work force should do the same and accept a pay cut or they would be out of a job. This argument becomes more complicated in nonprofit arts organizations, however, because the idea of “what the market will bear” is of little importance in institutions that do not rely on the capitalistic markers of supply and demand. Marianna Ritchey asserts that “the very concept of commercial disinterestedness is anathema to neoliberals, who must chain all human endeavors to the workings of the free market.”³⁰⁴ Because the product is not consumed within the forces of the market economy, the labor costs should not be considered as such either. In the mid-1980s, unemployment rates surged to 10 percent, and organized labor experienced a popular decline. Additionally, the association argued that musicians could find a job elsewhere. David Harvey argues that “neoliberal theory conveniently holds that unemployment is always voluntary.”³⁰⁵ The Oakland Symphony Orchestra Association was able to leverage job scarcity and the breakdown of labor power to try to force the musicians to heed their warnings.

In early September, Bassist Pat McCarthy served as the musicians’ spokesperson, and asserted that if management was “going to take away such a large part of our season they’ll need

³⁰³ Gordy Slack, “Oakland Symphony board mulls over bankruptcy: Contract talks may be last hope, says attorney,” *The Tribune*, August 20, 1986. Debbie Spangler Archive.

³⁰⁴ Marianna Ritchey, *Composing Capital: Classical Music in the Neoliberal Era*, (Chicago: University of Chicago Press, 2019), 6.

³⁰⁵ David Harvey, *A Brief History of Neoliberalism*, (New York: Oxford University Press, 2005), 53.

to make concessions in the non-monetary departments. We need some form of power-sharing. We need to have members on the board of trustees...But, they won't budge."³⁰⁶ Today, it is almost unheard of to *not* have a contracted musician or two on the board, even if they are only allowed in meetings as a non-participating listener.³⁰⁷ It is important to maintain an open dialogue between musicians and management in order to avoid situation such as the Oakland Symphony found itself in. But at the time, the Oakland Symphony Orchestra Association was unwilling to open their boardroom to any musician, and they showed no indications that this would be possible in the future.

It had become clear to both the musicians and the board that the desire to turn the orchestra into a full-time group was no longer a possibility. It also meant that the musicians had to reconcile what it meant to be a professional musician with the reality that their jobs could not cover their expenses. It did not matter how well the musicians could play their instruments; in the minds of the board there was simply not enough demand to justify performing as much as they did. For the few orchestras in the United States where musicians are able to earn a full-time salary, it has required the dogged efforts of the American Federation of Musicians to organize the musicians in the orchestras, and then negotiate for a living wage. In Oakland, most of the musicians had to work other jobs to make ends meet. Among the older musicians in the Oakland Symphony, principal clarinetist Rudolph Tapiro asserted that even though "the young people (in the symphony) would like to have a full-time wage," this was a privilege that had not even been a possibility for the older generation. "Those of us in the early days chose to do something else without sacrificing the quality of our performance. We gave something more

³⁰⁶ Gordy Slack, "Oakland Symphony Stalemate."

³⁰⁷ Some orchestras will include language for a musician-occupied board chair (which is often *ex-officio*) in their CBAs.

than someone just doing it for the paycheck.”³⁰⁸ Tapiro was positive about the possibility of performing other styles of music at other venues, even though he mourned the loss of the Oakland Symphony. A 35-year veteran elementary school music teacher, Tapiro had an income and a pension from teaching in schools to fall back on, whereas other musicians, such as Carla Picchi and principal flutist Angela Koregelos, were worried about their next steps. Although all three musicians taught, the latter two did not have full-time teaching positions on which to fall back should the need arise.

Finding work as a professional orchestral musician is a very different process than finding a job in most other fields because of the severe lack of opportunities and oversupply of musicians. Principal flutist Angela Koregelos was unsure where the musicians from the Oakland Symphony would go. There were countless young conservatory graduates hungry for orchestra positions, in addition to the recently jobless Oakland Symphony musicians. It was not easy for musicians to think about uprooting their lives for the next orchestral audition that they might possibly win. “You can’t just assume because you’ve been (playing) for a long time and doing a good job, that you can go anywhere you want.”³⁰⁹ Preparing an audition is a different task than playing in an orchestra, which is why so many young conservatory graduates win auditions. They have the time to devote to preparing an audition list because preparing audition repertoire is part of their conservatory education. Professional musicians have to squeeze in audition preparation in between all their other practicing and work hours, let alone their personal lives and other endeavors. Like professional athletes whose abilities taper somewhat with age, professional musicians are affected by the changes in their physical abilities as well as time to

³⁰⁸ Janet Ghent, “Coping with the symphony’s demise,” *The Tribune*, September 14, 1986. Debbie Spangler Archive.

³⁰⁹ Janet Ghent, “Coping with the symphony’s demise,” *The Tribune*, September 14, 1986. Debbie Spangler Archive.

devote to preparing an audition. Seniority is not necessarily a beneficial trait in this field. Therefore, once musicians win an audition, they do not often leave the orchestra unless they win a better job. For the Oakland Symphony musicians who won auditions to get in, the news of its bankruptcy was all the more devastating. After their years of hard work and effort to win their Oakland Symphony auditions, they would have to start over again, decide whether to put in the countless hours to prepare for auditions, or pursue a new path.

The Oakland Symphony musicians had represented a wide swath of the East Bay community before the orchestra became fully professionalized. The musicians were not all full-time professional musicians, but that was part of the draw. “Leland Lincoln made his living in real estate, but played a magnificent first oboe,” writes Charles Shere.³¹⁰ “Students from the University of California at Berkeley sat in the horn section. Housewives as well as rising young professionals filled the string sections...A diversity of human experience and even levels of proficiency met and worked and expressed great aspirations.”³¹¹ The orchestra musicians had shifted from being amateur members of the community to being professional musicians, and despite having found jobs that allowed them to do the work that they had trained their entire lives for, within a matter of months it had all but disappeared.

Markham, Buckley, Staff

In the hierarchy of orchestra employment, conductors have to report to the board, which is beneficial in creating a certain amount of oversight but can be disastrous when there are conflicts. Charles Shere, *The Tribune* music critic, points to former music director Gerhard

³¹⁰ Charles Shere, “Why the symphony declined and folded,” *The Tribune*, September 14, 1986. Debbie Spangler Archive.

³¹¹ Ibid.

Samuel's resignation in reaction to the reactionary board's frustration with his innovative programming as one of the Oakland Symphony's major mistakes. "Intent on running a conventional orchestra along conventional lines," Shere writes, "preferably bring the great orchestral music of the past to the masses, the board challenged Samuel beyond his endurance. He threatened resignation, and the board called his bluff."³¹² When Samuel resigned, his vision for the orchestra left with him. The board's decision to program more conventional, conservative works indicated their power in the organizations. They therefore wanted to hire music directors and managers who would ultimately follow their desires. They found this in both Buckley and Markham, who did not challenge the board in the same way Samuel and Simmons had.

Conductors are the figureheads for their orchestras and often serve as the chronological differentiator for an orchestra. Among orchestra aficionados, few would know the name of the board president or general manager at a given time, but the conductor follows the name of the orchestra: Chicago under Reiner, New York under Bernstein, Cleveland under Szell. Conductors are markers of orchestral history, help guide the organizations, and develop the group's reputation. The Oakland Symphony had had Calvin Simmons and Leonard Slatkin in the 1980s, and finally, Richard Buckley, who took the helm in 1983. Far from being the person who conducts the orchestra and chooses repertoire, an orchestra's music director in the United States has come to represent the entire organization. Buckley was the face of the Oakland Symphony. Particularly as the orchestra was expanding, Buckley would have been expected to reach out into the community and serve as an intermediary between the organization and the public. However, whereas other conductors were central to operations and helped lead the

³¹² Ibid.

group forward, Buckley was reportedly kept entirely in the dark about the financial situation. The board never consulted him about whether he would stay or leave under the current conditions they had presented to the musicians, nor whether he would try to help out the organization by holding fundraisers and appealing to the community.

Throughout the process of announcing Chapter 11 bankruptcy until filing for Chapter 7, Buckley was not included much in the process. As Robert Commanday asserted in a *San Francisco Chronicle* article, it was not until the conductor canceled an engagement in Aspen to attend an August board meeting (as an observer) that he became fully apprised of the situation at hand. Buckley had not known that his \$75,000 salary would have been reduced in accordance with the fewer concerts he would have conducted, whereas executive director Henson Markham's \$65,000 salary would have stayed the same.³¹³ The board made their choice as to who was important in the organization, which was consistent with their choice to cut musician salaries (including Buckley's) rather than Markham's.

Henson Markham had only recently become the executive director of the Oakland Symphony in February 1985, and faced massive upheaval during his tenure, from the strike of 1985 to the bankruptcy of 1986. He had been well-liked by the musicians but had made several controversial decisions in an attempt to keep the orchestra alive. Markham's priorities ultimately lay with the administration over the musicians. The musicians were disappointed to find out the Board of Directors had agreed to keep Markham's salary at \$65,000 despite arguing that they could not pay each musician more than \$5,872 for the upcoming season. The musicians demanded "equality of sacrifice" from everyone in the organization if they were to agree to the

³¹³ Robert Commanday, "Adieu Oakland Symphony."

terms from management, including a pay cut from Markham.³¹⁴ They wanted their salaries to be valued as much as Markham's.

Chapter 11 Bankruptcy

The Association's request that the musicians reopen the CBA and renegotiate a new contract had been repeatedly denied, and so, when it was clear negotiations were not going to happen, the board filed for Chapter 11 Bankruptcy. They had little in the way of assets, but significant debts to account for. Barring a drastic budget decrease, the next best option was reorganizing through Chapter 11 bankruptcy. Against their assets, the Oakland Symphony Orchestra Association owed \$139,086 to the Paramount, \$181,400 to the Wenger Corporation, \$27,390 to ASCAP (American Society of Composers, Authors and Publishers) to cover royalties and rental fees for repertoire outside the public domain.³¹⁵ In addition, they owed \$31,390 to the musicians' pension fund (for first and second quarters of 1986).³¹⁶ The Association argued that it had been living beyond its means for over ten years, and placed the blame for its financial woes on the Oakland community for failing to support the institution.³¹⁷

Reopening a ratified CBA is rare, and most often not in the interest of the union musicians which it represents. "Virtually nobody among the musicians wants to renegotiate the contract," asserted bassist Pat McCarthy.³¹⁸ The collective bargaining agreement which the musicians had negotiated and ratified in good faith, was one that they believed in and wanted to uphold. They thought it was fair and, given the arguments from the other side of the table, the

³¹⁴ Michael Harris, "Oakland Symphony Cancels Season," *The San Francisco Chronicle*, September 13, 1986.

³¹⁵ Gordy Slack, "Oakland Symphony files petition for bankruptcy," *The Tribune*, August 22, 1986. Debbie Spangler Archive.

³¹⁶ *Ibid.*

³¹⁷ Beene, Mitchell, and Johnson., *Autopsy*, 73.

³¹⁸ Gordy Slack, "Oakland Symphony files petition for bankruptcy."

musicians did not know how tenuous the agreement was for the Association. Because they had not been granted access to the financial records of the Oakland Symphony, they knew only what they had been told during negotiations and through the public. One day after the Board's vote to authorize a Chapter 11 filing, on August 21, 1986, Markham wrote Drury again, outlining the proposed contract modifications. But without waiting for a formal response, The Oakland Symphony Orchestra Association filed for protection under Chapter 11 of the Federal Bankruptcy Code on August 22, 1986, thereby entering into the process of either reorganization or dissolution.

The Board issued a plan, titled "Summary Statement of Plans, Oakland Symphony Orchestra: The Next Five Years" on August 25, 1986, which, in addition to stating that the lack of community support led to the bankruptcy filing, makes the argument that the symphony wants to reorganize rather than liquidate. The board argued that its new direction involved "planning based on a new reality, planning based on shaping an organization that is even more responsive to community needs by making community service its principal goal. It is also a planning process that assumes that big is not necessarily better."³¹⁹

Along with their "Summary Statement of Plans," the Association filed a motion with the court to reject the Collective Bargaining Agreement. They wanted the courts to decide that the agreement was untenable and therefore unenforceable. The musicians disagreed and took their grievances to the press. In an August 25, 1986 *San Francisco Chronicle* article, the musicians denounced management's decisions, calling their decision to either cut wages or file for

³¹⁹ "Summary Statement of Plans, Oakland Symphony Orchestra: The Next Five Years," quoted in Beene, Mitchell, and Johnson., *Autopsy of an Orchestra*, 73.

bankruptcy “the first step in destroying the symphony’s current status as a high-caliber, nationally recognized orchestra.”³²⁰

After the Oakland Symphony filed for Chapter 11 bankruptcy on August 22, 1986, but before the organization liquidated under Chapter 7 bankruptcy less than a month later, on September 12, 1986, there was a surge of recommendations from the musicians, the board, journalists, and the public. One suggestion was for the Association to contract Oakland Symphony musicians for private and corporate events, in which the Association would behave as a booking agent and receive fees in exchange for managing the musicians’ schedules.³²¹ The organization, in this new format would function in the traditional mold of a symphony orchestra when they could afford to present a full orchestra concert and would contract out members for other gigs when they had to pay the bills. Other suggestions adhered to the common social justice-oriented refrains put forth by mostly white upper middle-class members of the public for making European institutions more “accessible” for people of color, those in lower income brackets, and those whose educations had not been steeped in European cultural exports. One *Tribune* reporter suggested that “fresh angles on content could include stagings of George Gershwin’s well-loved opera, ‘Porgy and Bess’; or more performances of music by contemporary California composers or Asian, Mexican, black, female, and other minority group composers.”³²² The reporter mused that music written by composers of color or underrepresented groups might be able to address the lack of diversity in the audience. Equity, Diversity, and Inclusivity is a term that has captured the attention of some American orchestras

³²⁰ “Musicians Assail Cuts in Oakland Symphony Pay,” *San Francisco Chronicle*, Tuesday August 26, 1986. Debbie Spangler Archive.

³²¹ “Symphony survival strategies,” *The Tribune*, August 22, 1986. Debbie Spangler Archive.

³²² “Symphony survival strategies,” *The Tribune*, August 22, 1986. Debbie Spangler Archive.

in 2020 and took on particular urgency in the aftermath of the murder of George Floyd.³²³ Although the terminology would not have been in use during the Oakland Symphony's bankruptcy, the reporter's suggestion points to the organization's structural problems with diversity more generally. EDI initiatives are important in creating a more just society, but it are often applied unequally, heavy-handedly, and often by predominantly-white leaders in ways that further reinscribe racial injustice to situations where other amendments could be made to the structure in a more equitable way. Even if the Oakland Symphony had programmed more underrepresented composers, this likely would not have addressed the underlying systemic issues. The cultural paraphernalia of attending an orchestra concerts in the United States is linked to elitism, wealth, and whiteness. Orchestra concerts are framed as an activity that is good for one's soul rather than simply a source of entertainment.³²⁴ Therefore, the value of going to an orchestra concert is shifted away from the activity and toward its projected social outcome. This is one of the few ways that orchestra boards and management have to figure out to place classical music into the neoliberal framework, thereby giving it some valuation, even if it cannot compete in the market economy. The Oakland Symphony did not talk openly about the lack of diversity in their audiences despite the incredibly diverse population in Oakland. This is probably partially because they did not know how to attract a wider audience with their

³²³ In the wake of the murder of George Floyd, many orchestras across the United States decided to take a stand and say, "Black Lives Matter." Quickly, conferences to address the lack of racial diversity in orchestras were established, and organizations who had already been doing this work, such as the Sphinx project gained more attention. These organizations vowed to include more people of color in their programming, performances, and administrations, and to try to right the wrongs of racial injustice inherent in many orchestras. However, due in part to the pandemic, and to the general inertia of orchestras, things have largely returned to how they were before.

³²⁴ Lawrence Levine, *Highbrow/Lowbrow: The Emergence of Cultural Hierarchy in America*, (Cambridge: Harvard University Press, 1988); and Daniel Cavicchi, *Listening and Longing: Music Lovers in the Age of Barnum*, (Middletown, CT: Wesleyan Press, 2011).

current repertoire choices, but more importantly, because the entire format and structure of an orchestra concert was built with a different audience in mind.

The Oakland Symphony's day in U.S. Federal Bankruptcy Court came on September 8, 1986, with Judge Cameron Wolfe at the bench. The Judge denied the Association's request to set aside the labor contract and granted a continuance until September 12, 1986. Judge Wolfe urged the two parties to reach a settlement, or they would have to file for liquidation under Chapter 7 Bankruptcy.³²⁵ That same day the Oakland Symphony Orchestra Association League (formerly known as the Oakland Symphony Orchestra Association Guild, or the volunteer group of mostly women who helped with fundraising events), declared itself a separate nonprofit. The Oakland Symphony Chorus and Oakland Symphony Youth Orchestra had already declared themselves separate nonprofits during the 1985 strike, so the large umbrella organization was now down to just the orchestra.

On September 10th, two days after Judge Wolfe's Bankruptcy Court decision, the Board of Trustees³²⁶ held a meeting. They tried to figure out a way forward, given that the season was to start in five days. The Board of Trustees asked themselves if they might be personally liable for the organizations financial obligations if they were not able to reach an agreement with the musicians.³²⁷ The Association did not have the money to pay the musicians what the contract guaranteed and were unsure about their financial obligations to the musicians. The meeting culminated in one final vote: To file for Chapter 7 Bankruptcy.

³²⁵ Beene, Mitchell, and Johnson, *Autopsy*, 73.

³²⁶ The Board of Trustees was at the center of the newly reorganized board. See Beene, Mitchell, and Johnson. for more information on changes in the board. The board had reorganized, expanded, and contracted, and while they found it easy to reorganize themselves, they found it exceedingly difficult to reorganize the orchestra.

³²⁷ Beene, Mitchell, and Johnson, 73.

Liquidation: Chapter 7 Bankruptcy

The Board called a meeting with the musicians for the morning of September 12, 1986. It was the first face-to-face meeting between the two sides since the crisis began in June. The board repeated their previous offer, to cut the season in half. The Union, representing the musicians, countered by proposing a one-year, thirty-two percent reduction, but with a full snapback in the second year. They also wanted the board to reaffirm their mutual goal of becoming one of the major orchestras in the country. Management argued to the union that a snapback was impossible and that the proposed cuts must be permanent. Management also saw no way forward as a major symphony orchestra. In response, after a caucus, the union proposed that the Association pay a court-appointed trustee to help move the institution forward. Management caucused on this proposal, during which time the musicians walked out of the meeting. The Association reached union counsel by telephone at noon on September 12 and rejected, per the Bankruptcy counsel's recommendation, the union's proposal for a trustee. The Association reiterated to the union counsel that if the two sides did not reach an agreement by the afternoon, the Association would file for liquidation. It was too late. On September 12, 1986, at 3:30 pm, the Oakland Symphony Orchestra filed for liquidation under Chapter 7 of the Federal Bankruptcy Code, and the Oakland Symphony Orchestra ceased to exist.

Immediately following the Chapter 7 Bankruptcy filing, the Oakland Symphony Orchestra Association closed its doors. The office was deserted; nothing was filed away. Eventually all the Oakland Symphony papers would be donated to the Museum of Performance and Design archive, where they have yet to be catalogued and organized as of Spring 2020. Once the symphony office was closed and the debts settled in the bankruptcy court, the Board

went back to their jobs and other philanthropic endeavors. The management found jobs elsewhere, and the musicians were left to pick up the pieces and figure out what to do next.

The Board obfuscated their problems, and rather than reaching out into the community or to national philanthropic arts groups for aid and assistance, isolated themselves from the public, the city, the musicians, and even their own fundraisers when the situation became untenable. Wenté told Robert Commanday at *The San Francisco Chronicle*, “there have been absolutely no phone calls into the symphony office expressing concern, offering suggestions.... Since discussion of the crisis appeared in the press in early August, there has been no outcry or support from any element of the Oakland community.”³²⁸ This was not entirely true, as several members of the public had reached out to the symphony as well as local publications to offer suggestions and feedback. There were not offering large sums of money with their suggestions, however, which is what Wenté and the board were looking for. Commanday argued that instead of pointing to the lack of community support, the Oakland Symphony should have taken direct action. Oakland Symphony patrons had paid their dues, he asserted, by buying tickets and attending concerts regularly. There was no gala, no “Save our Symphony” S.O.S. for the organization. Wenté gave only argument that “the community has indicated by support, or rather its lack of support, that it is not willing to fund the orchestra at the level to which this one has expanded.”³²⁹

The board and Wenté were blaming their customers for not wanting to buy their product on the free market, when the board had been arguing that the symphony was not worth saving precisely because what it offered was undesirable on the free market. But the community

³²⁸ Robert Commanday, “Adieu Oakland Symphony,” *The San Francisco Chronicle*, September 21, 1986. Debbie Spangler Archive.

³²⁹ Robert Commanday, “Adieu Oakland Symphony,” *The San Francisco Chronicle*, September 21, 1986. Debbie Spangler Archive.

was there, volunteers had been helping at the symphony for decades, and subscription ticket sales had rivaled the San Francisco Symphony's in 1975.³³⁰ The problems had less to do with the public not wanting the product, and more with the board itself. The board could have made changes to the organization, including repertoire, marketing, and contract negotiation, but they were not able to see the larger problem through their own reasons and desires for being on the board. As I have contended in this chapter, the board showed a lack of flexibility, creativity, and initiative to evolve their organization. This lack of flexibility and innovation were some of the biggest internal causes for the orchestra's bankruptcy.

The Volunteers and the Community

The Oakland Symphony board, as discussed above, placed much of the blame for their orchestra's demise on public apathy and disinterest in attending concerts. Either the public did not attend enough concerts (ticket sales covered 40% of costs, whereas the Association budgeted 60% of their operating costs from ticket sales),³³¹ or they were not interested in supporting the orchestra and its desire for growth. The argument of public apathy is not a new argument. The Board was not the only entity within the organization making this claim, however. Calvin Simmons had argued in 1981 that orchestras had not focused on interesting repertoire for far too long. "It's the basic position of the orchestra in American society," Simmons asserted. "Playing the same old stuff for the same old people who aren't really

³³⁰ See Beene, Mitchell, and Johnson chart, p. 12. The Oakland Symphony experienced a bump in sales in 1975, but their subscription ticket sales steadily declined after 1975 whereas the San Francisco Symphony's ticket sales skyrocketed after the completion of Davies Symphony Hall.

³³¹ Robert Commanday, "Adieu Oakland Symphony," *The San Francisco Chronicle*, September 21, 1986. Debbie Spangler Archive.

involved. I don't like it, this American complacency."³³² Part of his argument was centered on the problems of the limited canon in the orchestral repertoire, but another aspect of his argument can be explained by Simmons's perception that his audiences did not attend the Oakland Symphony concerts for the music, but for the cultural cachet of being at an orchestra concert. In the nineteenth century, argues Lawrence Levine, European music and dance stars such as Jenny Lind, Ole Bull and Fanny Elssler, in the United States catered to the omnivorous taste of their American audiences. "All three were able to assume a place in a cultural lexicon that cut through class and income; they were welcomed and admired by people from all segments of the society and 'owned' by none; they represented the norm in mid-nineteenth-century America," asserts Levine.³³³

When orchestra concerts became more passive and less participatory in the twentieth century, it set off several shifts in concert etiquette. The development of audience culture in the United States was formed in the late nineteenth century, and led to the practice of "audiencing" connoisseur in the concert hall, argues Daniel Cavicchi.³³⁴ He argues that the excitement of attending a concert in the nineteenth century was not only about the music, but indicated the "health of a city's concert-life; the fullness or thinness of a house was also an indicator of a population's refinement and sophistication and, more selfishly, the extent to which one's habitual attendance at concerts could continue unabated."³³⁵ Over the course of the twentieth century, however, markers of cultural health and audiencing shifted away from the classical concert hall. Audiences participated in the cultural practice of silent listening in twentieth-

³³² Calvin Simmons, quoted in Charles Shere, "Why Simmons hasn't signed a contract," *The Oakland Tribune*, Sunday May 17, 1981. Museum of Performance and Design Archive, Accessed September 26, 2019.

³³³ Lawrence Levine, *Highbrow/Lowbrow*, 108.

³³⁴ Daniel Cavicchi, *Listening and Longing*, 123.

³³⁵ Cavicchi, 123.

century concert halls, which had only a short history in practice. By the late twentieth century, silent passive attendance was the expectation, which led some audience members to become less invested in the product, and therefore, less passionate about its production. The apathy that the board pointed to as the cause of their problems was actually a problem with the structure of their concerts and the non-participatory audience culture in classical concerts in general than with the audiences themselves.

As well as general audience apathy, there was a concern that the audiences weren't well-educated enough to truly appreciate classical music. "Facts are facts," wrote *The Tribune* music critic Charles Shere. "Standard-repertory European-American orchestral music is an acquired taste outside a few Germanic- or English-dominated areas, and our society hasn't been providing that taste to its youth."³³⁶ Shere, in a classic trope from an older generation, blames the lack of cultural edification and prioritization of European musical-cultural exports over other musical genres on the dwindling audiences at orchestral concerts. This is an argument along the same vein as audience apathy; by blaming the consumer for not wanting the product as a result of their lack of education and poor taste, the symphony only further ostracized their potential audience by telling them they were not good enough to enjoy the product. On the other hand, there is some truth in the issue of lack of education, particularly in California. Proposition 13, which had passed in 1978, made property tax rates very slowly for property owners, which dramatically lowered property tax income, an important source of public education funding. The result was the decimation of school music and arts programs, which

³³⁶ Charles Shere, "Why the symphony declined and folded," *The Tribune*, September 14, 1986. Debbie Spangler Archive.

meant that students were not educated in music (largely from the classical genre) in the schools.³³⁷

Rather than placing the blame on the Oakland community as the Board had, the musicians argued that it was *because* of their community that they were denouncing management's decisions. "We must fight to continue to provide the East Bay with (a) quality musical experience," argued Mark Drury.³³⁸ They focused on the product they were supplying and finding their place in the community rather than expecting the community to preemptively reach out to the symphony to provide assistance. Allen Berk asserted that the money just was not there to pay the musicians what they deserved. "They are all grossly underpaid. They deserve far more," he conceded. "But there is only so much level of activity the East Bay will support. Sales have been flat for six years, and we cannot commit ourselves to more than we can do."³³⁹

Contrary to the claims of the Association, members of the public did reach out to the Association with their frustrations and questions. One such member was Dorothy H. Reed, a local artist who wrote to Henson Markham to express her frustration with their bankruptcy filing. "For the past 8 years," Reed writes, "I have attended the Oakland Symphony and it has been such an exhilarating experience, that it has become a necessary part of my life." She asks Markham, "how could intelligent management decide that 'Bankruptcy' is a solution to any problem of this dimension. There must be alternatives if more research is conducted."³⁴⁰ Reed

³³⁷ For more on Proposition 13, see Mac Taylor, "Common Claims about Proposition 13," California Legislative Analyst's Office, September 19, 2016.

³³⁸ "Musicians Assail Cuts in Oakland Symphony Pay," *San Francisco Chronicle*, Tuesday August 26, 1986. Debbie Spangler Archive.

³³⁹ Michael Harris, "Oakland Symphony Cancels Season," *The San Francisco Chronicle*, September 13, 1986. Debbie Spangler Archive.

³⁴⁰ Letter from Dorothy M. Reed to Henson Markham, September 3, 1986. Debbie Spangler Archive. See Appendix D for the full text.

was close with the musicians and asked for their input into her letter before she sent it to Markham and the Oakland Tribune (Figure 4.2).

Wente asserted that one of the reasons why audiences were not flocking to the Oakland Symphony was because they would rather attend cultural events in San Francisco. “A lot of money here is supporting San Francisco,” she said. “There are a lot of people (here) who would rather be seen at an associated with San Francisco events.”³⁴¹ With San Francisco being the cultural locus of activity in the Bay Area, it makes sense that patrons concerned with their social status and upwardly mobile mingling would prefer to attend the San Francisco Symphony if they had to choose between the two. Louise M. Davies Symphony Hall, the home of the San Francisco Symphony, had recently been completed in 1980. In sharp contrast to the Oakland Symphony’s renovation of the Paramount, which did not lead to an increase in ticket sales over the course of a few years, Davies Hall became the iconic centerpiece of the San Francisco Symphony. The image of Davies Hall is today still the San Francisco Symphony’s logo. Beyond the hall, however, the San Francisco Symphony experienced a dramatic rise during the 1980s. Their leadership had a vision, their conductors were world-renowned, and they had a development and marketing team that knew how to appeal to audiences. The Oakland Symphony could not catch up, even though the competition between the two was never on equal footing.

In addition to leaving out the public and the City of their preservation efforts, the Oakland Symphony Orchestra Association also isolated their own fundraising league. Christine Kalakuka, the president of the Oakland Symphony League (formerly known as the Oakland Symphony Guild), the groups that served as the symphony’s fundraising organization, said that

³⁴¹ Robert Commanday, “Adieu Oakland Symphony,” *The San Francisco Chronicle*, September 21, 1986. Debbie Spangler Archive.

she was requested by the symphony staff not to produce any fundraising events during the 1985-1986 season. The Association was worried that any other fundraising events would compete or threaten the Ice Classics, the only fundraiser that was held during the 1985-1986 season.³⁴² “I feel we would have been able to raise substantial amounts of money if we’d been allowed and encouraged,” Kalakuka said.³⁴³ Kalakuka was also not invited to the July board meeting where the board decided to cut the season in half, although the chair of the Symphony League traditionally was invited to join such discussions.³⁴⁴ The Oakland Symphony League separated from the Oakland Symphony Orchestra Association to become their own nonprofit during the September 8th Bankruptcy court date.

Mayor Wilson, Politics, and Economics

Had the board reached out into the community they might have found deeper pockets than they expected. The East Bay was populated by many wealthy communities who had the means to raise millions of dollars for a worthy cause. The City of Oakland had paid millions of dollars to retain the Raiders in Oakland and loaned \$15 million to the Oakland Athletics to help them stay in Oakland.³⁴⁵ Oakland Firefighters commissioned a study after the announcement of 1987-1988 budget cuts in Oakland to determine where Oakland citizens’ values lay. The poll

³⁴² Gordy Slack, “Oakland Symphony board mulls over bankruptcy: Contract talks may be last hope, says attorney,” *The Tribune*, August 20, 1986. Debbie Spangler Archive.

³⁴³ Ibid.

³⁴⁴ The Symphony League seems to have been a remnant of the Women’s Musical Clubs that were so popular in the early-to-mid-20th century. For more, see Linda Whitesitt, “The Role of Women Impresarios in American Concert Life, 1871-1933.” *American Music*, 7, no. 2 (Summer 1989), 159-180. <https://www.jstor.org/stable/3052201>, accessed August 22, 2018.

³⁴⁵ Mayor Wilson’s financial subsidies of these sports teams turned was one of the reasons why he was voted out of office, which indicates that the residents of Oakland were not as interested in retaining their sports teams as Wilson was. For more, see Jill Singleton, “Oakland Residents Say There’s a Lot to Like,” *San Francisco Chronicle*, February 14, 1987. Debbie Spangler Archive.

found that 68% of those polled opposed the City's loan to the Oakland Athletics, whereas 55% felt that the City of Oakland should have used tax dollars to help save the Oakland Symphony.³⁴⁶ and the City Council of Piedmont, one of the wealthier East Bay towns, said in September of 1986 that it would be able to raise \$2.5 million through private and corporate fundraising for a multi-field sports complex.³⁴⁷

The general public was not the only group of people concerned with the plight of several regional orchestras. *Tribune* music critic Charles Shere asserted that the Bay Area needed more classical music and implored the other regional orchestras (and the San Francisco Symphony) to perform a few runout concerts (where orchestras would perform outside of their regular venues) in the East Bay. The location was not the problem; it was the lack of leadership, branding, and marketing, among other reasons.³⁴⁸ Sir Georg Solti, the conductor of the Chicago Symphony Orchestra at the time said, "The smaller orchestras are absolutely essential; they're one of the great beauties in this country. They have spread like bacilli and basically that helps the major orchestras enormously. There's a great reservoir of talent in them. That was part of the success of the major orchestras and that is still part of what makes our orchestras the best in the world today. I am very concerned."³⁴⁹ Regional orchestras, in Solti's estimation, were crucially important to the musical ecosystem of a region. The regional orchestra musicians were the same musicians who substituted in the major orchestras, who taught the bulk of the region's private students, and allowed more musicians to piece together a living.

³⁴⁶ Jill Singleton, "Oakland Residents Say There's a Lot to Like."

³⁴⁷ Robert Commanday, "Adieu Oakland Symphony," *The San Francisco Chronicle*, September 21, 1986. Debbie Spangler Archive.

³⁴⁸ Charles Shere, "Why the symphony declined and folded," *The Tribune*, September 14, 1986. Debbie Spangler Archive.

³⁴⁹ Robert Commanday, "The Importance of Being Smaller," *The San Francisco Chronicle*, February 15, 1987. Debbie Spangler Archive.

Regional orchestras also are an important part of the local economy. In addition to the income from eating out at a restaurant before the concert or enjoying a nightcap at a local bar after the performance and the other activities before and after performances, regional orchestras employ a number of individuals outside of the musician personnel. They hire cleaning staff, ushers, stage crew, security, as well as the orchestra staff and accountants, to name a few associated occupations. Thus, even though the Oakland Symphony could not balance its budget, the organization was a vital part of the local economy. When the orchestra filed for bankruptcy, it was not just the musicians who lost their jobs. The entire downtown area economy was negatively affected. The effects of the bankruptcy brought to life the problems A.D. Schwartz was trying to avoid when he stepped in to resolve the 1985 strike; with the exodus of the symphony, the downtown area fell further into a state of disrepair.

Oakland Symphony Musicians Association (OSMA)

When the Oakland Symphony Orchestra Association filed for Chapter 7 bankruptcy, the musicians decided to take matters into their own hands. A few intrepid musicians from the orchestra decided to form a new cooperatively run orchestra, the Oakland Symphony Musicians Association (OSMA). Bassist Pat McCarthy, one of the recently unemployed Oakland Symphony musicians, was at the forefront of the OSMA initiative, and served as an early spokesperson. “We need to have a strong showing of support from the community to continue to produce the concert series,” he told journalist Jack Cheevers.³⁵⁰ In a memo that outlined the business plan for OSMA, the introduction states,

³⁵⁰ Jack Cheevers, “Symphony musicians plan concerts,” *The Tribune*, October 14, 1986. Debbie Spangler Archive.

“The reconstitution of the Oakland Symphony Orchestra is dependent upon the commitment of the musicians, the business community, financial institutions, and the city government of Oakland. There cannot be an orchestra in Oakland unless there is the social and political will for one to exist. The size of the orchestra and the amount of work which it does, is dependent upon how much the community is prepared to pay for it.”³⁵¹

McCarthy and his colleagues wanted to create a much more streamlined orchestra administration than the previous iteration. Instead of the twenty staffers employed by the Oakland Symphony, the OSMA musicians proposed only two full-time administrative positions. They decided they would hire guest conductors until a new board of directors and full-time managers were hired to help with fundraising efforts.³⁵² The structure included the Oakland Symphony Council, comprised of “eminent” members of the community, the Oakland Symphony League, an Artistic Advisory Panel, an Association Board, and Staff organization. OSMA’s plan was to “re-establish a credible symphony orchestra in Oakland within reasonably achievable financial parameters.”³⁵³ They wanted to create a new version of their former orchestra but run it differently, and in their mind, more sustainably.

The players agreed to an annual salary of \$8,500, which amounted to about two thirds of their Oakland Symphony salaries. In a memo to musicians titled “Proposed Structure for the ‘New Oakland Symphony,’” the writers asserted that,

“Since neither the cooperative system nor the traditional patronage system make sense in our situation, we are proposing a hybrid—some combination of the two systems which would bring together the best features of both. This will not

³⁵¹ “Oakland Symphony Musicians Association: Outline Plan for the Reconstitution of the Oakland Symphony Orchestra.” December 19, 1986. Debbie Spangler Archive.

³⁵² Coincidentally, Symphony Silicon Valley decided to do the same when they formed after the San José Symphony’s bankruptcy filing. Since they were founded in 2002, there has never been a music director, which both saves the organization money and allows Andrew Bales to serve as both artistic and executive director. For more on OSMA, see: Jack Cheevers, “Symphony musicians plan concerts,” *The Tribune*, October 14, 1986. Debbie Spangler Archive.

³⁵³ “Oakland Symphony Musicians Association: Outline Plan for the Reconstitution of the Oakland Symphony Orchestra.” December 19, 1986. Debbie Spangler Archive.

only create good will among those participating, but will help to prevent the sort of employer employee conflicts which have been so destructive in the past.”³⁵⁴

Neither the musicians nor the Task Force was experienced in creating such a hybrid orchestra, so they consulted with Edward Butler, who had worked with the San Jose Symphony as well as in England with cooperative orchestras there.

The musicians planned a benefit concert on Thursday October 16, 1986. George Cleve, the conductor of the San José Symphony, was booked to conduct the concert, violinist David Abel, former concertmaster of the Oakland Symphony, was the soloist. Both donated their services to the cause. Christine Kalakuka, president of the Oakland Symphony Orchestra League, hoped they would raise enough money to “have enough in the bank after the (benefit) concert to... put on a season.”³⁵⁵ The musicians and Oakland Symphony Orchestra League hoped to raise \$1.8 million for the season, starting with the benefit concert. The Oakland Symphony Orchestra Association had created a budget of nearly \$3 million for the 1986-1987 season but had not been able to raise enough money to even cover expenses.³⁵⁶ That was part of the reason OSMA wanted to function with a much smaller budget. It was important to have the best possible musicians, and therefore to budget an amount of money that would entice great quality musicians to play. Pat McCarthy said, “We think it’s going to be excellent quality. We are budgeting enough money... that will enable us to get first-rate talent.” Many of the Oakland Symphony musicians were part of the concert, as well as other prominent freelance musicians in the Bay Area.

³⁵⁴ Memo: “Proposed Structure for the ‘New Oakland Symphony,’” November 1986. Debbie Spangler Archive.

³⁵⁵ Jack Cheevers, “Symphony musicians plan concerts,” *The Tribune*, October 14, 1986. Debbie Spangler Archive.

³⁵⁶ Beene, Mitchell, and Johnson. *Autopsy*, 43.

Benefit concerts are not a normal occurrence in twentieth- and twenty-first-century corporatized American orchestras, but they have a long history in European musical culture.³⁵⁷ Christine Kalakuka asserted that the benefit concert was an experiment, but one worth trying. “If this method does not work,” she asserted, “we’ll try something else.”³⁵⁸ Galas are more commonplace, but they serve a different purpose than a benefit concert. Gala concerts are organizations’ annual opportunity to not only support a musical organization financially, but to dress up and have a swanky party. They are ostensibly about the music but are also a social marker. In nineteenth-century Vienna, composers and musicians put on benefit concerts almost out of financial necessity, argues Alice M. Hanson in *Musical Life in Biedermeier Vienna*. “In an age without insurance,” she argues, “concerts were often the sole means of raising relief money for victims of sudden catastrophes and natural disasters,” as well as providing much-needed funds for retired musicians and their families.³⁵⁹ Before the advent of public orchestras, many of the orchestral concerts presented to the public were part of a benefit concert or were one-off endeavors.³⁶⁰

Overall, the October 16th Benefit concert was a well-received success. There was lower attendance than expected due to a ticketing issue with the BASS ticketing agency at the Calvin Simmons Memorial Theatre, so only about half of the 2,000 seats were filled. Nevertheless, the musicians pulled off a high-quality performance. “The musicians of the bankrupt Oakland Symphony proved Thursday night what’s been clear all along,” Charles Shere wrote. “Give

³⁵⁷ Alice M. Hanson, *Musical Life in Biedermeier Vienna*, (Cambridge: Cambridge University Press, 1985), Chapter 4: “Public Concerts,” 82-108.

³⁵⁸ Jack Cheevers, “Symphony musicians plan concerts,” *The Tribune*, October 14, 1986. Debbie Spangler Archive.

³⁵⁹ Alice M. Hanson, *Musical Life in Biedermeier Vienna*, 83-84.

³⁶⁰ Before orchestras were corporatized, one-off concerts were more common. A full 52-week season is a mid-twentieth century invention. Musicians were forced to make their livings playing other types of work, both musical and extra-musical.

them an inspiring, mature conductor and the finest concert hall in the Bay Area and they'll sound like a million dollars."³⁶¹ Shere pointed to the irony of the situation: take away the big problems of the institution—the conductor, the administration, and the board—and the musicians were able to finally shine. “Impact, power, subtlety, and ardor—all were there,” Shere continued.³⁶² The concert gave hope to many of the members of the orchestra and the public. Before the concert began, George Cleve told the audience, “This is not a wake; not a memorial. We’re here to celebrate this orchestra’s will to live.”³⁶³ OSMA and the Symphony League were able to raise \$12,000 from ticket sales, donations, and the post-concert reception.³⁶⁴

OSMA saw itself as filling a lacuna in the musical cultural and educational pockets of Oakland. Their plan for their orchestra was based “on the pragmatic views that it is by the educational and outreach aspects of its activity, particularly as it takes a leadership role in collaborating with local arts groups, that the Symphony will be seen to be serving the needs of the community, and to make a real contribution to the enhancement of the quality of life in this city.”³⁶⁵ OSMA wanted to be more than just an institution for the white cultural elites in the East Bay: they also wanted to give back to the community. OSMA focused on the people of the community as well as revitalizing the downtown area of Oakland, where the Paramount Theatre is located. “As many corporations and cities have discovered,” they wrote, “support for the symphony is not charity, it is good for business.”³⁶⁶ OSMA and its board recognized that it was

³⁶¹ Charles Shere, “Bankrupt Oakland Symphony sounds like a million,” *The Tribune*, October 18, 1986. Debbie Spangler Archive.

³⁶² *Ibid.*

³⁶³ *Ibid.*

³⁶⁴ Memo: “Proposed Structure for the ‘New Oakland Symphony,’” November 1986. Debbie Spangler Archive.

³⁶⁵ “Oakland Symphony Musicians Association: Outline Plan for the Reconstitution of the Oakland Symphony Orchestra.” December 19, 1986. Debbie Spangler Archive.

³⁶⁶ *Ibid.*

crucial for them to reach into the community for support and to ask for help and guidance from those who knew the members of the community well.

Marketing was an important endeavor for the OSMA musicians, who wanted to set themselves apart from the Oakland Symphony Orchestra Association and their somewhat sullied reputation. OSMA acknowledged that they could not compete with San Francisco and thus must not overlap in terms of programming. They wanted more flexibility to perform at commercial projects, such as video recordings, or general projects. Most important to them was that a “cornerstone of a new public image must be public service activity and the active collaboration with other local arts groups, particularly with those who serve ethnic minorities.”³⁶⁷

OSMA created a financial plan for the 1986-1987 through the 1989-1990 seasons. The number of performances went from two in 1986-1987 to 243 performances in 1989-1990.³⁶⁸ This was going to be made possible by massive amounts of fundraising. For the 1987-1988 season, gross expenses were to be \$1,872,971, with an operating deficit of \$1,084,971. Through City, County, and state funding, as well as NEA grants, Foundations, Gala proceeds, League events, an Oakland Symphony thrift store, and annual funding campaigns, OSMA hoped to raise \$1,100,000 in contributed income, thereby netting a \$15,029 surplus in the 1987-1988 season. It is laudable to have such a concrete fundraising plan, a necessary facet of running a nonprofit.

Conclusion

³⁶⁷ Ibid.

³⁶⁸ Ibid.

Two years after the Oakland Symphony's bankruptcy filing, M. Melanie Beene, Patricia A. Mitchell, and Fenton Johnson published a report on the Oakland Symphony's bankruptcy filing. The report received substantial journalistic attention and was praised as an exhaustive report of the problems that led to the failure of the Oakland Symphony. Melanie Beene was the program officer for the William and Flora Hewlett Foundation, one of the largest philanthropic grant makers in the Bay Area.³⁶⁹ Her book, *Autopsy of an Orchestra: An Analysis of Factors Contributing to the Bankruptcy of the Oakland Symphony Orchestra Association*, is indeed an exhaustive resource of facts and figures, of timelines and financial statements.³⁷⁰ At its core, the *Autopsy* is a financial report, and allowed all who were interested in studying the document to read about how the financial decisions led to the organization's bankruptcy filing. The report provides one vantage point of looking at an orchestra that is very valuable, particularly to those who funded the report: The San Francisco Foundation, the California Arts Council, Mervyns (a department store that itself filed for bankruptcy in 2008), The James Irvine Foundation, and the Walter and Elise Haas Fund. Those institutions, prominent grant makers in the arts, were interested in how far their dollars would go in future philanthropic endeavors, and as such, wanted to know which mistakes to avoid in the future. The report provided important statistics and facts that told the story of the financial mismanagement of the Oakland Symphony. However, the report did not take into account many of the social shifts occurring in the Bay Area at the time, nor did it analyze the economic structures and ideologies that were gaining prominence in the latter part

³⁶⁹ For a 1997 profile on Melanie Beene and her work with the William and Flora Hewlett Foundation: <https://www.sfgate.com/entertainment/article/The-Hewlett-Foundation-s-Melanie-Beene-decides-2818208.php#photo-2215124>

For an overview of the William and Flora Hewlett Foundation's Grant activity in the Performing Arts, see <https://hewlett.org/programs/performing-arts/>.

³⁷⁰ For the digital version of Melanie Beene, Patricia A. Mitchell, and Fenton Johnson, *Autopsy of an Orchestra: An Analysis of Factors Contributing to the Bankruptcy of the Oakland Symphony Orchestra Association* (San Francisco: Melanie Beene, 1988), Digital Reprint 2012, which includes all the charts, facts, and figures, see <https://www.giarts.org/sites/default/files/Autopsy-of-an-Orchestra.pdf>.

of the twentieth century, which also contributed to the Oakland Symphony's bankruptcy filings. Analyzing the orchestra's bankruptcy in terms of larger systemic economic and sociological issues was not the goal of the report, but it did provide many of the answers the funders were looking for.

The report rankled many of the Oakland Symphony Musicians, most of whom had been involved in OSMA in some capacity. However, when the Association decided it wanted to try to put an orchestra together again, the musicians acquiesced. In 1988, the Oakland Symphony reformed itself as the Oakland East Bay Symphony, which it would be known as until the bankruptcy restrictions allowed it to reclaim the Oakland Symphony name. The Association decided to do a conductor search in its first season, and from that search Michael Morgan was named the new Music Director in 1990, a role that he still occupies in 2020. Morgan has a penchant for adventurous programming, and he is part of the proud lineage of the Oakland Symphony's music directors (Samuel and Simmons in particular). He has introduced several new series to the Oakland Symphony's seasons, including "American Masterworks," "Notes from....," (a musical exploration of different regions and historical events) "Lost Romantic Symphonies," and the "Mixtape" series, in which the Oakland Symphony collaborates on a program with important local figures ranging from comic and activist W. Kamau Bell to Kaiser Permanente Executive Bernard J. Tyson.³⁷¹

At the helm of the Oakland Symphony for over thirty years, Morgan has helped the organization find its voice, and its brand. The organization is one of the few orchestral institutions in the Bay Area that presents unique programming and attempts to innovate outside

³⁷¹ Unfortunately, Bernard Tyson passed away unexpectedly in November 2019, just two months before his scheduled Mixtape appearance. The concert, which he had helped program with Michael Morgan, was presented as a celebration of his life.

of the bounds of the traditional canon. Despite these programming innovations ushering in a new era for the orchestra, the Oakland Symphony has unfortunately continued to face financial setbacks in the second decade of the twenty-first century. Yet again, it has found itself fraught with mismanagement and under-delivering on promises. The orchestra are now down to a season of under thirty services per musician per season. Not all of the lessons of the bankruptcy era have gone unheeded, however. Morgan writes of his role, “[I use] a symphony orchestra to bring together a community across socioeconomic, racial, ethnic, and generational lines to hear great music from many genres—from classical, to jazz, to musical theater, to gospel and others.” He feels that the orchestra “[is] art, it’s political, it’s peacemaking.”³⁷² At the interpersonal level, too, Morgan has proven to be a smart leader for the group and has tried to mend the fraught relationships between musicians and board. He is also incredibly dedicated to his Oakland community, and has tried to situate the Oakland Symphony within the East Bay cultural apparatus. “You also have to make sure that the fundamentals are in place,” Morgan asserted, in a discussion about the bankruptcy of the next orchestra in this study, the San Jose Symphony. Morgan argued that an Orchestra has to make sure that “the community is capable of supporting the services, that the board is capable of paying what it promises to the musicians and that the underlying artistic product is good. If any of those things aren't true, it's going to collapse.”³⁷³

While the Oakland Symphony bankruptcy was caused by a unique combination of factors in that city, a similar story was unfolding across the country. When the board, the

³⁷² “2019 Agents of Change,” *Diablo Magazine*, August 23, 2019.

<http://www.diablog.com/September-2019/2019-Agents-of-Change/>, accessed August 26, 2019.

³⁷³ Allie Gottlieb, “Silence of the Jams: Is it possible that to get out of its decade-long rut the San Jose Symphony had to destroy itself?” *Metro* (Silicon Valley’s Weekly Newsletter) Jan 17-23, 2002.

<http://www.metroactive.com/papers/metro/01.17.02/symphony1-0203.html>.

musicians, and the community were not in agreement with what they wanted, how they were going to pay for it, and what to play, then orchestras such as the Oakland Symphony suffered. The Oakland Symphony was one of the early orchestras to file for bankruptcy, largely as a result of the many shifts that were put into motion in the 1960s and 1970s, but just fifty miles south of the Paramount, another orchestra would experience their own bankruptcy sixteen years later. The San José Symphony was a different organization with different leadership, musicians, and audiences, and had its own set of problems that were distinct from the Oakland Symphony's. But there were several similarities as well, which had similarly disastrous effects on the musical life of San José at the beginning of the twentieth century.

San José Symphony: Foundation to Bankruptcy

Introduction

The Oakland Symphony's bankruptcy was in many ways the confluence of several misfortunes that were unique to that time period and that location. However, as I will show in this chapter, several key factors that led to the Oakland Symphony's bankruptcy filing were present in orchestras across the country, including the very same region. The San José Symphony would file for bankruptcy just sixteen years after the Oakland Symphony.³⁷⁴ This chapter analyzes the decisions, made over decades, that precipitated the bankruptcy filing of Oakland's orchestral neighbor to the south in 2002. Whereas the Oakland Symphony was governed by ideologies that stemmed from the cultural shifts of the 1960s and 1970s as well as the civic changes that Oakland was undergoing in the 1980s, by the early 2000s, a new set of economic realities and social mores had taken place. Neoliberal ideologies were the de facto rhetoric among businesses in Silicon Valley, the name for the South Bay region of the Bay Area where San José is located. Mid-twentieth-century systems of patronage and support were even more untenable by the beginning of the twenty-first century. Unless the symphony could find a way to justify itself within the "marketplace" of supply and demand, there would be no possibility but to fail.

In this chapter, I trace a history of the orchestra from its creation until its bankruptcy filing in 2002. I first compare the San José Symphony with the Oakland Symphony. Although the two orchestras both had protracted and contentious ends, the means to those ends were

³⁷⁴ A note on diacritical markings: I have chosen to include the acute accent in José, following the city's guidelines. "Using the accent mark in San José recognizes the Spanish origins of our city's name, as well as our city's cultural heritage." <https://www.sanjoseca.gov/news-stories/logo-guidelines#:~:text=For%20instance%2C%20City%20of%20San,not%20used%20in%20the%20logo>.

quite different. One of the major differences between the two orchestras was time: the Oakland Symphony filed for bankruptcy in 1986, and the San José Symphony filed in 2002. This sixteen-year difference seems small, given the two groups' long histories, but much had changed in the intervening years between the two groups' bankruptcies. I also discuss the differences in geography. The venues in which these orchestras played are less than fifty miles apart from each other, but the civic identities surrounding both orchestras were quite different. Whereas Oakland has a confined geography and is surrounded by several distinct cities with their own cultural identities, San José shares similarities with Los Angeles for its suburban sprawl, and it has struggled to find a cohesive identity as a city. In the latter case, this contributed to some of the issues that the San José Symphony faced while attempting to appeal to its community. They did not have a clear sense of who was in the community, or how to encourage them to attend concerts.

I describe how socio-economic, cultural, and labor shifts that occurred in the 1960s-1970s³⁷⁵ affected the San José Symphony's trajectory over the course of these decades, including the expansion of the AFM's role in the orchestra.³⁷⁶ I then discuss why the neoliberal shift was such an important phenomenon in not only how San José Symphony leadership made their decisions, but also why and how these shifts toward a desire to fit into the marketplace of capitalistic supply and demand precipitated the orchestra's bankruptcy. There was a contentious relationship between the musicians, the management, and the board which created an environment that was not only plagued by poor communication, but which also led to an untenable financial reality. Despite being located in the heart of Silicon Valley and drawing

³⁷⁵ See Chapter Two for a more detailed description of this shift.

³⁷⁶ The San José Symphony was one of the charter members of the Regional Orchestra Players Association (ROPA) in 1985. See Appendix I to see a complete list of ROPA charter members.

some tech leaders to the board, the orchestra did not draw on the business expertise of tech leaders who could offer guidance and ideally help them ensure the longevity of their organization for the new century. Instead, the orchestra solicited donations from industry leaders who were not interested in the decades-old orchestra model.

I argue that even the regional orchestras such as the Oakland and San José Symphonies had difficulty being nimble enough to respond to their environments and evolve their models in a way that could ensure longevity. Instead, these two groups were interested in a specific concept of growing their performance season, which was a difficult proposition without a financially stable business model. Both the musicians and management wanted more services and more concerts, but for slightly different reasons. Their desires led to miscommunications about the reasoning behind both sides' goals. These strained relationships, as well as a disconnect between the organization and the public, poor repertoire choices, and an expansionist mindset despite a lack of innovative ideas to support expansion, all framed by a near-obsession with an imagined "marketplace" eventually forced the San José Symphony to shut down in 2002.

The symphony's simultaneous desire to grow its business, as all businesses in capitalism are expected to do, and its reliance on more traditional system of arts patronage that covered most of the business's expenses, created tension in how the organization was run. Rather than acknowledging their complicity in the systems of patronage that have kept every professional orchestra in the United States afloat, the San José Symphony attempted to define itself in terms of supply and demand within the marketplace. This language convinced the branches of the orchestra to conceive of their problems in terms of finance and economics, rather than looking at the deeper underlying problems inherent in running a business model that is half a century

old. Many orchestras have argued that their problems are financial rather than cultural.³⁷⁷ Money is a clear metric; cultural shifts and changing demographics are not. Nevertheless, although the financial problems in the orchestra were very real, the rhetoric surrounding economic factors is only one side of the problem. If the orchestra had instead focused on how they could have been an integral part of their community rather than focusing on how to pay for concerts, the final outcome might have been different.

The San José Symphony was not the only orchestra to expand their offerings in the hopes that more supply would create a higher demand. In the latter half of the twentieth century, many orchestras expanded their concert seasons. Historian Philip Hart notes that among the top twenty-eight orchestras in the United States at the time of writing, the number of weeks in the musicians' contracts increased by 154% between the 1963-64 season and the 1970-71 season. During that time, these orchestras grew from performing 28 weeks out of the year to 43.12 weeks during the year.³⁷⁸ The salary also increased dramatically: in the 1963-64 season, the average annual minimum salary was \$4,365.60 (\$37,005.07 in 2020 dollars) but by the 1970-71 season, the average minimum salary was \$9,958.80 (\$66,111.44 in 2020 dollars), which represents a 228% increase.³⁷⁹ This was in part due to an actual increase in demand for orchestral concerts, as more people were interested in going to orchestra concerts in the post-WWII cultural landscape. By the end of the twentieth century the demand had diminished, but the supply remained just as high. In a study of arts participation between 1982-2002, for

³⁷⁷ Orchestra managements are often concerned with meeting their budgets each year, due in part to the fact that earned income covers only around one third of operating costs. For more on the financial precarity of orchestras, see Robert Flanagan, *The Perilous Life of Symphony Orchestras: Artistic Triumphs and Economic Challenges*, (New Haven: Yale University Press, 2012).

³⁷⁸ Philip Hart, *Orpheus in the New World: The Symphony Orchestra as an American Cultural Institution*, (New York: W.W. Norton & Company, 1973), 297.

³⁷⁹ Hart, *Orpheus in the New World*, 298. I use the U.S. Bureau of Labor Statistics CPI inflation calculator to determine the amount of inflation. https://www.bls.gov/data/inflation_calculator.htm.

example, Paul DiMaggio and Toqir Mukhtar assert that while attendance at classical music concerts did decline among people younger than 47, it increased “notably” between 1982-1992 for people over forty-seven years old, and declined only slightly between 1992-2002.³⁸⁰ Arts advocacy groups such as the Ford Foundation, Wallace Foundation, Hewlett Foundation, or the David and Lucile Packard Foundation—which supported the San José Symphony for over twenty-five years—were not able to support all of the groups that needed financial assistance. Some orchestras, including the San José Symphony, found themselves unable to meet their budgetary requirements through their normal philanthropic channels.³⁸¹ The financial situation of orchestras in the United States has been covered extensively by economists such as Robert J. Flanagan, arts administration consultants such as Michael Kaiser, and public scholars such as Joe Horowitz.³⁸² These scholars have analyzed the many financial decisions of the orchestras in their studies in order to understand American support of classical music and arts nonprofits, but they have not considered this work within its larger cultural backdrop. Some scholars such as Paul DiMaggio, Omar Lizardo, and Gary Ruud, have studied orchestras in terms of their sociological and communication issues, which provides a different glimpse into the orchestral world.³⁸³ I argue that by looking at orchestras within their larger socio-economic context, it is possible to gain a more holistic understanding of what led to their bankruptcies. In the case of

³⁸⁰ Paul DiMaggio and Toqir Mukhtar, “Arts Participation as Cultural Capital in the United States, 1982-2002: Signs of Decline?” *Poetics* 32 (2004), 177.

³⁸¹ Dr. Thomas Wolf and Nancy Glaze, *And the Band Stopped Playing: The Rise and Fall of the San José Symphony*, (Cambridge, MA: Wolf, Keens & Company, 2005), 9.

³⁸² For more, see Robert Flanagan, *The Perilous Life of Symphony Orchestras: Artistic Triumphs and Economic Challenges*, (New Haven: Yale University Press, 2012), 93-94. See also, Michael Kaiser, *Curtains?: The Future of the Arts in America*, (Waltham, MA: Brandeis University Press, 2015). See also, Horowitz, Joseph. *Classical Music in America: A History of its Rise and Fall*. New York: W.W. Norton & Company, 2005.

³⁸³ For more, see Paul DiMaggio, “Classification in Art,” *American Sociological Review*, 52, no. 4 (August 1987), 440-455. See also, Omar Lizardo, “How Cultural Tastes Shape Personal Networks,” *American Sociological Review*, 71, no. 6 (Oct. 2006), 778-807. See also, Gary Ruud, “The symbolic construction of organizational identities and community in a regional symphony,” *Communication Studies*, 46, Fall-Winter 1995, 201-221.

the San José Symphony, the influence of the Silicon Valley Tech Industry was impossible to ignore, particularly when it came to the valuation of the arts in a community that increasingly valued innovation and entrepreneurship over traditional markers of high-culture and cultural distinction.

Oakland Symphony and San José Symphony

In the previous two chapters I discussed many of the issues that led to the Oakland Symphony's bankruptcy in 1986. While some of the problems in Oakland were distinct from any other orchestra and specifically the San José Symphony, many were uncannily similar. Some of these similarities between Oakland and San José came from the historical shifts that occurred in the 1960s and 1970s. Others arose during their earliest years, after the San José and Oakland Symphonies earliest iterations in 1879 and 1913, respectively. Both orchestras began as community orchestras that served a group of mostly amateur musicians. Both orchestras eventually expanded to become semi-professional groups and then negotiated Collective Bargaining agreements with their local branches of the American Federation of Musicians (AFM) and management in the 1960s. Both groups suffered from a chronic lack of healthy communication between the different branches of the organizations. The boards of both orchestras obfuscated their financial problems and continued to increase pay and expand their seasons despite major deficits. The musicians, on the other hand, were not aware of the financial calamities the board was perpetuating. Both orchestras attempted to buy and renovate a hall under the assumption that it would provide more stability and increased audience engagement for their orchestras. Although Oakland did buy and renovate the Paramount Theatre, they were unable to maintain the operating costs and decided to sell it back to the city of Oakland three years later. The San José Symphony decided to file for bankruptcy before they

could even complete their fundraising campaign. Both orchestras continued to program the canonical literature and did not innovate outside the constraints of the general 1960s-1970s-era US orchestra model.³⁸⁴ Both orchestras were run by leaders who either believed that the audience (or the major donors) wanted only music from the canon and pops concerts modeled after mid-century musical tastes, or who wanted to program “light classical” concerts to appeal to what they thought would be a wider audience.³⁸⁵

The San José Symphony is an important case study in this project because it is an exemplar of the results of pervasive symphony orchestra professionalization in the United States in the 1970s. The general period of time between World War II and the rise of Neoliberalism in the 1980s has often been described as the “Golden Age” of classical music.³⁸⁶ Alluding to a vague period of time in the past when all the problems plaguing the orchestras in the present moment did not seem as dire sets up a cultural nostalgia for a product or experience that would be nearly impossible to recreate in the current moment because of shifting cultural

³⁸⁴ The Oakland Symphony *had* set itself apart during Gerhard Samuel’s tenure. He was a champion of contemporary music. But conflict between the board and Samuel led to his resignation, and the symphony began to program more canonical repertoire. The Oakland Symphony won an ASCAP award for adventurous programming in 1981 under Calvin Simmons, but the final years were largely devoid of contemporary work. The San José Symphony, on the other hand, generally refrained from contemporary music, favoring the masterworks of the canon instead.

³⁸⁵ By 2002, Napster was in its heyday, and the global economy of recorded music was easily accessible. The proliferation of digital media is not a focus of this project, but it has certainly played an important role in the decline of classical concert attendance. For more on the interaction between live musicians and their recorded music, see Mark Katz, *Capturing Sound: How Technology Has Changed Music*, (Berkeley: University of California Press, 2010), and James P. Kraft, *Stage to Studio: Musicians and the Sound Revolution, 1890-1950*, (Baltimore: Johns Hopkins University Press, 1996).

³⁸⁶ For more on the imagined “Golden Age” of classical music in the United States, see Joseph Horowitz, *Classical Music in America: A History of Its Rise and Fall*, (New York: W.W. Norton & Company, 2005). See also, Michael G. Mauskapf, Chapter 1.4, “An Orchestral Golden Age,” in “Enduring Crisis, Ensuring Survival: Artistry, Economics, and the American Symphony Orchestra,” PhD Dissertation, University of Michigan, 2012, 32-40. The idea of a “Golden age” in the vague past is a hallmark of neoliberal rhetoric. For a problematization of the “Golden Age” trope, see Marianna Ritchey, *Composing Capital: Classical Music in the Neoliberal Era*, (Chicago: University of Chicago Press, 2019). See also, Manfred B. Steger and Ravi K. Roy. *Neoliberalism: A Very Short Introduction*, (New York: Oxford University Press, 2010), 51.

desires. Marianna Ritchey argues that “these rhetorical evocations of past golden ages are meant to soothe anxieties about the disruption and inequality that free market principles seem to inevitably cause.”³⁸⁷ The San José Symphony board, musicians, and the public all participated in imagining an idealized past for the orchestra, one in which the orchestra was populated by professional musicians, musicians were paid a full time salary, the orchestra was well attended by a large swath of the population, and the organization had plenty of money and regional support to continue expanding. In reality, the group was an amateur or semi-professional group for most of its existence and professionalizing the musician labor force had only been an option in the final few years, made possible by philanthropy rather than ticket sales, for in reality the concert halls were often only at half capacity. Although believing such claims may make the interlocutors in San José seem naïve, firsthand accounts, newspaper articles, and memos written by musicians and management indicate a perception of the group that did not always coincide with their financial and cultural realities.

Many of the markers of prestige and social capital had shifted since Oakland Bankruptcy filing, and although the San José Symphony desired the support of many of the same types of people as the Oakland Symphony, they also had to find a way to appeal to the technology industry in their region. One way of asserting European cultural hegemony has traditionally been through aristocratic patronage. In the United States, patronage of the arts existed through the final quarter of the twentieth century through individual and corporate philanthropic support.³⁸⁸ But patronage systems were shifting in the 1980s. Foundations like the

³⁸⁷ Marianna Ritchey, *Composing Capital: Classical Music in the Neoliberal Era*, (Chicago: University of Chicago Press, 2019), 120.

³⁸⁸ For more on Foundation support of the arts in the United States, see Michael Sy Uy, *Ask the Experts: How Ford, Rockefeller, and the NEA Changed American Music*, (Oxford: Oxford University Press, 2020). See also Ben Negley “‘First of All You Need a Good Foundation:’ The Ford Foundation’s Program for Symphony Orchestras,” Dissertation, University of California Santa Cruz, 2019.

Ford Foundation were no longer supporting orchestra endowments, for example. In 2002, ideals of prestige and patronage had shifted away from the “highbrow” European classical music culture. DiMaggio and Mukhtar assert that by 2002, “the traditional high-culture performing arts became less central to cultural capital during the last two decades of the Twentieth century.”³⁸⁹ Business leaders in the Silicon Valley technology industry were interested in philanthropic endeavors that were more global in scale and had less to do with markers of prestige and social capital that had been valued in earlier decades. This allowed would-be philanthropists to garner attention for their good deeds on the global market rather than just in their community.³⁹⁰ “Not only did attendance decline slightly” in high-culture arts events, argue DiMaggio and Mukhtar, “but, more important, the decline was concentrated among the youngest cohorts in the population, suggesting a failure of these art forms to renew their audiences.”³⁹¹ Prestige and cultural capital had shifted away from traditional forms of highbrow entertainment and toward globalized philanthropy that could augment business leaders’ standing on the global marketplace, rather than being associated with an old-world form of aristocratic patronage at the local level. Additionally, the sources of funding that the two orchestras received was different. Whereas the Oakland Symphony received a very large donation from the Ford Foundation, the San José Symphony was supported by multiple institutions such as the Packard Foundation, and patrons in the area as well as private donors and philanthropists.³⁹²

³⁸⁹ Paul DiMaggio and Toqir Mukhtar, “Arts Participation as Cultural Capital in the United States, 1982-2002: Signs of Decline?” *Poetics* 32 (2004), 180.

³⁹⁰ For more on corporate giving in the twenty-first century, see David Callahan, *The Givers: Wealth, Power, and Philanthropy in a New Gilded Age*, (New York: Alfred A. Knopf, 2017).

³⁹¹ DiMaggio and Mukhtar, “Arts Participation as Cultural Capital,” 180.

³⁹² David Packard, of the Hewlett-Packard Corporation, and his wife, Lucille Packard, formed the David and Lucille Packard Foundation in 1964 to support the arts and healthcare in their local community. One of the first recipients of a grant was the San Francisco Symphony. Packard was an opera aficionado, and a major donor to Opera San José, as well as the San José Symphony. Today the Packard

As with the Oakland Symphony, it is important to first trace the long history of the orchestra, and how many of the choices, made over the course of 123 years, led to a critical point of conflict in the beginning of the twenty-first century. The situation in which the San José Symphony found itself in 2001 was not caused by a sudden changing tide of audience taste or philanthropic ideals, as the administration argued. Rather, it was a slow shift, a series of incremental changes over the course of decades that many orchestras, including the San José Symphony, chose to ignore.³⁹³ The San José Symphony had endured intermittent deficits since at least 1988, when the season opened with an accumulated deficit of \$500,000.³⁹⁴ These were blinders shared by many entities within the orchestra: the staff, board, union, and benefactors alike. Combined with external factors—such as the September 11, 2001 attacks on the World Trade Center in New York City—and the Silicon Valley technology industry boom and bust that occurred at the end of the twentieth century, the San José Symphony was in a uniquely unfortunate position to address the changes that they would have needed to make in order to survive.

Many of the assumptions that the orchestra's leadership and the musicians made about the bankruptcy could have been addressed if the orchestra had looked at their institution from a wider angle; that is, rather than focusing on economics and finances, many of the problems were related to internal structures, including traditional conflict zones of management vs. labor, repertoire, and audience development. Other problems stemmed from the shifting goals of funding sources away from highbrow culture and toward “democratizing” their foundation's

Foundation, like many other philanthropic organizations, is more focused on global issues rather than small community arts organizations. For more, see “About Us,” David and Lucille Packard Foundation, <https://www.packard.org/about-the-foundation/>, accessed October 20, 2020.

³⁹³ For a timeline of pertinent events in the San José Symphony, see appendix.

³⁹⁴ Lisa M. Krieger and Rodney Foo, “S.J. Symphony to fall silent: Bankruptcy to be declared; resurrection on a smaller scale is goal,” *San José Mercury News*, June 4, 2002. Mimi Carlson Archive.

reach into the community, which resulted in less funding for orchestras, particularly smaller regional ones. Many of the larger orchestras received more funding than ever before, both because they had the longest reach into their communities and because they could capitalize on a more recent trend of global prestige. But the regional orchestras found their models to be untenable at the end of the century. The regional orchestras, both Oakland Symphony and San José Symphony, could not compete with the San Francisco Symphony, particularly not at the same game. By adhering to models, repertoire, and business practices that were decades out of date by the end of the twentieth century, the San José Symphony was not in a position to change its model and offer something new and innovative, even if they had wanted to. Their organization had calcified and was unable—perhaps even a little unwilling—to make a shift. The region, particularly in the case of Silicon Valley, had become a haven for neoliberalism and the San José Symphony could not alter its practices to fit into the new models.

San José Orchestral Society

The San José Symphony, at its inception, was the only “classical European-style orchestra west of the Mississippi.”³⁹⁵ It was founded in 1877 or 1879, although the very earliest iterations of the orchestra looked far different than what the orchestra it would become.³⁹⁶ This loosely-defined amateur orchestra was founded over thirty-four years before the San Francisco

³⁹⁵ “San José Symphony Records,” Online Archive of California website, Records of History San José Research Library, https://oac.cdlib.org/findaid/ark:/13030/c8wd457f/entire_text/.

³⁹⁶ Wolf and Glaze state that the orchestra was founded in 1877, whereas the History San José Research Library states 1878. See Dr. Thomas Wolf and Nancy Glaze, *And the Band Stopped Playing: The Rise and Fall of the San José Symphony*, (Cambridge, MA: Wolf, Keens & Company, 2005), 1. See also Online Archive of California, “San Jose Symphony Records,” https://oac.cdlib.org/findaid/ark:/13030/c8wd457f/entire_text/, accessed June 30, 2020. Charlotte Doughten Claude and most journalistic coverage during the final years of the San José Symphony cite the founding date as 1879. See Charlotte Doughten Claude, “A History of the San José Symphony Orchestra, 1879-1972” (MA thesis, California State University, San José, 1973).

Symphony, today one of the most well-known and deep-pocketed American orchestras, which was founded in 1911. The San José Symphony was founded before the invention of commercial recordings and rise of radio popularity, two media that would dramatically change how Americans consumed music. Orchestras in the United States during the nineteenth century served different purposes than orchestras at the end of the twentieth century because the only way to listen to music at that time was to hear it performed live, in real time. Orchestral music listeners had to either play an arrangement on their pianos or go to a live concert if they wanted to hear a piece of music. This meant that any orchestra, regardless of professional quality, was an ensemble that provided a service that could only be produced in a concert hall.

The San José Symphony began as a community orchestra, with primarily amateur musicians. The stratification of professional versus amateur musicians had not begun to calcify by this point, although as Daniel Cavicchi argues, “commercial concert listening began to alter the trajectory of amateur musical life.”³⁹⁷ San José’s amateur community orchestra would begin to alter the musical landscape for amateur musicians as it began to expand. Similar to many of the largest orchestras in the United States today, the orchestra was founded by one person who wanted an orchestra in his community.³⁹⁸ F. Louis King moved to San José from England by way of an Australian tour to give lectures in San Francisco in 1878. He was then hired by the College of the Pacific, when it was based in San José (today it is the University of the Pacific,

³⁹⁷ Daniel Cavicchi, *Listening and Longing: Music Lovers in the Age of Barnum*, (Middletown, CT: Wesleyan University Press, 2011), 74.

³⁹⁸ Some of the major orchestras in the United States were founded by a conductor, but in general, they required the assistance of one (or many) wealthy benefactors to underwrite the project. For example, Theodore Thomas was the founder of the Chicago Symphony, but he relied on the support of Chicago businessman Charles Norman Fay to create a full-time orchestra in the city. For more, see Russell, Charles Edward. *The American Orchestra and Theodore Thomas*. Westport, Connecticut: Greenwood Press, 1927. The Boston Symphony Orchestra was founded by wealthy businessman Henry Lee Higginson, who controlled much of the venture until after his death. For more, see Joseph Horowitz, “Henry Higginson and the Birth of the Boston Symphony Orchestra,” in *Classical Music in America: A History of its Rise and Fall*, (New York: W.W. Norton & Company, 2005).

located in Stockton), to serve as the first head of the music department. King was also hired at a private music conservatory in San José. Wanting to conduct an orchestra, King created the San José Orchestral Society which drew members from the San José Normal School and the Germania Verein Amateur Orchestra.³⁹⁹ In October of 1878 King and J.H. Elwood of the San José Normal School presented a large choral festival, which drew hundreds of singers and musicians, as well as large audiences. This festival served the dual purpose of presenting a large-scale public musical endeavor and drawing an audience, who would return to the San José Orchestral Society concerts in the future. It was one of the first large development strategies that the orchestra would undertake. King remained the conductor of the San José Orchestral Society, later the San José Symphony, until 1892, when he was succeeded by Herman Brant.⁴⁰⁰

The San José Orchestral Society was a small group that sometimes struggled with its membership and began to reach out to other organizations to combine forces. Thus began the slow and steady expansion of the San José Symphony. Herman Brant served as the San José Orchestral Society conductor until around 1937. The orchestra experienced a steady decline after World War I through the Great Depression. Later, during World War II, the symphony was able to survive due to a “Dollar a Year” campaign that allowed the community orchestra to stay afloat by asking patrons to give a dollar during each season that the orchestra could not play during the war.⁴⁰¹ Eventually, the San José Symphony joined forces with the San José Elks Orchestra, whose members already overlapped quite a bit. The orchestra fluctuated through the

³⁹⁹ Germania amateur musical groups were fraternal organizations wherein men of German descent would gather to socialize and play music together. They were popular particularly on the East Coast and in the Midwest, but there were also chapters on the West Coast. For a detailed study on the Germania Musical Society, see Nancy Newman, *Good Music for a Free People: The Germania Musical Society in Nineteenth-Century America*. Rochester: University of Rochester Press, 2010.

⁴⁰⁰ Charlotte Doughten Claude, “A History of the San José Symphony Orchestra, 1879-1972” (MA thesis, California State University, San José, 1973).

⁴⁰¹ “California’s Oldest Orchestra,” *San José Mercury News Pops*, May 20, 1983. Mimi Carlson Archive.

middle of the twentieth century, having to cancel two seasons due to World War II, before Egyptian-born Edward Ashdarian took over running the orchestra in 1946. The San José Symphony still offered free concerts during this time, but more and more professional or semi-professional musicians were joining the group. They were supported through private donations by San José citizens and annual benefit galas⁴⁰² before the orchestra became a fully professional institution after 1951.

The Role of the Conductor

The San José Symphony cycled through several conductors during the middle years of the twentieth century, often European-born men who found their way to the West for performance opportunities.⁴⁰³ Others, such as William Van den Burg, who served as conductor from 1937 until 1941, was an American cellist from Philadelphia who also played in the San Francisco Symphony. He took up the baton and eventually conducted several San Francisco opera performances. William van den Burg seems to have interacted with many of the most famous conductors in the United States while remaining himself a conductor who worked mostly in the Bay Area. It is unclear how long he remained a cellist with the San Francisco Symphony, why he chose to take up conducting, or how often these two roles conflicted with each other. Van den Burg is one of many musicians from the San Francisco Symphony who

⁴⁰² Ibid.

⁴⁰³ As stated above, William van den Burg was conductor from 1937-1942, Edward Ashdarian was conductor from 1946-1947, Gastone Usigli (who, as you will recall, also conducted the Oakland Symphony) was conductor from 1947-1951, Sándor Salgo (who also conducted the Marin Symphony, Carmel Bach Festival, Modesto Symphony, and Stanford music programs) was conductor from 1951-1970, James K. Guthrie was conductor from 1970-1972, George Cleve was conductor from 1972-1992, and Leonid Grin was conductor from 1992-2001. For more on the San José Symphony's history until 1972, see Charlotte Doughten Claude, "A History of the San José Symphony Orchestra, 1879-1972" (MA thesis, California State University, San José, 1973).

have taken up the baton and worked at the two career paths concurrently. In the figure below, Van den Burg is seen with some of the world's most famous conductors at that time.



Figure 2: from the Los Angeles Herald-Express, August 13, 1935. (from L-R: José Iturbi, Dr. Otto Klemperer, Dr. Richard Lert, Henry Svedrofsky, Pietro Cimini, Bernardino Molinari, Arthur Schoenberg, Pierre Monteux, and William Van den Burg).⁴⁰⁴

The San José Symphony, as with many other orchestras in the Bay Area and across the country, ceased operations from 1941 until 1945 due to World War II, as mentioned above. Gaston Usigli became the conductor after the War until his death in 1956. Sándor Salgo served as

⁴⁰⁴ “One of the greatest assemblages of world-famous music directions ever to meet together. . .,” *Los Angeles Herald-Express*, August 13, 1935. From Hollywood Bowl Museum, <https://scalar.usc.edu/hc/es-geht-wohl-anders-things-turn-out-differently-the-unexpected-life-of-walter-ahlen/media/one-of-the-greatest-assemblages-of-world-famous-music-directions-ever-to-meet-together>.

conductor until 1970. Salgo was a well-known Hungarian conductor who moved to the Bay Area in 1937, at the behest of the American Ambassador to Hungary. Salgo became an important figure of the Bay Area orchestral world serving as the long-time conductor of the Modesto Symphony from 1951-1970, the Carmel Bach Festival from 1956-1991 (where he also replaced Gaston Usigli after his death), the Marin Symphony from 1956-1989, and worked at Stanford as a teacher and conductor of orchestras and operas from 1949-1973.⁴⁰⁵ San Bernardino-born James Kelley Guthrie had a short stint as conductor from 1970-1972.⁴⁰⁶

Each of these conductors was important to the history of the orchestra in his own right, but in 1972, the San José Symphony ventured into the cult of personality by hiring George Cleve. Cleve was an internationally known conductor who held his position for twenty years. He was largely responsible for extending the professionalization of group and steering it toward becoming a full-time orchestra. He was also known as a very strict conductor who would not hold back in his tough and demanding communications toward the orchestra.⁴⁰⁷ In 1992, Cleve retired from his position and Ukrainian conductor and Leonid Grin took his place.⁴⁰⁸

⁴⁰⁵ For more on Sándor Salgo, see Sándor Salgo, “Sándor Salgo: Teaching Music at Stanford, 1949-1974, Directing the Carmel Bach Festival and The Marin Symphony, 1956-1991,” Interviews by Caroline C. Crawford, 1994-1996, Regional Oral History Office, the Bancroft Library, University of California, Berkeley.

⁴⁰⁶ James K. Guthrie, the son of James A. Guthrie, publisher of the *San Bernardino Sun*. In 1929, he formed what would become the San Bernardino Symphony when he was 15 years old. Guthrie later donated his vast collection of scores to the San Bernardino Symphony to serve as a rental library. <https://www.sanbernardinosymphony.org/guthrie.html#guthrie>

⁴⁰⁷ After the San José Symphony negotiated a union contract, they started bargaining for specific concessions from the Association. One of these concessions was what has become known as the “Cleve Clause”: if George Cleve was verbally abusing any member of the orchestra, the members of the orchestra were contractually allowed to call a “time out” from rehearsal, wherein Cleve was forced to leave the stage for five minutes and the orchestra would take a break, one that was not to be counted against their contractual break in the middle of the 2.5-hour service. Some other regional orchestras who also have difficult conductor-musician relationships have added similar clauses to their contracts, in an effort to create a more productive working relationship.

⁴⁰⁸ Leonid Grin biography, http://leonidgrin.com/lgr_bio.html.

Grin had the dubious distinction of being the final conductor of the San José Symphony, as he held his position when the organization filed for bankruptcy in 2002. Grin fit many of goals the board had for the organization, in that he was interested in performing the canonic works of the Western Art Music canon, but in other ways, he fell short. Helen Thompson, an important pioneer in US orchestra management, argued that finding the right conductor for an orchestra went far beyond baton technique.⁴⁰⁹ When looking for a conductor, Thompson argued, one should not go by pedigree alone. The conductor should not only be good at his craft but should be able to interface effectively with the community, both through donor events and as a public figurehead of the organization.⁴¹⁰ Another goal was to maintain an image of high-culture distinction and interface with the prominent figures in local society. A conductor should not, argued Thompson, appear before unimportant community groups, lest they “detract from the conductor’s glamour appeal to the concert audience,” or drain the conductor’s emotional reserves, which he needed for rehearsals.⁴¹¹ Ideally the conductor should respect and be respected by the orchestra, but this is also something that board members often forget. Today, orchestra Collective Bargaining Agreements, or CBAs, today often stipulate that a cadre of musicians must be included in any music director search committee, although the musicians are sometimes outnumbered by board members.

⁴⁰⁹ Helen M. Thompson was one of the first members of the American Symphony Orchestra League (now known as the League of American Orchestras), serving as executive secretary for many years before taking the position of manager for the New York Philharmonic. She wrote books and several articles on community orchestras, which she saw as important cultural institutions. For more, see Helen M. Thompson, *The Community Symphony Orchestra: How to Organize and Develop It*, (USA: American Symphony Orchestra League, 1948), which were later extracted into a series of articles: Helen M. Thompson, “The Community Symphony Orchestra- Its Establishment and Development,” *Music Journal*, 1948-1949.

⁴¹⁰ I use this pronoun because every conductor of the San José Symphony used the pronouns he/him/his.

⁴¹¹ Helen M. Thompson, “The Community Symphony Orchestra- Its Establishment and Development: III. The Conductor,” *Music Journal*, January 1, 1949, 63.

Grin's appointment begged the question of whether the "cult of personality" that had become so important in mid-twentieth-century orchestra branding was still important in a regional orchestra. In the United States, orchestras are identified and categorized according to who conducted them. This has largely to do with the way orchestra recordings were marketed, with the conductor listed equally with the piece and the orchestra on the record jacket. It is nearly impossible to describe the history of the major orchestras in the United States without first thinking of the conductor at the helm. The conductor certainly contributes to the interpretation of the score, but his role as leader shifted since Thompson penned her guide to orchestra management. She argued that in the orchestra "there can be no divergence of opinion. He [the conductor] must be the *only* authority! Every player in the orchestra must bow to it immediately and unconditionally."⁴¹² Thompson additionally argued that if a musician could not accept the conductor's "full authority" then they were "not of symphonic calibre [sic]" and the orchestra would be better off without musicians who might question the conductor.⁴¹³ Thompson's assertions stemmed from a history of famous conductors in the United States going back to the middle of the nineteenth century, which have continued to be reflected in the general strategies of most orchestras well into the twenty-first century. It also contributed to the erasure of individual musicians in the orchestras, prioritizing the whole over the single entity in marketing and collective bargaining, as individuals have been subsumed into the general Leviathan of the orchestra, whereas the conductor is the absolute power at the helm.⁴¹⁴ The orchestra is held together only by their adherence to the social contract of playing

⁴¹² Ibid, 64.

⁴¹³ Ibid, 64.

⁴¹⁴ Hobbes' theory about the social contract is helpful in considering the hierarchy and structure of orchestra musicians and conductors. The model of the Leviathan matches the structure of orchestras, probably at least partially because orchestras as an entity began in the seventeenth century, when Hobbes was writing his philosophical works. For more on Hobbes, classical music, and neoliberalism, see

their classical orchestral music as well as they can, but it is the conductor, “a unique species of man,” as Thompson argues, who is imbued with the “sensitivity and emotional fire to interpret the great works of music.”⁴¹⁵ This is not to say that the conductor is knowledgeable about how to run his group—he has traditionally been responsible mostly for conducting rather than all the attendant administrative tasks.

This was certainly the case in the final years of the San José Symphony. Leonid Grin was not involved in most of the administrative planning for the seasons and was not kept apprised of the board’s decisions. After the bankruptcy filing, Dr. Thomas Wolf and Nancy Glaze, two arts consultants, were commissioned by the Packard Foundation to write a report on the San José Symphony’s bankruptcy. They stated in their post-mortem report that Grin spent too much money, chose programs that did not appeal to the community, and failed to fill the concert hall.⁴¹⁶ In a stark contrast to Thompson’s mid-century ideals about conductors, they argued that a conductor’s ability to interact with the community, engage with people from school children to city council members, and act as a spokesperson for the organization, is just as important a consideration for hiring a conductor as stick technique on the podium.⁴¹⁷ Once the organization decided to suspend its 2001-2002 season, Grin was not at the forefront of efforts to regroup. Grin told reporter Allie Gottlieb, “I’m not involved in meetings or decision-making,” and that he was instead studying music and literature in preparation for concerts with

Marianna Ritchey, *Composing Capital: Classical Music in the Neoliberal Era*, (Chicago: University of Chicago Press, 2019), 61-62.

⁴¹⁵ Helen M. Thompson, “The Community Symphony Orchestra- Its Establishment and Development: III. The Conductor,” *Music Journal*, January 1, 1949, 63.

⁴¹⁶ Dr. Thomas Wolf and Nancy Glaze, *And the Band Stopped Playing: The Rise and Fall of the San José Symphony*, (Cambridge, MA: Wolf, Keens & Company, 2005), 47-50.

⁴¹⁷ Wolf and Glaze, *And the Band Stopped Playing*, 48.

other orchestras.⁴¹⁸ Grin did not have the oversight that many conductors have, with artistic advisory committees in both the orchestra and board. Instead, San José did not curtail Grin’s musical choices, despite explicit suggestions to the contrary made by Bruce Coppock of the Coppock Consultancy in a 1997 report. Coppock recommended better communication between Grin and the orchestra members and recommended that a newly formed artistic advisory help Grin with programming music that could “engage the community more broadly.”⁴¹⁹

Grin placed the blame for the orchestra’s woes at the feet of the community. When asked about the root issue of San José Symphony’s problems, the conductor argued that audiences were too complacent and should decide to support the arts more. “This is a wake-up call to the community to support all the arts,” he said. “The community should learn that they should not be asleep. The community should be more proud. People should [get] more involved in the city’s problems.”⁴²⁰ This sentiment, a common one among artists, abdicates responsibility for drawing in an audience.⁴²¹ Grin advanced a rhetoric that it is the responsibility

⁴¹⁸ Allie Gottlieb, “Silence of the Jams: Is it possible that to get out of its decade-long rut the San José Symphony had to destroy itself?” *Metro* (Silicon Valley’s Weekly Newsletter) Jan 17-23, 2002. <http://www.metroactive.com/papers/metro/01.17.02/symphony1-0203.html>.

⁴¹⁹ Bruce Coppock, *Report to the Community Foundation Silicon Valley Regarding the State of the San José Symphony with an Evaluation of its Plans for the Fox Theatre*, December 11, 1997, 16.

⁴²⁰ Allie Gottlieb, “Silence of the Jams.”

⁴²¹ According to the 2000 census, the median income in Santa Clara County, where San José is located, was \$74,335 (\$114,597.88 in 2020 dollars), although 7.5% of the population lived in poverty. For more, see “Santa Clara County,” Bay Area Census, <http://www.bayareacensus.ca.gov/counties/SantaClaraCounty.htm>, accessed December 1, 2020. By these metrics, there was certainly enough money to pay for the symphony, and the opera and ballet, for that matter, but potential patrons were interested in other cultural events. The Tech Interactive, also known as the Technology Museum, for example, opened in its current location two blocks from both the Center for Performing Arts, and the California Theater, and welcomes more than 500,000 visitors per year, and has now pivoted to offer at-home tech-related activities for young visitors during the pandemic, at <https://www.thetech.org/>. MACLA, or Movimiento de Arte y Cultura Latino Americana, is a hub for Chicano/Latino and non-Latino audiences just over a block away from the California Theater and is offering Zoom programs in the COVID-19 era <https://maclaarte.org/>. These organizations are just two of the many organizations that celebrate and elevate the diverse ages, backgrounds, and cultures of the region, and can serve as an example for the classical organizations in the region.

of the community to care for the arts, whether they want to see what is on offer or not. Additionally, by placing fiduciary responsibility upon the community rather than within the organization, Grin (and others with similar ideologies) fallaciously argued that if only the community were more financially invested in the arts, there would be no problems with the organization.

Instead of bringing the organization to the community and being community-focused, Grin asserted that the community should do a better job of finding its way to the arts organization. By asserting this, Grin placed himself in the long lineage of elitist arts organization leaders who blamed the collapse of society for their financial woes rather than understanding that times change, peoples' interests change, and that nothing can stay the same for several centuries. Whereas Grin believed that the community, and the would-be patrons therein, should support the orchestra in order to appeal to their Europhilic elitist ideals, less than half of the San José community was of European descent in the first place, and within that, even fewer were interested in classical music as an art form.⁴²² As Arts leader Nina Simon argues, any organization designed to serve a community must be created of the community, by the community, and for the community.⁴²³ In the case of the San José Symphony, and Leonid

⁴²² The 2000 Census depicts Santa Clara County, in which San José is located, as a multiethnic and multicultural region, with a wide range of incomes. According to the 2000 census, 53.8% of the population was white, 25.6% was Asian, 24% was Hispanic or Latino, and 2.8% of the population was African American. 34.1% of the population was foreign-born. For more, see "Santa Clara County," Bay Area Census, <http://www.bayareacensus.ca.gov/counties/SantaClaraCounty.htm>, accessed December 1, 2020.

⁴²³ Nina Simon, former Executive Director of the Santa Cruz Museum of Art and History, has gained popularity among arts administrators in the United States for her innovative way of approaching community engagement. She was the keynote speaker at the 2019 Association for California Symphony Orchestra conference and the 2020 League of American Orchestras Conference. Her organization, Of/By/For All Change Network aims to create relationships between civic and cultural organizations and their immediate communities. "Of/By/For All Vision" <https://www.ofbyforall.org/vision> (accessed 12/9/2020). For more, see Nina Simon, *The Art of Relevance*, (Santa Cruz, CA: Museum 2.0, 2016).

Grin's programming choices were not concerned with being of, by, or for the community. And the community took notice.

A star conductor alone did not draw the public in 2001. Conductors no longer carry the same star power they did in the mid-twentieth century. They certainly did not have the same amount of leeway they had enjoyed decades earlier. Thompson argues that conductors should be given a wide berth in their behavior:

“If he likes to get a little excited at rehearsals and break a few batons, let him. He is probably speaking an emotional language which the musicians understand, and besides it may add a little zest and excitement to the whole procedure. If he prefers to be aloof, that also should be his privilege.”⁴²⁴

The ultimate authority and power that conductors wielded is in the process of being replaced by a more collegial and cooperative hierarchy, but that shift has also brought with it a diminution of the conductor's star power and community sway.⁴²⁵ Grin found himself on the outside of not only the public's concern but also the groups attempting to forge a better path forward. The conductor expressed frustration that he was not invited to participate in the Symphonic Music Working Group, the task force convened in 2001 after the season cancellation, to chart a path forward for symphonic music in San José. “Who better to help on these committees than the conductor?” he asked.⁴²⁶ Although Grin made his home in Los Gatos, a suburb of San José, the Symphonic Music Working Group, a collective of musicians and community leaders who tried to find a new way forward for the San José Symphony in 2002, understood that he had not

⁴²⁴ Helen M. Thompson, “The Community Symphony Orchestra- Its Establishment and Development: III. The Conductor,” *Music Journal*, January 1, 1949, 64.

⁴²⁵ In the Bay Area, Symphony Silicon Valley (discussed below) and the Sacramento Philharmonic and Opera, which also underwent two bankruptcies in the 1990s, have decided to not hire a music director. This saves the organizations money and creates a model that is less about the conductor's star power and more about the institution itself.

⁴²⁶ Mike Guersch, “S.J. Symphony disarray leaves director in limbo,” *San José Mercury News*, October 2, 2002. Mimi Carlson Archive.

reached into the community enough, and they looked to other leaders in the community to forge a new path forward, without the antiquated opinions of the former music director.

When the symphony announced the cancellation of their 2001 to 2002 season, the musicians agreed to give up their salaries to try to help the symphony survive. Leonid Grin, however, did not forego his salary and expected to receive his full remuneration. The San José Symphony musicians expressed frustration with their conductor for his choice. AFM Local 153 President Wally Malone argued, “The musicians gave up an enormous debt owed to them in an effort to save the organization, and it was their hope that the music director would be willing to do the same.”⁴²⁷ Instead, Grin was listed as a creditor to the San José Symphony.⁴²⁸ Former executive director Paul Chummers said that Grin had made at least \$150,000 the prior season, which was nearly twenty times the annual salary of a section player in the group. The musicians of the orchestra worked tirelessly with their local to try to help the San José Symphony, and their union tried to make sure the musicians’ needs were met. The San José Symphony’s musical leadership, particularly in the final decade, left much to be desired from the standpoint of community engagement. But musical leadership was not the only obstacle in the way of the symphony’s continued operation. The rhetoric surrounding deficits and operation strategies also shifted in the post-1960s-1970s socio-economic shift.

Socio-Economic Changes in San José

In the introduction I enumerated the many shifts that occurred in the US orchestral landscape in the 1960s-1970s that fundamentally altered the structure, labor, and audiences of

⁴²⁷ Lesley Valdes, “San José Symphony players glad to see their ex-boss visit,” *San José Mercury News*, April 22, 2002. Mimi Carlson Archive.

⁴²⁸ Mike Antonucci, “Conductor wants to stay in San José,” *San José Mercury News*, November 6, 2001. Mimi Carlson Archive.

orchestras across the United States. In chapter three, I analyzed these shifts in the Oakland Symphony, focusing on funding from the Ford Foundation and the expansion of labor power through the Oakland Symphony musicians' involvement with ICSOM and Local 6 of the AFM. Some of the shifts in the San José Symphony were similar to Oakland's but others were unique to the orchestra in the South Bay. San José Symphony's bankruptcy came sixteen years after Oakland's, and although the organizations were very similar from a structural standpoint, the cultural landscapes surrounding them could not have been more different.

The musicians, who were under the jurisdiction of Local 153, worked with their local as well as Jerry Spain, the president of Local 6, which covered the upper Bay Area, to create better working conditions and wages for the orchestra, while the board and executive leadership attempted to find new patrons and funding sources.⁴²⁹ With the expansion of university and conservatory music programs, recent music grads, armed with Master of Music degrees, or even Doctor of Musical Arts, flooded the freelance orchestral world, hoping to find gainful employment. Simultaneously, the US government disinvested in arts education at the K-12 level (which had included classical music education). Additionally, California Proposition 13 passed in 1978, which dramatically diminished property tax income throughout California.⁴³⁰ The effects of disinvestment and Proposition 13 were first felt in California schools that were forced to cut their music programs entirely. By the time the San José Symphony incurred massive debt in the 1990s, an entire generation of students had not been inculcated into the classical music fold, so to speak. With a steady expansion of musical genres and live concert experiences to

⁴²⁹ Alex Walsh, "Wendell Rider: *It was Amazing*," *Musical News: The Official Newsletter of Musicians Union Local 6*, 91/5, October 2019. For a digital copy of the article, see <https://afm6.org/wp-content/uploads/2019/09/Musical-News-September-October-2019-FINAL-small.pdf>

⁴³⁰ For more on Proposition 13, see Mac Taylor, "Common Claims about Proposition 13," California Legislative Analyst's Office, September 19, 2016.

choose from (as well as performances on television), audiences in the Bay Area had plenty of musical choice. The traditional markers of white, urban, middle-class upward mobility as manifested through orchestra concert attendance and patronage no longer carried the same social cache that it had since the nineteenth century.

The San José Symphony was one of many orchestras across the United States that believed in the necessity of continual growth for their organizations. They strove to increase their budgets and expand their seasons, largely because governmental and philanthropic support was available in the 1960s and 1970s. Dr. Thomas Wolf and Nancy Glaze assert in their report, “the history of the San José Symphony mirrors that of the orchestra industry as a whole. From its nineteenth-century roots, it remained primarily a small nonprofessional community orchestra for most of the first hundred years of existence.”⁴³¹ Their report documents how the budgets remained modest, and the goals were not expansionary until the reign of George Cleve and the many national shifts that occurred in orchestras during the 1960s and 1970s. “With the professionalization of the musicians and the organization as a whole,” they claimed, musicians received better training, and the staff professionalized. Ultimately, orchestras needed “a separate foundation with an endowment to ensure long-term viability.”⁴³² The need for an endowment, or at the very least, millions of dollars of philanthropic support every season, forced orchestras such as the San José Symphony to re-evaluate their business models. Similar to American corporate imperatives, the orchestra sought to increase efficiency and decrease the cost of labor. Similar to other orchestras, the San José Symphony believed that expanding their season would lead to higher ticket revenues and more community engagement.

⁴³¹ Dr. Thomas Wolf and Nancy Glaze, *And the Band Stopped Playing: The Rise and Fall of the San José Symphony*, (Cambridge, MA: Wolf, Keens & Company, 2005), 18.

⁴³² Ibid, 18.

The Influence of Neoliberalism and the Formation of Prestige in the Late Twentieth Century

In its first century, the San José Symphony was a small community orchestra that eventually merged with other local orchestras to become a larger community orchestra. It was able to nimbly expand and contract depending on the community's demand. With the influence of the major structural changes in the 1960s and 1970s, however, the San José Symphony expanded more rapidly. They programed larger seasons, increased their wages and salaries, and attempted to create nearly a full-time season and therefore, full-time salary for the musicians. In 1988, Douglas McLendon, a banker, was appointed President of the symphony. He inherited a \$500,00 deficit.⁴³³ In 1992, Shirley Lewis, a San José Councilwoman, replaced McLendon. She inherited a far larger deficit of \$1.5 million.⁴³⁴ The musicians encouraged this expansion, but the board did not contest the budget when it expanded beyond their means in the 1990s.⁴³⁵ The symphony leadership managed to open the 1994 season without a deficit, but by 1995 the orchestra was back in the red, and by 1998 the orchestra had accumulated a \$1.18 million dollar deficit once again.⁴³⁶ The rapid expansion contradicted common wisdom about operating a nonprofit: it is alright to carry a small deficit from year to year, but do not create so much of a deficit that it would be impossible to come back from. A small deficit was not uncommon in nonprofits, but San José's budget ballooned far past what would have been acceptable even in

⁴³³ Lisa M. Krieger and Rodney Foo, "S.J. Symphony to fall silent: Bankruptcy to be declared; resurrection on a smaller scale is goal," *San José Mercury News*, June 4, 2002. Mimi Carlson Archive.

⁴³⁴ Ibid.

⁴³⁵ Lisa M. Krieger and Rodney Foo, "S.J. Symphony to fall silent: Bankruptcy to be declared; resurrection on a smaller scale is goal," *San José Mercury News*, June 4, 2002. Mimi Carlson Archive.

⁴³⁶ Ibid.

the best of times. Despite the expanding financial straits, Lewis started a campaign to buy new concert hall in 1998.⁴³⁷

Musicological scholarship has recently taken on the influence of neoliberalism in the classical world. Musicologists Andrea Moore, Marianna Ritchey, and Will Robin have written on the topic and created a path in musicology to discuss economic shifts in the twenty-first century.⁴³⁸ Their work often discusses contemporary composers, musical entrepreneurs, and musical marketers who are forging new paths for themselves in the classical music *umwelt*. Robin argues that “institutions [are] crucial mediators between neoliberal ideology and the individual decisions made by the composers” he examines.⁴³⁹ I take these musicologists’ work as a starting point and extend it to the structures of symphony orchestras that are in many cases over a century old, including the San José Symphony. Many orchestras play nearly the same repertoire, in the same concert halls, for similar audiences. Demographic shifts are also slow in coming: an overwhelming number of musicians in the ensembles look nearly the same as they did a century prior (with the possible exception of the addition of women).⁴⁴⁰

But while many of the core features of orchestras have remained the same over many decades or centuries, in some cases, these institutions have attempted to adapt to their shifting

⁴³⁷ Ibid.

⁴³⁸ Andrea Moore, “Neoliberalism and the Musical Entrepreneur” *Journal of the Society for American Music*, 10/1(2016), 33-53; Marianna Ritchey, *Composing Capital: Classical Music in the Neoliberal Era*, (University of Chicago Press: 2019); Robin, William, “Balance Problems: Neoliberalism and New Music in the American University Ensemble” *Journal of the American Musicological Society* 71/3 (Fall 2018), 749-793.

⁴³⁹ William Robin, Balance Problems: Neoliberalism and New Music in the American University Ensemble” *Journal of the American Musicological Society* 71/3 (Fall 2018), 751.

⁴⁴⁰ Anthony Tommasini, chief classical music critic for the *New York Times*, published an article in the wake of George Floyd’s murder on how he thought orchestras could become more diverse. See Anthony Tommasini, “To Make Orchestras More Diverse, End Blind Auditions,” *The New York Times*, July 16, 2020. <https://www.nytimes.com/2020/07/16/arts/music/blind-auditions-orchestras-race.html?searchResultPosition=1> . Blind auditions have been both a boon, and as the saying among classical musicians goes, “the best of all the worst solutions” for hiring musicians. For more on blind auditions, see Claudia Dale Goldin and Cecilia Elena Rouse, “Orchestrating Impartiality: The impact of “blind” auditions on female musicians,” *National Bureau of Economic Research*, January 1997.

economic environment in certain ways. They have attempted to apply twentieth-century branding practices to their marketing strategy, have attempted to “democratize” the orchestra while still paying homage to their European cultural roots, and have tried to create endowments and funding streams that provide them with the financial means necessary for survival.⁴⁴¹ At the same time, there is an inherent tension between the real and palpable need for financial underwriting and the myth that the arts should exist outside of the market economy and that the adage “art for art’s sake” allows these institutions to operate without financial constraints in mind. The conflict between musical idealism and the financial reality in orchestras was exacerbated by the rise of neoliberalism in the United States and what David Harvey argues is the “financialization of everything” within the neoliberal system.⁴⁴² The rise of neoliberal thought permeated into orchestra management, even into the rhetoric of the union, during the final years of the San José Symphony. Specifically, neoliberal thought patterns in turn heavily influenced Andrew Bales as he created Symphony Silicon Valley to replace the orchestral hole in San José’s cultural patchwork at the beginning of the twenty-first century. As I will discuss in the following chapter, Andrew Bales created a new symphony from the remnants of the San José Symphony after they had filed for Chapter 7 Bankruptcy, and repackaged a new ensemble in his own image, one that he thought would sell.

⁴⁴¹ The idea of democratizing, or making accessible, classical music has been a goal of orchestras such as the Detroit Symphony for years, sometimes in more successful ways than others. At a conference, a former executive proudly described how the Detroit Symphony razed “crack houses” in the city to expand their physical structures. However, the Detroit Symphony is also one of the few orchestras that have made video recordings of their performances to be streamed for free online. In the COVID-19 Pandemic, accessibility to classical music has taken on a new meaning, for both loyal symphony patrons and non-symphony-goers alike. An article in *The New York Times* described how orchestras are shifting their operations from being live concert presenters to creating online media companies. Joshua Barone, “To the Rescue This Year: The People Who Put Orchestras Online,” *The New York Times*, December 17, 2020, <https://www.nytimes.com/2020/12/17/arts/music/classical-concerts-coronavirus-stream.html> accessed December 17, 2020.

⁴⁴² Harvey, *A Brief History of Neoliberalism*, 33.

Economic thought in the United States shifted dramatically from the 1980s to the 2000s, particularly in the wake of the September 11th, 2001 terrorist attacks. David Harvey calls the effects of the 9/11 attacks, particularly the US occupation of Iraq, the apparatus of a “neoliberal state,” in which the fundamental mission was “to facilitate conditions for profitable capital accumulation on the part of both domestic and foreign capital.”⁴⁴³ Harvey’s neoliberal state was in place in the United States before the events of 9/11, of course, and had already found its way into the nonprofit arts world. The orchestra leadership in San José had to contend with the primacy of wealth accumulation in place of the diminishing importance of social capital accumulation as manifested in arts philanthropy among the wealthy elite of the South Bay.

The influence of neoliberal ideology presents itself in several ways in the context of the San José Symphony’s eventual bankruptcy filings. In some ways, the orchestra fit very squarely into the ideologies of neoliberalism, but in other ways, the group functioned exactly as it had for decades and refused to innovate and follow suit with all the other corporations in the region at the time. First, leaders attempted to fit the orchestra’s operations and offerings into the market economy, following the tenets of supply and demand. They eschewed the idea that the arts did not have to fit into the market economy because of their history with patrons supporting local artists and musicians. Second, the musicians in the symphony wanted to be considered as the professionals they were. They wanted to be paid as professionals and expected the board and administration to figure out ways to pay for their salary increase. Third, the board also wanted to pay the musicians a fair salary, but they agreed to expanded salaries for members of the organization before they found a way to support that decision. The board

⁴⁴³ David Harvey, *A Brief History of Neoliberalism*, (New York: Oxford University Press, 2005), 7.

assumed that the community, which was very wealthy from the tech industry boom, would step in to support the orchestra. Therefore, combined with all the other expenditures, including fundraising for a new hall, the leadership team of the orchestra failed in their inability to make financial ends meet. The conflict and lack of clear communication between the three groups that Ruud defines (musicians, administration, board), accelerated the decline of the organization.⁴⁴⁴ Each side had expectations of the others that weren't being met, but that was often a result of a lack of communication rather than simply greed, as the case is so often painted.

San José Symphony's mission statement was to "to engage and inspire the people of Silicon Valley with world-class musical performances and educational programs," but it was used to draw funding as much as it was used to describe their actual goals.⁴⁴⁵ Orchestras often use their mission statements in an aspirational manner, but they are generally designed with donors in mind. The San José Symphony board was focused on fixing the financial mismanagement of the orchestra above all other artistic prerogatives first. Although the board could not offer a financial return on any "investment" a donor might have made into the symphony, they had to justify why they were worthy of donations rather than investments in a for-profit tech company, for example. In the case of the San José Symphony, a nonprofit orchestra, the most important explanation of a donor's return on a donor's investment would have been prestige.

The markers of prestige change as consistently as they are created and are thus difficult to map onto specific practices such as donating to a regional orchestra. Prestige was an

⁴⁴⁴ Gary Ruud, "The symbolic construction of organizational identities and community in a regional symphony," *Communication Studies*, 46, Fall-Winter 1995, 201-221.

⁴⁴⁵ <https://www.volunteermatch.org/search/org7995.jsp> (accessed May 7, 2019).

important marketing tool used by the San José Symphony. Several scholars have approached the topic of markers of prestige and highbrow in twentieth-century American culture through classical orchestral concert attendance. They also approach the breakdown of this at the end of the century, as traditional class distinctions were eschewed in favor of the rise of the neoliberal self.⁴⁴⁶ Richard A. Peterson argues that “an attitude of snobbery was welded to highbrow taste,”⁴⁴⁷ and it was this snobbery and highbrow culture that distinguished classical music from other genres of music. Unfortunately for orchestras today, highbrow taste and snobbery carry negative perceptions among the general public. There are negative associations with orchestras that the organizations are today trying to step away from. Peterson cites several studies from the 1990s and concludes that these studies “suggest that being high status now does not require being snobbish but means having cosmopolitan ‘omnivorous’ taste.”⁴⁴⁸ This change is “due both to elite people of all ages becoming more omnivorous, and also to the replacement of older more snobbish cohorts by later more omnivorous ones.”⁴⁴⁹ The separation of the highbrow elite from lowbrow cultural practices was developed in order to elevate the status of those who were already in power, but increasingly, social status is not derived from participation in and patronization of highbrow cultural activities, but rather in the definition of one’s personal brand.

In the twenty-first century, cultural prestige is calculated differently than it was in the mid-twentieth century, but the San José Symphony did not shift its calculations to appeal to a new set of potential donors. They continued to program the same canonical works, and

⁴⁴⁶ A seminal work on the hierarchy of art forms is Paul DiMaggio, “Classification in Art,” *American Sociological Review*, 52, no. 4 (August 1987), 440-455.

⁴⁴⁷ Richard A Peterson, “The Rise and Fall of Highbrow Snobbery as a Status Marker,” *Poetics* 25 (1997), 84.

⁴⁴⁸ Peterson, “The Rise and Fall of Highbrow Snobbery as a Status Marker,” 87.

⁴⁴⁹ Peterson, 87-88.

marketed to older, white audiences. Bill Lueth, a program director at the Bay Area's classical radio station, KDFC, remarked that the programming was out of step with the fast-paced tech hub of Silicon Valley. "It just didn't seem, in a community that's all about moving the world forward, that the orchestra conveyed anything that matched or had that freshness."⁴⁵⁰ A former volunteer for the symphony, Bob Pariani, lamented that "they play dead, boring stuff."⁴⁵¹ It is difficult to define orchestras as a business with a marketable product; therefore, many orchestras struggle with marketing and development. Traditionally, in white aspirational middle-class circles, the "marketable product" was not only the music, but also the social prestige of attending the concert, and being in the company of one's peers at an exclusive event. In an era of social media and monetization of the self, many orchestras find it difficult to monetize the experience of going to an orchestra concert. Will Robin, in his work on new music classical groups, argues that there is an inherent contradiction in these groups, and his assertion also holds true for orchestras at the end of the twentieth century. "The economies of prestige and funding that allow these ensembles to flourish still rely on classical music's traditional, nonprofit structures," Robin argues. He continues, that even the many surrounding organization that "hire the group, publicize its activities, and sell tickets for its performance," are all nonprofit entities that rely on patronage in order to survive.⁴⁵² With the San José Symphony, the problem was the opposite, in some ways. The orchestra was a non-profit, but most of the private companies they were trying to attract as donors, were not. Therefore, they had to apply the language of capitalism and neoliberalism when trying to appeal to donors, but also had to

⁴⁵⁰ Quoted in Mike Antonucci, "Symphony searches for an audience," *San José Mercury News*, January 25, 2002. Mimi Carlson archive.

⁴⁵¹ Quoted in Mike Antonucci, "Symphony searches for an audience," *San José Mercury News*, January 25, 2002. Mimi Carlson archive.

⁴⁵² William Robin, "Balance Problems: Neoliberalism and New Music in the American University Ensemble" *Journal of the American Musicological Society* 71/3 (Fall 2018), 760.

appeal to the more traditional rhetoric of classical music as transcending the amorality of the marketplace. This was one of the fundamental tension that the confluence of economics and art experienced at the end of twentieth century: Orchestras had to explain how they were a business in order to attract investors (previously self-defined as philanthropists, but now investors who knew that their return on investment was not monetary but social), and on the other hand, they had to retain a sense of being distinctly not within the marketplace in order to explain their nonprofit status and inability to amass wealth as was expected of any business within capitalism.

Orchestras are in the business of selling a musical experience, but most orchestras do not have an individual brand, as many successful bands and popular musicians certainly do. Orchestras market themselves as civic institutions, but unlike museums—which might have a specific famous piece of art that is found nowhere else on the planet—on any given weekend several orchestras in the Bay Area are playing concerts, and some of them might even be playing the same piece of music. Therefore, quite often, an orchestra will rely on star power, whether that is in the form of the conductor or specific soloist, to sell the concert. This is problematic because the branding of an individual does not map on to the collective identity of a group of orchestral musicians. Marianna Ritchey asserts that one of the main goals of neoliberals is to “destroy collective identity” in order to promote individualism, and with it, the desire to market and monetize the self above the collective.⁴⁵³ In a collective bargaining agreement, the bargaining unit is a set of around 75-100 musicians, each agreeing to operate collectively, for the common good. This is antithetical to neoliberal ideology, which would prefer each of the musicians to bargain their own contract, based on their own contributions.

⁴⁵³ Marianna Ritchey, *Composing Capital: Classical Music in the Neoliberal Era*, (Chicago: University of Chicago Press, 2019), 130.

The stark conflict between these two operating models creates an environment that can lead to fraught relationships not only between musicians and management, but between musicians themselves. “Neoliberal ideology reveres competition, discourages cooperation, promotes ambition, and tethers personal worth to professional achievement,” argues Meagan Day. “Unsurprisingly, societies governed by these values make people very judgmental, and very anxious about being judged.”⁴⁵⁴ Gary Ruud describes this anxiety as an “agonistic pattern” that was created in the communications between musicians, management, and the board at the San José Symphony.⁴⁵⁵ If musicians are truly fungible in an orchestra—meaning that it doesn’t matter who is playing when—then why should there be several distinct regional orchestras, when one orchestra could perform run-out concerts in several regions of the Bay Area, be one corporate super-entity, and guarantee the musicians of that one orchestra a full-time salary? That would save time, money, administrative costs, and could provide a set of concerts only where there is demand. However, that would also take away the livelihoods of many musicians and define the value of orchestras in terms of their value to the marketplace, rather than the more difficult-to-define value that music can bring outside of economics. In neoliberal systems, artistic value is difficult to define because it is not directly correlated to an exchange of money or otherwise-quantifiable outcomes. Defining the value of the arts is a task that orchestras have not been able to answer well, particularly with organizations that rely largely on donor support rather than earned income in order to function. It is clear, however, that orchestras have to do a better job of connecting with their communities, and convincing them (though better

⁴⁵⁴ Meagan Day, “Under Neoliberalism, You Can Be Your Own Tyrannical Boss,” *Jacobin*, January 22, 2018. <https://www.jacobinmag.com/2018/01/under-neoliberalism-you-can-be-your-own-tyrannical-boss>.

⁴⁵⁵ Gary Ruud, “The symphony: Organizational discourse and the symbolic tensions between artistic and business ideologies,” *Journal of Applied Communication Research*, 28/2, May 2000, 128.

marketing, among other methods), that attending an orchestral concert will be a great evening of entertainment, rather than something they should want to go to because it makes them look good.

Without financial feedback through supply and demand, neoliberalism does not work. Orchestras attempted to fit into this ideal by spending more on their marketing and advertising in general. Some orchestras, like the San Francisco Symphony, were successful in creating a brand for themselves in the twentieth century, buoyed by the popularity of Michael Tilson Thomas at the turn of the century.⁴⁵⁶ In addition to the canonical repertoire, MTT programmed innovative and challenging works that branded the San Francisco Symphony as capable of playing more than warhorses. As I argue in the previous chapters, Oakland Symphony experienced immense popularity when it programmed contemporary and less-known works, but when it started to program the same canonical repertoire as San Francisco, Oakland's branding was less powerful. Similarly, in San José the orchestra under Grin performed mostly canonical repertoire, although journalist Mike Antonucci wrote, "criticism of Ukraine-born Grin includes an overemphasis on Russian composers and a lack of music with multicultural appeal."⁴⁵⁷ Although the assessment that Grin only programmed Russian music was not completely accurate, the orchestra was not known for its innovative programming. Grin described his programming choices to Antonucci as "when a designer presents his line of

⁴⁵⁶ Larry Rothe, *Music for a City, Music for the World: 100 Years with the San Francisco Symphony*, (San Francisco: Chronicle Books LLC, 2011). The San Francisco Symphony, under Michael Tilson Thomas, garnered a reputation for their innovative programming, through their "Mavericks" concert series, and their video projects, "Keeping Score." The Symphony was the first American orchestra to create its own audio/visual label, SFS Media, under which they released their "Keeping Score" series, and every album they have recorded since then, including seven Grammy awards for their well-loved Mahler recordings in the first decade of the 2000s. For more, see <https://www.sfsymphony.org/Discover-the-Music/SFS-Media>.

⁴⁵⁷ Mike Antonucci, "Conductor wants to stay in San José," *San José Mercury News*, November 6, 2001. Mimi Carlson Archive.

clothing. There are people who like the designs and people who do not like them. And this is absolutely natural. I have no hard feelings about it.”⁴⁵⁸ Because the San José Symphony did have any individual branding other than its location and conductor (who was not beloved in the community the way other local conductors, such as Sándor Salgo, George Cleve, or nearby conductors Calvin Simmons, or Michael Tilson Thomas), the orchestra’s main drawing factor was its proximity. For well-heeled patrons of the arts, driving to San Francisco to see a higher-caliber orchestra that was not in financial desperation might have been the better choice, musically and socially.

Ilana Gershon, in her article, “Neoliberal Agency,” asserts that American anthropologists have “discarded the culture concept, which provided an analytical toolkit for revealing practical and productive alternatives to neoliberal agency.”⁴⁵⁹ A neoliberal perspective, Gershon argues, uses “market rationality to interpret ... social relationships and social strategies,” which can paint the scholar, rather than the subject, as the reflexive actor in an anthropological study.⁴⁶⁰ Gershon argues,

“The neoliberal model of agency insists that all agents are fashioned as autonomous rational calculators, with size and functional ability the primary factors for creating distinctions. So individual people are simply smaller versions of corporations, communities are interchangeable with small businesses—in this sense neoliberal agency is fractal.”⁴⁶¹

In Gershon’s fractal version of neoliberal agency (that is, each endlessly divisible section looks identical to other larger or smaller sections), the fractals of each section of society should be

⁴⁵⁸ Mike Antonucci, “Conductor wants to stay in San José,” *San José Mercury News*, November 6, 2001. Mimi Carlson Archive.

⁴⁵⁹ Ilana Gershon, “Neoliberal Agency,” *Current Anthropology* 52/4 (August 2011): 539, <http://www.jstor.org/stable/10.1086/660866>.

⁴⁶⁰ Gershon, 539.

⁴⁶¹ Ilana Gershon, “Neoliberal Agency,” *Current Anthropology* 52/4 (August 2011): 541, <http://www.jstor.org/stable/10.1086/660866>.

interchangeable. Therefore, an orchestra, as a corporation, shares many of the same qualities of an individual, and can be analyzed within an anthropological context similarly to an individual. The fractal nature of neoliberal agency drives how orchestras market themselves to their communities. In the San José Symphony's case, they viewed themselves as interchangeable with some of the major orchestras in the country, such as the San Francisco Symphony to the north, so they marketed themselves as a world-class organization rather than the regional orchestra that they were. Gershon asserts that communities may be conflated with individuals in terms of the agency and decision-making power of the individual. In the case of the San José Symphony, however, there was little agency from upper management and the board, who did not create a symphony that could have the same agency as an individual but also function as a corporation. Instead, the orchestra did not have a clear identity within its community, or even within the organization, and lacked vision and agency.

Orchestras attempt to appeal to a wide swath of the population through the appeal to the individual, but their knowledge of the breadth of interests of the general population is limited. The individual, argues Gershon, "is a self that is comprised of usable traits," and these usable traits should somehow benefit not only the spiritual/emotional/aesthetic desires of a community (which are difficult to quantify), but also the economic desires of a neoliberal economy.⁴⁶² Wolf and Glaze argue that most orchestras do not attempt to set themselves apart from other similar institutions, but operate under the logic that simply by existing, they are providing enough of a valuable asset to their community to not only continue to exist, but to also thrive and receive adequate financial support and philanthropic attention.⁴⁶³ Wolf and Glaze ask, "are rising costs and falling demand clear indications that many professional

⁴⁶² Gershon, 539.

⁴⁶³ Wolf and Glaze, 80

orchestras simply will be unable to thrive in the twenty-first century?”⁴⁶⁴ This is not to say that classical music, and orchestral institutions, should be apologetic for their non-universality, or their niche markets. On the contrary, this can serve as a beneficial marketing tool, if the orchestra markets in a way that is appealing to a potential audience.

The financial missteps that the symphony took were cited as the primary reason for the orchestra’s downfall, rather than the many other factors that were at play. That is not by accident; numerical values are prized over other metrics in the health assessments of most organizations. If it can be quantified, then chances are its value will increase. For example, metrics such as worker satisfaction, once quantified, become more valuable to the future employee on a job search, when before it was only word of mouth. Making choices based on numbers and ratings is not always a bad idea, but when the underlying structural issues are not addressed within problematic frameworks, such as debt-ridden regional orchestras, then the financial issues can never be solved. Regional newspapers covered the financial missteps in fine-toothed detail and explained the bankruptcy largely in terms of a lack of donor support.⁴⁶⁵ By focusing almost solely on the numbers, we leave out some of the far more important issues. Additionally, by placing the primary importance on the financial problems of an orchestra, we allow orchestras to abdicate their other responsibilities and mission statements in favor of raising money. It would be much easier to address the financial issues (and point to them as the problem) than to understand the many complex underlying factors, occurring over decades and decades, that led to the problems the San José Symphony faced in its final years.

Finances seemed to be the most important metric in the orchestra’s operations, far more important than the other benefits they provided (entertainment, education, community

⁴⁶⁴ Wolf and Glaze, 78.

⁴⁶⁵ See timeline in Appendix E for specific events related to the bankruptcy.

center, just to name a few). A similar comparison could be the rhetoric surrounding education and the job market. Students want to gain a collegiate-level education because it will expand their minds, it will teach them critical-thinking skills, it will make them more well-rounded people within society. But as soon as they leave their university settings, these students are now workers who have to describe everything they have learned, every skill they have in terms of its economic value.⁴⁶⁶ Orchestras are the same way. Orchestra advocates and economists describe the value of orchestras in terms of how much money they bring into the area around the hall. The value of a concert in this sense is not only the cultural or artistic value of attending a show, but how much audience members spent buying the tickets, paying for parking, eating before the show, and perhaps a nightcap afterward. Describing art in this way places it within a neoliberal framework. Marianna Ritchey asserts that,

“The mainstream discourse surrounding classical music in the United States is characterized by a rhetoric of decline and failure that cites faltering ticket sales, dwindling public support, and an aging audience as evidence of classical music’s imperiled states. This rhetoric signals the widespread acceptance, in US culture at large, of the idea that a product’s (or a person’s) ability to generate profit on a competitive free market is an index of social value. Hence, classical music’s long-standing need for state or philanthropic sponsorship is figured as almost automatic evidence of its social irrelevance.”⁴⁶⁷

If an orchestra cannot define its value in terms of its economic value, if it cannot somehow create at least the appearance of financial solvency, then it has little value within a neoliberal framework. Every orchestra’s “solvency” is based upon a set amount of philanthropic giving rather than earned income, which creates an ideological fallacy that most nonprofits have

⁴⁶⁶ Tressie McMillan Cottom, *The Troubling Rise of For-Profit Colleges in the New Economy*, New York: The New Press, 2017.

⁴⁶⁷ Marianna Ritchey, *Composing Capital: Classical Music in the Neoliberal Era*, (University of Chicago Press: 2019), 3.

difficult parsing within this framework. Contract negotiations are aspirational; budgets are wish lists not based on actual revenue.

San José Symphony as a Marker of Civic Identity

The San José Symphony was forced to grapple with their role in the community at the end of the twentieth century. The orchestra had declining ticket sales, and with it, fewer and fewer reasons to proclaim their importance in a city that did not want to pay for the ensemble's services. In November 2017, Andrew Bales was interviewed by Roxanne Janson as part of a local media presentation. In the interview, he claims, "Once upon a time in America, a city was distinguished from being a town because it had a[n] architecturally significant city hall, it had what we used to call a Carnegie Library, and it had a symphony orchestra. These were defining characteristics of a city from a town."⁴⁶⁸ The establishment of orchestras in nineteenth- and early-twentieth century municipalities heralded the arrival of a city when once there had been a town. They were markers of civic achievement but also increased wealth and highbrow culture. Helen M. Thompson, in her work on community orchestra formation, asserted that these regional groups were "all of the very warp and woof of the basic fabric of their respective communities. They and their music reflect the talents, yearnings, hopes, dreams, foibles, and limitations of America at large."⁴⁶⁹ Thompson's statement reflects a mid-twentieth-century idyllic version of American life and culture as seen from a very specific historical perspective. But it also whitewashes American culture into European ideals rather than the ethnically,

⁴⁶⁸ KMVT (Silicon Valley Community Media), "Music Business Artistry – Symphony Silicon Valley – Andrew Bales," Interview between Roxanne Janson and Andrew Bales, November 30, 2017, video, 25:47, https://www.youtube.com/watch?v=NC_KXs6DCao, accessed July 13, 2020

⁴⁶⁹ Helen M. Thompson, *The Community Symphony Orchestra: How to Organize and Develop It* (USA: American Symphony Orchestra League, 1948) 112. Another version is printed in Helen M. Thompson, "The Orchestra's Cultural Responsibility in the Community," *Music Journal*, 8/6 1950, 44.

culturally, and musically diverse community that San José had been since before the San José Symphony was even a notion. Despite the hope that the orchestra could reach into the community and draw a wider audience, the orchestra never seemed to grapple with its connection to elitism and highbrow culture and whiteness.

Another fraught connection between the orchestra and the community lay within the philanthropic goals of its wealthiest denizens. According to Wolf and Glaze, in 1994 San José ranked third in wealth of the top fifty cities in the US, but thirty-ninth in terms of philanthropic giving. That made its score (negative thirty-six) one of the worst among the top fifty cities.⁴⁷⁰ There were many reasons for why philanthropy was not a strong suit in San José. In an article published around the time of the bankruptcy in 2002, journalist Jay Harris—San José Symphony’s interim chairman of the board (and former publisher of Mercury News)—questioned how important an orchestra was to the civic fabric of a particular metropolis. He wondered “whether our civic aspirations are based more on our net worth or our values.”⁴⁷¹ That is, did San José want to retain its orchestra because the group represented the musical and cultural values of the city, or because the city’s residents had the financial means to maintain a regional orchestra? His question points to the inherent tension between art and commerce at the time. Essentially, Harris was asking: what is the value of art if it does not create enough revenue to offset costs? And what does maintaining an orchestra in a city represent if most of the community does not identify with the cultural apparatus surrounding orchestras, or even worse, feels unwelcome at this type of gathering? These were all questions that needed to be answered in order to address the issues of San José’s problem with its orchestra, but more

⁴⁷⁰ Beene et al, 53.

⁴⁷¹ Julie Sevens Lyons and Lisa M. Krieger, “Symphony’s swan song: Rebirth of an orchestra in doubt as bankruptcy looms,” *San José Mercury News*, June 9, 2002. Mimi Carlson Archive.

importantly, to address some of the deeper underlying problems that threatened to end the orchestra's existence.

For musicians, though, the question in the South Bay had never been whether the community had the financial means to support the orchestra, but what had been preventing them from doing so. The musicians of the San José Symphony, whom the AFM represented, were skeptical that there was not enough money to support the San José Symphony. "When you go to the YMCA, you park between two Jaguars," asserted Janet Sims, violist with the Symphony since 1981. "If any area of the United States could support the arts financially, it's this area."⁴⁷² Other musicians believed that the San José Symphony, and the city in general, was too focused on sports (such as the San José Sharks, who started playing in the city in 1993), or the technology industry, rather than the culture of the region. "They have to have this wide view of the world," asserted Galen Lemmon, the principal percussionist of the San José Symphony, who began working there in 1972. "That includes the highest level of the arts in San José, before anybody's going to really take the area seriously as a cultural center."⁴⁷³ The musicians argued that the region should get its priorities in order, and support the arts over sports, because that is what would make the city more of a "cultural center." Their arguments corroborated somewhat antiquated ideologies of patronage and cultural hierarchies that had placed the symphony in troubled highbrow waters in the first place.

⁴⁷² Quoted in Brian Bergstein, "San José Symphony silenced for now," *The Arizona Daily Sun*, October 23, 2001. https://azdailysun.com/san-José-symphony-silenced-for-now/article_7eb7249c-a9d9-5309-9498-2dfb9ce9769a.html.

⁴⁷³ <http://www.sanJosésymphony.org/>.

The public took issue with a call for more diversity from several *San José Mercury News* articles between the end of 2001 and beginning of 2002⁴⁷⁴ Multiple readers of the newspaper wrote letters to the editor to deny the importance of racial diversity in orchestras. These writers did not think that the symphony needed to focus on diversity but should continue on with its programming. Fred Holzknect wrote, on February 2, 2002, “it is true that most classical music is by dead white guys. That probably won’t change for another hundred years. Any classical orchestra that doesn’t play music by dead white guys will find itself dead faster than the San José Symphony did.”⁴⁷⁵ On the same day, Charles Jewett wrote, “Saying that musicians in the orchestra are not ethnically diverse enough is a non-issue and completely beside the point. It’s like saying the U.S. Winter Olympics ski team is not ethnically diverse enough.”⁴⁷⁶ He was not the only person to compare the orchestra’s lack of racial diversity to a sport that is equally entrenched in racist histories. On February Robert Hubbard wrote, “I must, however, take serious exception to the implication that the symphony resists ‘ethnic diversity.’ You would not expect ethnic diversity to be a major consideration in selecting race car drivers for the Indy 500. Driving skill is the overriding consideration.”⁴⁷⁷ Holzknecht supplied his own sports team metaphor: “To claim that the orchestra is not racially diverse enough is equally ridiculous. How diverse are the Harlem Globetrotters? They do not reflect America’s mix, yet they are incredibly successful. It’s the product, man.”⁴⁷⁸ These three comparisons reflect a (perhaps implicit) racial animus that was not helpful in attracting a wider audience. Whereas Holzknecht used the

⁴⁷⁴ These articles include Edwin Garcia and Lesley Valdes, “S.J. Symphony readies plan,” *San José Mercury News*, September 7, 2001, and Mike Antonucci, “Symphony searches for an audience,” *San José Mercury News*, January 25, 2002. Mimi Carlson archive, and

⁴⁷⁵ Fred Holzknecht, Letter to the editor, *San José Mercury News*, February 3, 2002.

⁴⁷⁶ Charles Jewett, Letter to the Editor, *San José Mercury News*, February 3, 2002.

⁴⁷⁷ Robert Hubbard, Letter to the editor, *San José Mercury News*, February 10, 2002.

⁴⁷⁸ Fred Holzknecht, Letter to the editor, *San José Mercury News*, February 3, 2002.

Harlem Globetrotters to show that an organization could find success despite their lack of white members, Jewett and Hubbard weaponized the white racial pasts of the U.S. Olympic ski team and the Indy 500 in order to invalidate the necessity of making their own local orchestra more reflective of the community in which it existed.

For his part, conductor Leonid Grin played heavily into tropes of elitism and artistic hegemony that had stymied the orchestra in the first place. “To let the symphony go down like this is just heartbreaking,” the conductor asserted. “It was a huge surprise to see how the community treats its own history.”⁴⁷⁹ Grin, like many others in the classical world, conceived of the San José symphony as a civic institution, a piece of important musical history that should be preserved. “Don’t we deserve to have nice museums, to have ballet, opera, a symphony—like any civilized society?”⁴⁸⁰ Grin belied his own elitism with this sentiment. By “civilized society,” Grin—a Ukrainian who trained at the Moscow Conservatory and conducted all over Europe and the Americas—meant European culture, the very civilization that invented the hegemonic practice of coding humans as “civilized” or “savage.”⁴⁸¹ On one hand, Grin’s assessment can be viewed within centuries-old practices of arts patronage that has been found in cultures around the world, but the context points to a white supremacist ideology, one that has been corroborated by nearly every orchestra that claims that classical music is “good for the soul.”

⁴⁷⁹ Mike Guersch, “S.J. Symphony disarray leaves director in limbo,” *San José Mercury News*, October 2, 2002. Mimi Carlson Archive.

⁴⁸⁰ Mike Guersch, “S.J. Symphony disarray leaves director in limbo,” *San José Mercury News*, October 2, 2002. Mimi Carlson Archive.

⁴⁸¹ The cultural elitism implicit in classical music is still present today but has been problematized by scholars for decades. For more on cultural capital and elitism, see Francie Ostrower, “The arts as cultural capital among elites: Bourdieu’s theory reconsidered,” *Poetics*, 26 (1998), 43-53. See also, Omar Lizardo, “How Cultural Tastes Shape Personal Networks,” *American Sociological Review*, 71, no. 6 (October 2006), 778-807. See also, Richard A Peterson, “The Rise and Fall of Highbrow Snobbery as a Status Marker,” *Poetics* 25 (1997), 75-92. See also, William Robin, “The Rise and Fall of ‘Indie Classical’: Tracing a Controversial Term in Twenty-First Century New Music,” *Journal for the Society of American Music* 12, no. 1 (2018), 55-88.

On the other hand, even though Grin represented an insidiously implicit white supremacist viewpoint on musical value and systems of arts patronage, his statement also alluded to the notion of social responsibility and collectivism, which was, unfortunately, still alive and well 2002.⁴⁸² As I mentioned above, the neoliberal logics prioritized individuals. Even the local branch of the American Federation of Musicians, Local 153, was feeling the pain of the neoliberal turn among its collectivist ideals.

The California Theater

Some of the similarities between the Oakland and San José orchestras were uncanny. Both orchestras tried, and failed, to create a full-time home for themselves. As with the Oakland Symphony, the San José Symphony wanted to assert their cultural dominance in the region and thought one way to do so would be to buy and renovate an old movie palace. However, whereas Oakland made it through the renovation stage before having to give up the Paramount, San José Symphony was forced to file for bankruptcy before they even managed to buy the hall that is now called the California Theatre.⁴⁸³ Although a failed business venture that never actually happened might not seem like an important element for the San José Symphony, I argue that this was a crucial step that the orchestra thought would bring it more attention and a wider audience. Unfortunately, as with the Oakland Symphony, this decision turned out to be more of a burden than a positive business plan. The decision to buy a hall exemplifies the

⁴⁸² It is clear from recent conversations in the academic music sphere that white supremacy is certainly still present in classical music. Setting aside performance, which is also rife with racist underpinnings, music theorist Philip A. Ewell's article, "Music Theory and the White Racial Frame," published in *Music Theory Online*, immediately garnered much attention, both positive and negative. For more, see Philip Ewell, "Music Theory and the White Racial Frame," *Music Theory Online*, 26, no. 2 (September 2020),

⁴⁸³ Richard Scheinin, "Hope restored: Downtown boosters say classic theater will again point the way to San José, revitalizing music, economy," *San José Mercury News*, September 12, 2004.

orchestra's expansionist desires, and an adherence to the structures of US capitalism that expect businesses to constantly search for growth opportunities.

The California Theatre was one of many examples of abandoned movie palaces in the Bay Area that were later renovated for new purposes. Some theaters have been renovated for live performance spaces, others have been renovated for other uses, and others have been restored to their former lives as movie theaters. The California Theatre in San José was opened in 1927 as a vaudeville theater, but closed less than fifty years later, in 1973.⁴⁸⁴ It transformed from a vaudeville theater into a movie house, serving the swing shifts with 11am screenings during WWII. It was renamed the Fox Theatre in 1957, when it was modernized by the Fox film conglomerate for film at first, then for live rock shows. The theatre was forced to close after “an orgy of destruction after a concert by El Chicano and Azteca,”⁴⁸⁵ and sat dormant and unrenovated until 2004.

It was a well-documented frustration among arts groups in Silicon Valley that there were few venues that were suitable for orchestras in the region.⁴⁸⁶ The San José Symphony performed in the Center for Performing Arts, CPA, as well as the Flint center in Cupertino, but they wanted to have their own performance space. The CPA was designed built in 1972 by the Frank Lloyd Wright Foundation as a community theatre space. The City of San José, which owned and operated the space, renovated the CPA in 1987 with an acoustic shell and 2,400 square foot proscenium stage that could house orchestras, ballet, and other live concerts.⁴⁸⁷

⁴⁸⁴ The Opera San José website states that the theater closed in 1974 <https://www.operasj.org/about-us/california-theatre/>, but Mike Guersch's article states 1973.

⁴⁸⁵ Richard Scheinin, “The California Comes Full Circle,” *San José Mercury News*, September 12, 2004. Mimi Carlson archive. This language is problematic in many senses, particularly when it comes to western attachment to architectural spaces.

⁴⁸⁶ Ruth Pfaff, recollections of the early years with the San José Symphony. Mimi Carlson Archive. Pfaff notes the shortcomings of CPA, and the terrible venues available before CA Theater was renovated (after SJS bankruptcy).

⁴⁸⁷ Beene et al, 54.

Partially because the hall was not designed for musical concerts in the first place, the acoustics felt sterile to the musicians and audiences alike, and the build quality left much to be desired. Ruth Pfaff, a longtime violinist with the San José Symphony, recalled that the CPA building had structural issues from the beginning. “3 months after we moved to the Performing Arts Center,” Pfaff wrote, “the ceiling collapsed while the workmen were adjusting the cable. Then we returned to the Civic Auditorium for a while.”⁴⁸⁸ The CPA was bad enough that the San José Symphony desperately wanted to find a new home.

Many of the major orchestras in the United States play in their signature hall, which has made many US orchestra inextricable from their architectural representations. For example, the Boston Symphony Orchestra and Chicago Symphony Orchestra both have Symphony Halls in their respective cities, the Cleveland Orchestra has Severance Hall, the Los Angeles Philharmonic has Disney Concert Hall, and the San Francisco Symphony has Davies Symphony Hall. These architectural spaces are so intrinsic to the orchestras’ identities that the halls themselves are often part of the orchestra’s insignia.⁴⁸⁹ These spaces represent more than an office space for the orchestra; they are often architecturally important, whether they are reminiscent of European designs (as with Boston Symphony Hall), or American avant-garde architecture (as with Disney Concert Hall in Los Angeles). Each of these spaces represents a connection between classical music, architecture, and civic spaces. Most halls are located downtown, at the heart of the city, and are supposed to evoke connections to artistic and civic

⁴⁸⁸ Ruth Pfaff, recollections of the early years with the San José Symphony. Mimi Carlson Archive.

⁴⁸⁹ The San Francisco Symphony changed their logo early in 2020, after the announcement of Esa-Pekka Salonen’s appointment as music director. For more information, see <https://www.sfsymphony.org/About-SFS/Visual-Identity>. This change is part of a trend away from glorifying edifices toward describing a brand in dynamic, inviting visual branding.

prowess. As such, they are also beacons of modernity, capitalism, and cultural identity.⁴⁹⁰

Although not every orchestra owns their own hall, the full-time groups play there often enough that it is hardly used for other purposes. The “edifice complex,” which I alluded to in chapter three, was a driving force for many orchestras to build their own concert halls in the middle of the twentieth century. But building or renovating a hall was often a financially unwise decision, unless the project was funded by outside sources.

The San José Symphony wanted to buy and renovate the Fox Theatre and launched an ambitious \$85 million campaign as part of a partnership with the City of San José.⁴⁹¹ The San José Symphony argued that renovating the abandoned concert hall would draw new audience and help revitalize the downtown, as it had done in other locations. Locally, San Francisco Symphony’s Davies Hall, which had been finished in 1980, and Disney Hall in LA which had been completed in 1996, both continued to draw audiences because of the new construction.⁴⁹² the association was focusing on a fundraising campaign, their operating deficits were ballooning. Rather than focusing their fundraising efforts toward balancing their budget and investing in education or other community-based operations, the orchestra attempted to expand their reputation by buying a hall in 1999. The San José Symphony board was trying to compete with the San Francisco Symphony at a task for which they were resolutely not prepared. Instead, the dream of buying and renovating the Fox Theatre fell into Opera San José’s lap.

⁴⁹⁰ For more on the history of acoustics and modernity in urban spaces as seen through concert halls, see Emily Thompson, *The Soundscape of Modernity: Architectural Acoustics and the Culture of Listening in America, 1900-1933*, (Cambridge, MA: The MIT Press, 2002).

⁴⁹¹ Wolf and Glaze, *And the Band Stopped Playing*, 69.

⁴⁹² These halls were not without their critics. Reporter Sam Hall Kaplan wrote in the LA Times, wrote that constructing Disney Concert Hall was a misappropriation of funds that would have been better spent elsewhere, and that the money from the \$250 million-plus design might have been better spent in schools, or other communities. Sam Hall Kaplan, “L.A. Has to Get Over Its Edifice Complex,” *Los Angeles Times*, June 14, 1996.

The history of the Fox Theatre shared commonalities with the Paramount and several other movie palaces, with ownership bouncing from one entity to another, each with a separate vision for what it could become. After what a journalist called an “orgy of destruction” in 1973, The Performing Arts League and the City Fine Arts commission purchased the Fox in 1974 for \$190,000, with a renovation estimate of \$1-\$1.5 million.⁴⁹³ The City of San José had wanted to purchase the theater but could not come up with the funds. From 1976-1980 developer José Borges attempted to renovate the theater but put it on the market.⁴⁹⁴ It took five years for the San José Redevelopment Agency to purchase the theater in 1985 for \$2 million. For nineteen years, the Redevelopment Agency worked with city officials, other groups, and finally the Packard Foundation were in talks to remodel and reopen the hall, but it did not actually open again until 2004. The \$75-million remodel was supported by diverse groups from the community, but San José Symphony had already filed for bankruptcy and disappeared by that point.⁴⁹⁵

Nevertheless, the building project continued without the orchestra. The reopening in 2004 was hailed as an important event and signaled a revitalization of the downtown for journalists such as Richard Scheinin, and Opera San José founder Irene Dalis, who grew up attending movies at the Fox Theatre. As she entered the theater’s grand foyer for the first time, she exclaimed, “Look at it! Look at it! It’s even more beautiful than when I was a child.”⁴⁹⁶ It was particularly important for those who despised the Center for the Performing Arts (CPA) a

⁴⁹³ In a timeline of the Fox/California Theatre’s history, Scheinin writes, “1973: The venue’s life as rock club ends abruptly in what the Mercury News described as an orgy of destruction after a concert by El Chicano and Azteca. The building is vacated.” Quoted in Richard Scheinin, “The California comes full circle,” *San José Mercury News*, September 12, 2004.

⁴⁹⁴ Richard Scheinin, “The California comes full circle,” *San José Mercury News*, September 12, 2004.

⁴⁹⁵ Richard Scheinin, “Hope restored: Downtown boosters say classic theater will again point the way to San José, revitalizing music, economy,” *San José Mercury News*, September 12, 2004.

⁴⁹⁶ Richard Scheinin, “The California comes full circle,” *San José Mercury News*, September 12, 2004.

few blocks away. *San José Mercury News* reporter Richard Scheinin wrote that the hall's reopening was symbolically important due to the lack of decent performance venues in the city. The Center for the Performing Arts is a 2,600-seat hall⁴⁹⁷ with less-than-adequate acoustics that was opened in 1972 and served as the home of the San José Symphony, and later, Symphony Silicon Valley, which performs in both the CPA and California Theatre today.

The renovation cost around \$75 million dollars, of which \$25 million came from David Packard and the Packard Humanities Institute. Packard enjoyed classic films, but was famously a passionate opera buff, and wanted to make sure the theatre was renovated to accommodate various types of entertainment.⁴⁹⁸ Dalis, the founder and general director of Opera San José, called Packard “our Lorenzo de Medici,” for all his support.⁴⁹⁹ A redevelopment agency had bought the theater in 1985 with the intention of remodeling it, but it took until 2004 to finish the project. It took David Packard's promise to fund 1/3 of the project as long as the firm restored the theater to its original glory.

While the California Theatre was eventually renovated and now serves as the home of Opera San José and Symphony Silicon Valley for part of their season, San José Symphony's desire to renovate it as their primary venue was problematic for several reasons. First, it was always going to be too expensive for the symphony to remodel the hall. They could not cover their own operating budget, let alone raise the \$85 million they had originally earmarked.⁵⁰⁰ The sad irony is that the hall was eventually remodeled, and Symphony Silicon Valley now spends

⁴⁹⁷ For reference, Davies Hall in San Francisco, the home of the San Francisco Symphony, has around 2,700 seats.

⁴⁹⁸ In personal conversations with musician friends and colleagues, when David Packard came up, they often remarked on how much he loved opera. It was often the second thing musicians said about Packard, after exclaiming their gratitude for his largesse in the San José Arts Sector.

⁴⁹⁹ Richard Scheinin, “Hope restored: Downtown boosters say classic theater will again point the way to San José, revitalizing music, economy,” *San José Mercury News*, September 12, 2004. Mimi Carlson Archive.

⁵⁰⁰ Wolf and Glaze, *And the Band Stopped Playing*, 69.

part of its season performing there. It is a reminder that the financial decisions that work for one organization might not work for another. Constant growth is not always the best decision.

The American Federation of Musicians and the San José Symphony

The American Federation of Musicians, as with the rest of the music industry, underwent many dramatic changes in the middle of the twentieth century. For the orchestra world, the creation of the International Conference of Symphony and Opera Musicians (ICSOM), the Regional Orchestra Players Association (ROPA), and later, their support center in New York City, with lawyers, electronic media coordinators, and national negotiators, Symphonic Service Division (SSD). These two distinct players conferences and SSD were joined by the Organization of Canadian Symphony Musicians (OCSM), the Theater Musicians Association (TMA) and Recording Musicians Association (RMA).⁵⁰¹

Organized labor in the final 1970s and 1980s underwent drastic changes due to the neoliberal leadership of President Ronald Reagan. Labor historian Nelson Lichtenstein argues that these decades were a “disaster” for the union labor movement.⁵⁰² One of the important events that shaped the public disenchantment of organized labor was the Air Traffic Controller’s strike.⁵⁰³ Reagan used PATCO’s (The Air Traffic Controller Union) failed strike as fodder for his anti-labor policies that gradually stripped the rights of many workers across the

⁵⁰¹ Tom Mendel, “Player Conferences—What Are They, and What’s Going on with TMA?,” *International Musician: Official Journal of the American Federation of Musicians of the United States and Canada*, June 2016, [https://internationalmusician.org/player-conferences/#:~:text=There%20are%20five%20official%20player,Theatre%20Musicians%20Association%20\(TMA\)](https://internationalmusician.org/player-conferences/#:~:text=There%20are%20five%20official%20player,Theatre%20Musicians%20Association%20(TMA),), accessed July 20, 2020.

⁵⁰² Nelson Lichtenstein, *State of the Union: A Century of American Labor*, (Princeton, NJ: Princeton University Press, 2002), 213.

⁵⁰³ For more on the Air Traffic Controller’s Strike, see Steven Greenhouse, *Beaten Down, Worked Up: The Past, Present, and Future of American Labor*, (New York: Alfred A. Knopf, 2019), 125-136.

nation. Given the government-assisted exploitation of workers across the country, classical musicians decided they had to organize at the regional orchestra level. The International Conference of Symphony and Opera Musicians (ICSOM) had been founded in 1962 for the larger, full-time professional orchestras in the country, but there was no players conference for part-time orchestra musicians.⁵⁰⁴ Therefore, the Regional Orchestra Players Association, or ROPA players conference was founded in 1984 as a subsidiary conference within the AFM. They wanted to improve their wages and working conditions and aspired to earn enough money to make a living playing their instruments. San José Symphony was one of the charter members of ROPA, and one of the central goals was to make their jobs with the symphony as close to a full-time position as possible.

It is not possible to outsource labor in orchestras. In order to hear a live concert, there must be live musicians performing in the venue. This might seem obvious, but with the rapid expansion of outsourcing and proliferation of the global economy in favor of increasing profits, orchestras were one of the few organizations where little could be done to produce the product more efficiently. Orchestras could not play a symphony without a core number of players, they could not play the music twice as quickly, and they could not play a concert with no rehearsals.⁵⁰⁵ These immutable principles of ensemble music making point to another way that neoliberal ideology has seeped into the orchestral ethos. Economically-minded consultants cite operational inefficiency and high labor costs as one of the reasons for orchestras' failures: if the

⁵⁰⁴ Tom Hall, "The First Fifty Years of the International Conference of Symphony and Opera Musicians," ICSOM Website, <https://www.icsom.org/history/index.php?historyCatID=5>, Accessed May 12, 2020.

⁵⁰⁵ There is a historical precedent for this, however. In England at the turn of the century, there was rarely a budget for orchestras to conduct rehearsals before the concert. Therefore, English musicians became very adept at sight-reading concerts, and prioritized developing sight-reading skills. are still known in the twenty-first century as excellent sight-readers in general.

orchestra cannot become more efficient and streamline its operations, there is little reason for it to expect to continue to exist. Such a viewpoint betrays a tendency to prioritize economic output over the rights and living conditions of workers.⁵⁰⁶

The San José Symphony was one of the twenty-three charter members of ROPA when it was founded in 1984.⁵⁰⁷ The Oakland Symphony had been a member of ICSOM, but after its bankruptcy and reorganization, the newly-regrouped (and renamed) Oakland East Bay Symphony's budget was too small to be a member of ICSOM, so they joined ROPA instead.⁵⁰⁸ These two players conferences are generally organized along budget lines and salaried versus per-service orchestras, so even today some orchestras travel between the two conferences depending on their budget for the season. The annual ROPA and ICSOM conferences provide delegates with information on bargaining, legal changes to labor law and practice, legislative activity and lobbying, diversity initiative (a recent addition), and general organizing and pro-union rhetoric. Symphonic Services Division, or SSD, is housed in the New York office of the American Federation of Musicians to support orchestra musicians across the United States. SSD provides legal services, negotiates rates of pay for media production and streaming, including residuals, and even has a retinue of union negotiators who sit at the bargaining table

⁵⁰⁶ Helen M. Thompson, the Executive Secretary of the American Symphony Orchestra League (and later, lobbyist and then manager of the New York Philharmonic) argued that it was impossible to pay musicians what they deserved due to simple economic limitations as early as 1955. See Helen M. Thompson, "A Living Wage," *Music Journal*, Jan 1, 1955. William Baumol and William Bowen wrote their seminal work on the economic conditions of the arts in 1966 in which Baumol identifies the "cost disease." See William J. Baumol and William G. Bowen, *Performing Arts- The Economic Dilemma: A study of Problems common to Theater, Opera, Music and Dance*, (Twentieth Century Fund, 1966). Other arts consultants, such as Michael Kaiser, have continued this work. See Michael Kaiser, *Curtains?: The Future of the Arts in America*, (Waltham, MA: Brandeis University Press, 2015).

⁵⁰⁷ See Appendix I for more on the founding ROPA members. See also, "History" ROPA website, <http://ropaweb.org/about/history/>, accessed July 20, 2020.

⁵⁰⁸ "ICSOM Member Orchestra by Year of Entry," in Tom Hall, "The First Fifty Years of the International Conference of Symphony and Opera Musicians," ICSOM Website, <https://www.icsom.org/history/index.php?historyCatID=5>, Accessed May 12, 2020.

with adversarial management to negotiate new Collective Bargaining Agreements.⁵⁰⁹ But it is the Local chapters of the Union that act as musicians' representatives during most of the season, and who have direct relationships with each orchestra and group with a contract on file at the Union.

Every Local has its own history, but a general trend in the AFM is for smaller locals to merge with larger locals across the country. In 2020 there were ten Locals of the AFM in California, which has a population of almost forty million people. At the end of the twentieth century the Bay Area alone had over ten locals, but the final small branch, Local 424 of Richmond, CA, merged into local 6 on August 20, 2018.⁵¹⁰ The Bay Area's union history is not without its problematic past. In 1924 Local 648 was chartered by the AFM and granted Black musicians the right to perform in the same areas as Local 6, with headquarters in Oakland.⁵¹¹ Before 1924, Black Musicians were not allowed to play east of Van Ness Avenue, one of the major arteries running through San Francisco. A decade later in 1934, a territorial court battle between Local 6 and 648 resulted in 648's charter being revoked. Black Musicians were subjected to the leadership of Local 6, but although they paid work and membership dues, they did not have the voting rights or death benefits through Local 6. AFM president James C. Petrillo ordered that all white locals allow Black musicians into their ranks, but Local 6 refused, so Petrillo chartered Local 669 in 1946. A full seventeen years after Petrillo's decree, and due

⁵⁰⁹ Most of the SSD resource page is behind a member login wall. <https://www.afm.org/> is the national Union, and www.afm6.org is the Bay Area Local 6 website.

⁵¹⁰ See Appendix J for Local 6 of the AFM mergers.

⁵¹¹ For more on racial animus in the Bay Area union, see Leta Miller, "Racial Segregation and the San Francisco Musicians' Union, 1923-60" *Journal for the Society of American Music*, Vol 1/No. 2 (2007), 161-206. See also, Alex Walsh, "A Brief History of Local 669 and Local 6," *Musical News*, March 2004, and Alex Walsh, "Local 6-669 Merger (1960)," AFM6 website, <https://afm6.org/history/local-6-669-merger-1960/>.

mainly to the California Fair Employment Practice Act, Local 6 and Local 669 finally merged.⁵¹² Local 6 and 669 have been researched by historians and union employees, but there is very little information on whether the other Bay Area locals had segregated Black and white Locals. There certainly were segregated locals in most cities across the United States. These racist actions have carried heavy long-standing consequences in the Bay Area and across the country. When the Union, the very institution that is supposed to protect workers' rights, is racist in its construction, it is little wonder why few musicians of color were interested in joining the union in order to play with orchestras. Diversity is an issue that was discussed toward the end of the San José Symphony's existence, and will be discussed in the next chapter, but the racial animus from the AFM was certainly one of the factors that has contributed to a less diverse workforce in orchestras.⁵¹³

In San José, Local 153 of the American Federation of Musicians governed unionized musical performances. Like Local 6 would do in the twenty-first century, Local 153 decided to expand its ranks in the 1990s. On July 1, 1993, the Santa Cruz Local, 346, merged with 153. On January 1, 1994 the San Leandro Local, 510, merged with the San José Local. On January 1, 1996, Local 616, which spanned Monterey and San Benito counties, merged with Local 153. These three mergers provided Local 153 with enough income to operate for nearly a decade. However, after the Great Recession of 2008, when many orchestras were unable to continue operations as they had before. At that point, the San José Local considered its options. Like the

⁵¹² Leta Miller, "Racial Segregation and the San Francisco Musicians' Union, 1923-60" *Journal For the Society of American Music*, Vol 1/No. 2 (2007), 161-206, Alex Walsh, "A Brief History of Local 669 and Local 6," *Musical News*, March 2004, and Alex Walsh, "Local 6-669 Merger (1960)," AFM6 website, <https://afm6.org/history/local-6-669-merger-1960/>.

⁵¹³ The *San José Mercury News* published an unapologetically elitist opinion piece by American pianist, David Dubal, in which he assails San José citizens for forgetting "our heritage," and demeaning everything outside of the white, European-derived cultural hegemony. See, David Dubal, "Requiem for an Orchestra: Loss of S.J. symphony is only a symptom of America's failure to cherish the arts for their own sake," *San José Mercury News*, June 9, 2001.

North Bay Local, 292 would do a year later in 2015, Local 153 voted enthusiastically to merge with Local 6 in 2013.⁵¹⁴ By 2020, Local 6 has subsumed most of the regional locals, and its jurisdiction ranges from Monterey to the Oregon Border (see appendix).⁵¹⁵ The benefit of having one local that is in charge of most of the work in the Bay Area is that many musicians only have to join (and pay membership dues) to one union, and the membership dues are able to support their work. On the other hand, by having only one leadership team, if they are not doing a great job or are somehow unsatisfactory then the union membership can suffer dramatically. Whereas Local 153 grew to be more invested in supporting symphony musicians due to the accession of the Santa Cruz Symphony, Monterey Symphony, Carmel Bach Festival, and other orchestras in Santa Cruz, Monterey, San Benito, and San Leandro Counties in the 1990s, in the 1970s the Local was interested in supporting mainly commercial and casual gigs.

The musicians of the San José Symphony wanted to work in an orchestra that supported their goals of being full-time orchestral musicians. The orchestra, in its path toward professionalization, employed musicians who worked full-time as performers, even if only part of their work came from the San José Symphony.⁵¹⁶ Because Local 153 was more focused on casual gigs in the area, Wendell Rider, former principal horn of the San José Symphony, decided to approach Jerry Spain, the president of Local 6, the San Francisco local of the AFM, for his expertise. In addition to being the president of Local 6, Spain had gone to law school to become a labor lawyer and was well-versed in the ins and outs of labor law. Spain was all too

⁵¹⁴ See Appendix J for a map of AFM Locals that merged into Local 6.

⁵¹⁵ All of the Locals in the Bay Area have slowly merged into Local 6. There are two locals to the East (Local 12 in the central Valley and Local 189 in Stockton).

⁵¹⁶ ICSOM and ROPA actively encourage(d) member groups to fight for the highest wages possible, and as many services as possible. Conservatories train(ed) their graduates to seek full-time symphonic/opera pit employment, as that is the most “stable” musical career in the US classical realm. This is not explicitly stated in most places, but it is an implicit expectation among musicians. Freelancers almost always seek to get the next best gig, the most stable employment that might provide a living wage.

happy to help Wendell Rider and the musicians of the San José Symphony, under the table. Rider asserted that the San José Symphony's season expansions in the 1980s were led by the musicians. The board was not interested in expanding the season at first, but Rider and the rest of the players' committee were persuasive. "We showed the SJS Board that making the symphony better would make them more money. We ended up knowing more about their economics than they did! We eventually increased the season to 12 weeks, then 20, 24, and finally ended up with a 40-week contract with two weeks off. While all of this was happening, the orchestra became a draw for good musicians and it just kept getting better. It was amazing."⁵¹⁷ Rider's assessment insinuates that without the guidance of the musicians, the San José Symphony might have remained a community-focused semi-professional group, rather than the fully-professional orchestra it had become by the time of its bankruptcy. Rider's assertion that expanding the season would make the orchestra more money is only partially correct and depends on healthy ticket sales and a full house, something that the symphony struggled with. In the minds of the musicians, they were responsible for providing the best product in their concerts, and the board and staff were responsible for selling tickets.

In reality, contrary to Rider's argument, more concerts did not equate more money, and even though the musicians were very successful in negotiating higher salaries and benefits, their incomes were unsustainable. The board, for its part, was not successful in providing convincing arguments for why they would *not* be able to increase pay. Instead, leadership attempted to obfuscate their financial problems, much the same as the Oakland Symphony had done fifteen years before.

⁵¹⁷ Alex Walsh, "Wendell Rider: *It was Amazing*," *Musical News: The Official Newsletter of Musicians Union Local 6*, 91/5, October 2019. <https://afm6.org/wp-content/uploads/2019/09/Musical-News-September-October-2019-FINAL-small.pdf>.

The musicians of Local 153 who negotiated the contracts argued that their training and expertise should earn them more money.⁵¹⁸ This argument was not new. Musicians had indeed been training for more years (increasingly earning both a bachelors and master's degree, or possibly even a DMA, Doctor of Musical Arts), but the debate as to whether musicians should be considered laborers or scholars reaches back to 1896. I discuss this in the second chapter, but it is worth mentioning again, because this debate found its way to the forefront of discussions between SJS musicians and management. The board and management viewed the musicians as employees and laborers rather than potential leaders in the artistic side of operations, or even as shareholders of a corporation. If leadership had adjusted their views of the musicians to be more inclusive, then maybe the conflicts and miscommunications might not have been so contentious. The board and executive leadership ran the orchestra as if it were a corporation, so focusing on creating enough revenue (either earned or donated) for the musician "shareholders" could have fundamentally altered operation decisions. Local 153, for its part, did not highlight the leadership and artistic potential of its members at the negotiating table, and lost out on potential financial gains through artistic expansion.⁵¹⁹

The musicians of the San José Symphony were experiencing an ideological tension in their work. On one hand, a career in music had always been tenuous. Every would-be musician is warned by their teacher that if they can imagine their lives doing something else, they should do that. Being a musician is a difficult life, with pay far lower than other jobs relative to the amount of training required. Unions were created to protect workers against the exploitation of employers, and to create better working conditions. This type of unionism had worked very well in the United States until the mid-twentieth century, when labor unions were systematically

⁵¹⁸ Alex Walsh, "Wendell Rider: *It was Amazing*."

⁵¹⁹ Alex Walsh, "Wendell Rider: *It was Amazing*."

stripped of their bargaining power, and right-to-work states eviscerated closed shops as a result of the Taft-Hartley Act.⁵²⁰ Despite the general professionalization of a musical career, particularly in orchestras, the value of musicians as skilled workers has generally decreased. Former Local 6 President David Schoenbrun argued in his January-February 2014 column in *Musical News*, argued that the adage “Do What You Love,” (a common refrain among business leaders who have earned millions while simultaneously cutting wages and making a working-class life nearly untenable), has devalued the work that musicians do by aligning it with a pastime rather than a career.⁵²¹ The devaluation of musicians as valuable workers rather than hobbyists is not a new phenomenon. Being a professional classical musician and living a middle-class lifestyle was not possible (unless the musician was supplementing their income through teaching or other non-musical work) until the expansion of labor practice in the US through the AFM. Conversely, by the time the union grew strong enough to negotiate for better wages (concurrent with the expansion of orchestras generally in the 1960s-1970s), many orchestras, and organized labor generally, were already in a state of decline.

The Final Decade

The final decade of the San José Symphony was punctuated by several important changes. In addition to Leonid Grin’s appointment in 1992, the Board changed hands several times, executive directors came and went, deficits fluctuated, the Board initiated a fundraising campaign to buy and renovate the historic Fox Theatre downtown, and the musicians’ union successfully negotiated for stronger salaries and benefits. The confluence of each of these

⁵²⁰ Nelson Lichtenstein, *State of the Union*, 117-122.

⁵²¹ David Schoenbrun, “Doing What We Love- the Musicians’ Curse,” *Musical News*, January-February 2014.

factors contributed to the San José Symphony's eventual bankruptcy filing in 2002, but even at the turn of the century bankruptcy was not a foregone conclusion. This section discusses how each of the above changes contributed to the bankruptcy filing by analyzing each event within the framework of late-twentieth-century shifts toward neoliberalism, particularly in the tech industry of Silicon Valley.

The orchestras were focused on expansionism. This is the imperative for any corporation in the US economic system, and orchestras were no different. It was under Cleve that the orchestra truly started to expand, although the unionization of the orchestra under Sándor Salgo was also an important step toward expansion. With a CBA there is a formalized negotiating period, wherein the musicians come to the table with their financial goals and expectations, and the board and management come to the table with their own goals and expectations. It is rare that orchestras negotiate pay decreases, which is one of the ways the union has accelerated the decline of some regional orchestras in the country. On the other hand, it is the obligation of the Association to pay the musicians, so the conflict between the two groups, as Gary Ruud asserted in his article on communications, was seemingly insurmountable.⁵²²

One of the primary reasons the leadership team cited for shutting down the San José Symphony was their mounting deficit. The orchestra's deficit, and its general monetary woes, were covered extensively by newspapers, arts journals, and within the organization. However, although the San José Symphony's deficit ballooned to an estimated \$3.4 million by February 2002, the Symphony had carried deficit in the hundreds of thousands of dollars on and off since at least 1988. It is not uncommon for a nonprofit to carry a small operating deficit, and the San

⁵²² Gary Ruud, "The symphony: Organizational discourse and the symbolic tensions between artistic and business ideologies," *Journal of Applied Communication Research*, 28/2, May 2000, 117-143.

José Symphony's operations generally justified a small deficit for some seasons. However, by the late 1990s the deficit began to spiral out of control, and the board did not take actions to curb spending.⁵²³

The September 11, 2001 terrorist attacks—which came just days after the Symphony's Fall Gala—were often cited as an important shift in philanthropic giving, both for the San José Symphony and the arts writ large, although the symphony's problems had been brewing for far longer than September 11.⁵²⁴ Though the Gala had been a rousing success, the board was focused on an \$85 million fundraising campaign to purchase and renovate the Fox Theatre in downtown San José rather than diminishing their operating deficit, as discussed above. Even though the financial problems were at the center of the filing, the orchestra had difficulty defining its importance in musical or cultural terms that were relatable at the beginning of the twenty-first century, so it was easier to cite failure for financial reasons. Social issues are more difficult to use to justify an organization's existence than economic contributions, and so orchestras use the language of capitalism and the accumulation of wealth to define their importance, rather than changing socio-cultural values are even more difficult to cite.

The orchestra placed the blame on the community for not supporting the ensemble financially, similar to what the Oakland Symphony had done sixteen years earlier. The San José Symphony used linguistic markers of economics in two ways to define the lack of support from the community. First, they blamed the community for not wanting the product they were selling. The public was simultaneously blamed for not supplying the demand, and not demanding the supply that was already there. The orchestra had programmed pops concerts

⁵²³ For a detailed timeline of the events that precipitated the Bankruptcy, see Appendix E.

⁵²⁴ Leonard Jacobs, "In Focus: As Philanthropic Giving Falls, Foundations Urged to Shift Priorities," *Back Stage*, 45, no. 18 (April 30, 2004).

and light classical concerts that they thought would draw a younger, hipper audience, but still the audience was not interested. In reality, however, this attempt at democratization was through branding, and not through an actual attempt to make the product more appealing to a diverse audience. In this way the orchestra was able to externalize the problems with the product, the music, as well as the financial mismanagement. Second, the financial model didn't fit into the market economy, didn't make a profit, wasn't scalable or able to be made more efficient, so there was little reason to continue, particularly from a leadership team that was concerned with profits and innovation over all else. The orchestra leadership was unable to reconcile their desire to become financially solvent with the organizational structure of US regional orchestras, and rather than attempting to reconfigure or downsize (which is anathema to neoliberal capitalism), the orchestra decided to file for bankruptcy.

In the wake of the September 11, 2001 attacks on the World Trade Center, the musicians of the San José Symphony raised several thousand dollars for the Red Cross to help with efforts related to the attacks. They presented the check onstage during a concert and organized the entire effort without the board or administration's input.⁵²⁵ Patti Whaley, a freelance violist who was a member of the San José Symphony and is principal in Symphony Silicon Valley, remarked "The house was overflowing, and it was a great night." She added, "It was wonderful to see the community wanting to experience beautiful music, but even more wonderful to see the orchestra pulling together and reaching out to help others—even as we privately speculate whether our next paycheck is coming. I am very proud to see how our national community of musicians has reacted to this tragic occurrence."⁵²⁶ The musicians were acting as stewards for their community, and even though many of them were at least partially

⁵²⁵ "Helping to Heal," *International Musician*, November 2001.

⁵²⁶ *Ibid.*

aware of the tragic events that were about to unfold in their own careers, they still decided to donate generously to the cause.

Cancelling the 2001-2002 Season

In May 2001, the upcoming San José Symphony season was announced. The season was larger than ever before, with concert sets nearly twice a month, featuring soloists ranging from Yo-Yo Ma (for the Opening Gala on September 8), Anoushka Shankar, Mark O'Connor, and Pepe Romero, to several members of the orchestra, according to the season brochure.⁵²⁷ Concerts were to be presented in various venues across the South Bay, including the Center for the Performing Arts in San José and the Flint Center in Cupertino. There was also Familiar Classics and Super Pops series, as well as special programs. In all, there were more opportunities to hear the orchestra than ever before. There was also more debt than ever before.

By the summer of 2001, the San José Symphony's deficit hit \$2.6 million. The entire operating budget for the season was \$7.9 million, which meant the deficit spanned nearly a quarter of the operating costs. Whereas moderate operating budgets are common for nonprofit organizations, a deficit that size is notable. Interim executive director, Dick Gourley, tried to explain the deficit in terms of decreasing donations and rising costs. "The net of all these numbers is that our donations were down \$1 million, our expenses went up \$1 million, and ticket sales were down approximately \$400,000," he told the *San José Mercury News*.⁵²⁸ Still, Gourley insisted that although the orchestra needed to downsize, the San José Symphony was

⁵²⁷ 2001-2002 San José Symphony Brochure.

⁵²⁸ Lesley Valdes and Pete Carey, "Symphony finances fall further into crisis: donations plummet as economy softens," *San José Mercury News*, August 30, 2001. Mimi Carlson archive.

not going to “go dark” like the San Diego Symphony had only a few years earlier in 1996.⁵²⁹ The San José Symphony’s financial problems were not new; the orchestra’s struggles had been covered extensively in the news, and patrons, musicians, and local government alike had all questioned the health of the organization since the mid-1990s, when the deficit steadily started to increase.

Despite Gourley’s assurances, the Symphony announced on October 15, 2001 that it would suspend the 56-concert season and shut down operations temporarily. Gourley asked the thirty-two members of the board to resign and issued a press release. He stated,

“San José Symphony has struggled financially for many years, and we have not had the courage to address the issues that are preventing the organization from becoming a vital and sustainable institution... We must change to survive; we must provide products that are more relevant to the Silicon Valley community; and we need a business model that supports the profitable delivery of those products.”⁵³⁰

Gourley’s statement draws attention to several important problems within the organization. First, Gourley describes the orchestra in purely economic terms: the music is described as a “product,” the symphony’s most important goal should be the “profitable delivery” of said product, and the profitable delivery of the product must be “relevant” and “sustainable” for continued operations. Gourley’s attention to and use of these economic terms is not coincidental—it is shaped by his background in the tech consulting industry. Moreover, Gourley was writing not only from his own vantage point, but for an audience that thought in these terms. It indicates the pervasiveness of neoliberal ideology, when the primary focus of an arts nonprofit is the profitability and sustainability of its products, rather than the working conditions and health of its employees. The mission of creating a financially-viable workplace

⁵²⁹ Lesley Valdes, “S.J. orchestra soldiers on: Beleaguered symphony continues season as it searches for long-term solutions to its financial woes,” *San José Mercury News*, October 7, 2001.

⁵³⁰ Press release from San José Symphony Leadership. October 15, 2001.

within the market economy supersedes the mission of providing music to the community regardless of financial viability. The metrics of finances and economic sustainability are far easier to quantify than the much more ephemeral metrics of artistic fulfillment, providing beneficial but not-financially-profitable services to a community, or providing a stable and livable wage to a cadre of highly-trained musicians and arts administrators. Although the Symphony board and executive leadership attempted to provide this in the years leading up to Fall 2001, they were not able to figure out a way to do so in a sustainable fashion. Therefore, rather than trying to scale back in the previous seasons, the San José Symphony catapulted toward bankruptcy, and only cut their season when they had no other alternatives.

On October 27, 2001, Curtis Dudnick, the interim financial director, and Michael McSweeney, the former chair of the (now-defunct) board, laid off the entire workforce of 30 staff members and 89 musicians.⁵³¹ They also laid off Leonid Grin, who had been hired a decade earlier. The San José Symphony subscribers, on the other hand, were not apprised of what was happening to their orchestra's season and learned most of the news through the *San José Mercury News* and other news outlets. On November 15, 2001, Michael McSweeney finally penned a letter to subscribers in the symphony. In the letter, McSweeney states,

“As you have by now heard or read, the Symphony has suspended the 2001-2002 season due to inadequate funds. We hope to restart things early in the New Year, but as of now that must be expressed as a goal and not a promise. Between mistakes of the past, a weakening economy, and the events of September 11, the Symphony is in bad financial shape. While our financial weakness was known and being worked on long before the September events, we had no margin for coping with the consequences that followed immediately upon that tragedy. We are not alone in this situation; the Boca Pops, a Boca Raton, Fla.-based orchestra led by Peter Nero and known for light symphonic music, has shut its doors and will file for chapter 7 bankruptcy within the week,

⁵³¹ Lesley Valdes, “San José Symphony temporarily closing down,” *San José Mercury News*, October 15, 2001. Mimi Carlson Archive.

according to the South Florida Sun-Sentinel. We recognize that it is our task to find a solution; and, in doing so not to repeat the mistakes of the past.”⁵³²

McSweeney’s allusion to September 11 and the Boca Pops bankruptcy is a diversion from the myriad problems the San José Symphony had themselves not addressed, an apologia in the form of an evasion of responsibility. But it connected the San José Symphony subscribers with the notion that orchestras are indeed dependent on general economic trends for their survival, and a downturn in arts patronage and changing musical tastes contributed to the rapid downward spiral of the San José Symphony. McSweeney promised to do a better job of communicating with the subscribers in the future and apologized for not saying anything up to that point.

Gourley and the remaining leadership team hoped to reopen in February and set to work trying to figure out a path forward. On December 8, 2001, a nine-member Transition Executive Committee, led by former *San José Mercury News* publisher Jay Harris, convened to discuss the future of the orchestra. Gourley, who had served as interim executive director on a pro-bono basis since March 2001, resigned. The committee was comprised of various members of the community, chosen specifically to represent the ethnic and geographic diversity of the region. In addition to Harris and McSweeney, Susan Hammer, the former mayor of San José, Maribel Alvarez, the founder and executive director of MACLA (Movimiento de Arte y Cultura Latino Americana), Galen Lemmon, principal percussionist in the orchestra, and Nancy Glaze, of the Packard foundation, were on the committee.⁵³³

⁵³² Letter from Michael D. McSweeney, Chairman of the San José Symphony Board of Directors, to San José Symphony subscribers, November 15, 2001. Mimi Carlson Archive. For Full letter, see appendix.

⁵³³ Richard Scheinin, “The Symphony of the Future: San José wrestles with how to remake its orchestra,” *San José Mercury News* July 29, 2003.

The executive committee's findings were worse than expected. In a press statement on January 10, 2002, the committee reported that unspecified symphony officials had "improperly" used \$1.7 million that had been donated from four unidentified sources. This money was supposed to be used for a proposed new symphony hall and education center. Instead, the committee asserted, "the board used it to extend the orchestra's existence by diverting it to cover operating costs and collateralize loans."⁵³⁴ Additionally, they found a "particularly deplorable and morally indefensible" reallocation of funds: the San José Symphony had used \$77,000 that belonged to the San José Youth Symphony, which had been set aside to fund the youth orchestra's upcoming summer tour to Japan.⁵³⁵ These actions were final acts of desperation from the former board, and the committee conceded that if these actions had not been taken, the symphony likely would have been forced to "suspend operations months or even years earlier."⁵³⁶

In response to the revelation about the embezzlement of the youth orchestra's tour money, four immediate past Chairmen of the San José Symphony Board wrote a letter to former San José Symphony Director on January 11, 2002. The former chairs, Marie Bianco, Mary Curtis, Mike Hackworth, and McSweeney explained that they were each going to contribute at least \$20,000 toward the Youth Symphony and encouraged him to do the same, in order to replenish the tour funds. The Youth orchestra had already separated themselves from the San José Symphony in November 2001 when they discovered part of their funds missing

⁵³⁴ Allie Gottlieb, "Silence of the Jams: Is it possible that to get out of its decade-long rut the San José Symphony had to destroy itself?" *Metro* (Silicon Valley's Weekly Newsletter) Jan 17-23, 2002. <http://www.metroactive.com/papers/metro/01.17.02/symphony1-0203.html>.

⁵³⁵ *Ibid.*

⁵³⁶ *Ibid.*

for the upcoming tour.⁵³⁷ With frantic fundraising, the youth orchestra was able to continue their tour as planned. The chairs also asserted that the missing money was “never brought to the Board for review or formal vote,” and that they were unaware of who spent that money. It was just one of many opaque financial decisions that plagued the organization.

Although the normal season had been cancelled, the Symphony leadership decided to present four fundraising concerts in the spring of 2002. These concerts were created to raise money from the community in order to offset the \$3.4 million rising deficit, and although the first concert garnered a lot of attention, each subsequent concert raised less and less. The first concert was performed on February 23, 2002. Mayor Ron Gonzales gave \$80,000 to sponsor the first concert. Up until that point, the Symphony had raised over \$200,000, so things were looking hopeful. The first concert raised \$71,500, far above the \$50,000 goal for the concert. However, between the two concerts, the Symphony announced that they were going to push back the reopening, despite originally stating that it might reopen in February. This put a damper on the second benefit concert on April 27, 2002, an all-Mozart program conducted by former music director and Mozart specialist, George Cleve.⁵³⁸ Carl Guardino, he president of Silicon Valley Manufacturing Group, which included Microsoft, American Airlines, Compaq, Deep River Associates (Jay Harris’s company), helped sponsor the concert.⁵³⁹ A week before the second concert, Marie Bianco, the former San José Symphony Board chair, gave a windfall \$300,000 donation to the symphony. And Les White, a former San José City Manager, who had

⁵³⁷Letter from Immediate Past Chairmen of the San José Symphony Board to the Former San José Symphony Director, January 11, 2001. Mimi Carlson Archive.

⁵³⁸ George Cleve was famous for his Mozart interpretations, and even founded the Midsummer Mozart Festival in 1974 with Wendell Rider, the former principal horn of the San José Symphony, and Robert Hubbard, the former second oboe of the San José Symphony.

⁵³⁹ Lesley Valdes, “Mozart, and symphony, come to life at fundraiser,” *San José Mercury News*, April 28, 2002. Mimi Carlson Archive. It is unclear how much of the \$80,000 were raised by The Silicon Valley Manufacturing Group, but as of February 11, 2002, the number was \$35,000, so they probably raised substantially more by April 27.

rehabilitated United Way a few years earlier, was named the new chief operating officer of the Symphony. Despite this good news, the second benefit concert raised only \$55,000, and by the third benefit concert, the organization was only able to raise \$43,400. It was clear from these performances that the public saw the San José Symphony was floundering. There was talk among the leaders as to whether to even present the final benefit concert in June.⁵⁴⁰

However, four days before the final benefit concert (which did happen), the San José Symphony announced their plan to suspend operations and file for Chapter 11 Bankruptcy in a letter to their patrons and a press release. The fundraising efforts, the Executive Transition Committee, the large donations from the city, tech companies, and private individuals, were not enough to keep the orchestra afloat. The Executive Transition Committee released a report, “San José Symphony Advisory Panel Report: Findings and Recommendations,” on June 4, 2002.⁵⁴¹ The report created four guiding assumptions: 1) There needed to be a new program and organizational structure, 2) “everything is on the table,” meaning the types and number of concerts, administrative structure, contracts, 3) “there is a need for adequate capital and ‘zero-based budgeting,” meaning that if an orchestra were to reorganize, there needed to be both an endowment and no deficit in the operating budget, and 4) “fewer orchestra services are to be expected.” The final assumption played into the general ideology that the most important way to cut costs in an organization was to cut labor costs. Yet the San José Symphony had modest labor costs compared to other expenses. In the 2000-01 season, they had spent \$3,386,622 on salaries and wages, compared to \$679,976 on guest artists, \$694,493 on telemarketing and advertising, and \$748,130 on “other,” among the other expenses in their \$7,657,693 budget. That meant that forty-four percent of the operating budget was devoted to wages and salaries.

⁵⁴⁰ See Appendix G for a copy of Jay Harris’s letter to symphony subscribers.

⁵⁴¹ See Appendix H for a copy of the June 4, 2002 Press Release.

Even so, most musicians earning section pay only earned around \$18,000 per year, which was not enough money to live on.⁵⁴² After the June 4 Chapter 11 bankruptcy announcement, the Transition Committee announced that they would cease operations for 6-18 months.

Meanwhile, Andrew Bales, executive director of Ballet San José, announced that he was going to create his own orchestra in the region, which he named Symphony Silicon Valley.⁵⁴³ It was as if the wind had been taken completely from the sails of the San José Symphony, and the transition committee and a community task force, the Symphonic Music Working Group, could create no viable plan for taking the San José Symphony forward.

In September 2002, the Symphony decided that rather than reorganize, they would file for Chapter 7 Bankruptcy and cease operations. The musicians pleaded with the organization to wait a month to allow them to try to buy their sheet music library, with 900 scores, valued at between \$111,000 and \$125,000.⁵⁴⁴ Unfortunately the musicians were not able to raise the funds, and on November 13, 2002, the San José Symphony officially announced that it would file for Chapter 7 Bankruptcy and turned over their \$300,000 in assets to a trustee for liquidation. “We regret that we didn’t succeed in our hopes of filing for Chapter 11,” said Tim Beswick,⁵⁴⁵ the San José Symphony operations director, “but we hope the efforts of the ballet

⁵⁴² Wolf and Glaze discuss the rhetoric around musician compensation in part two of *And the Band Stopped Playing*.

⁵⁴³ Andrew Bales, Ballet San José, Symphony Silicon Valley, and the Symphonic Music Working Group are the focus of the next chapter.

⁵⁴⁴ Angela, Watercutter, “San José Symphony opts to Dissolve,” *Associated Press/San Francisco Chronicle*, November 14, 2002. <https://www.sfgate.com/news/article/San-José-Symphony-Opts-to-Dissolve-10490688.php>.

⁵⁴⁵ Tim Beswick works as the Director of Artistic Operation at the Santa Rosa Symphony. During his tenure at the San José Symphony, Tim Beswick was also the conductor of the San José Symphony Junior Youth Orchestra

will succeed.”⁵⁴⁶ On November 23, 2002, Symphony Silicon Valley played their first concert, and has been playing concerts ever since.

Conclusion

From the vantage point of the Board and executive leadership, journalists, the public, and the musicians, the biggest impediment to the future of the institution was a lack of funds. There was never enough money to go around. But I argue that money problems were the result of the larger systemic issues intrinsic in the fraught relationship between the symphony and the community, not the other way around. The ballooning deficit was the result of several other decisions, predicated on crumbling relationships between the different parties involved. The expansionist mindset from the leadership in the latter decades of the twentieth century, the expectation of a living wage from the musicians, the rise of neoliberal ideology that convinced the board they could run an orchestra like a for-profit tech business; all of these ideas resulted in a financially-untenable situation.

The language surrounding how the orchestra described itself changed dramatically depending on whether they were describing the organization or the music. This language perpetuated the dual roles the orchestra identified: playing classical orchestral music and maintaining the organization. When the orchestra described itself as an organization, the language was almost always about economics and finance. Describing orchestras’ problems in terms of numbers, money, and finances seems like an obvious metric of success. This is why so many arts consultants, music economists, orchestra executives, and unions use numbers to

⁵⁴⁶ Mike Guersch, “San José Symphony set to fold, file for bankruptcy,” *Mercury News*, November 14, 2002. Accessed via the Internet Archive, WaybackMachine. <https://web.archive.org/web/20021119054055/http://www.bayarea.com/mld/mercurynews/4520479.htm>.

augment their cases. But while numbers might be a seemingly objective way to describe a problem with orchestras, they do not give a holistic sense of the problem. Instead, the San José Symphony's bankruptcy problem was the result of many disparate factors that occurred over the course of decades. Although the problems are not financial per se, the alchemy of them influencing each other eventually made the orchestra's financial structure untenable. When an organization is described primarily in terms of their financial output, then the priority for the organization veers steadily toward supporting their financial health over all other operations. When the orchestra is focused on financial gains, their mission to contribute to the health of the community, create musical entertainment for a wide group of people, educate and inspire local students, provide a musical outlet for the people in that area, and a host of other reasons why people enjoy hearing live music all fall out of focus.

When the orchestra described itself in terms of the product, the concerts they provided, their rhetoric changed. Then, the orchestra described their role as providing classical music to the community, a service that would uplift their audiences. By attempting to use non-economic terms to describe the transformative power of classical music, how it was good for the soul, and how it should exist outside of the marketplace, the San José Symphony was placing itself within the language of musical and cultural elitism that its local audiences did not seem interested in in the first place. In the Silicon Valley at the turn of the twenty-first century, the hegemony of cultural values was fraught. The Silicon Valley technology industry had created a regional dialect that prioritized growth and amassing wealth over all other endeavors, in the service of the technology industry's goals. The symphony struggled with elitism when describing the musical product. This was seen in letters to the editors of local newspapers, the rhetoric the symphony

board, executives, music director, and musicians all used to describe the art form.⁵⁴⁷ Like the systemic issues of racism in classical music, the industry is reticent to address the difficult issues of class, race, labor, and taste that have shifted under the feet of orchestras. There are several solutions to these social concerns, but they are not financial.

Instead communicating openly with the community and trying to meet the community's musical demands, the Symphony laid the blame for a lack of community support at the feet of the community, thereby absolving themselves of responsibility for either the musical product or financial responsibility. By blaming the consumer for failing to support the local orchestra with their dollars, the Symphony avoided addressing the systemic problems of race, elitism, cultural hegemony, and musical taste that made them less popular in a widely diverse community. By masking these endemic problems under the guise of finance, the Symphony avoided the real innovation and adaptation that is a hallmark of the neoliberal marketplace of orchestral operations.

In the next chapter I will return to the final months of the San José Symphony, this time focusing on the events that led to the creation of Symphony Silicon Valley. I address the many real issues that the San José Symphony faced in their final years, including the tech bust in the late 1990s, and the 9/11 attacks that had an enormous effect on US cultural life. I also address the many ways Andrew Bales, founder of Symphony Silicon Valley, had created a niche for his

⁵⁴⁷ It is interesting to observe some of the rhetoric that members of the public used in their letters to the editor of *The San José Mercury News* after the season cancellation was announced. Jean Foster Jenkins of Palo Alto wrote, "The arts *are* important They are needed to bring the mind into balance, lest we become a society of walking computers and breathing robots. Every great civilization has known this truth." Lothar Banderman of Cupertino wrote, "The Symphony is in trouble because, despite this valley's vast wealth, the people who live here apparently do not appreciate great music. Furthermore, when music education in schools is eliminated or severely reduced, young people do not learn to appreciate good music...Few in the symphony's audience care whether the musicians properly reflect the racial distribution in San José; they only care how they sound, which is precisely the reason that many symphonies audition the candidates playing behind a screen." For more, see "Why can't valley save the symphony?" Letters to the Editor, *The San José Mercury News*, October 18, 2001.

future orchestra years before its creation, and how his actions and words placed him firmly within the neoliberal camp, even if he wasn't explicitly appealing to this ideology. I analyze what Andrew Bales did well that the San José Symphony did not, and argue for the benefits and drawbacks of an orchestra that attempts to appeal to a (somewhat imagined) marketplace for classical music.

San José Symphony: Re-Formation: Symphony Silicon Valley

“Once upon a time in America, a city was distinguished from being a town because it had a[n] architecturally significant city hall, it had what we used to call a Carnegie Library, and it had a symphony orchestra. These were defining characteristics of a city from a town. Now that’s long since not really true anymore. There are lots of things that go into it, but we are a very diverse world, and our communities are all very diverse, and the symphony is no longer the single dominant player on the scene. It may be the biggest one, but it’s in a wide mix of artistic influence. So, we play to a niche market. But that niche market is pretty wide. So, in the classical music realm, the core classics do play to a particular audience with a particular wealth capacity that helps us fund it and keep it alive and going. But those particular musicians are most capable of doing things like the Star Wars Themes, or the Lords of the Rings, or the Harry Potters... and so, the musicians have a great range and can cross that nice, can expand beyond that niche.”

-Andrew Bales, 2017⁵⁴⁸

Introduction

On June 4, 2002, the San José Symphony announced its plan to cease all operations and file for Chapter 11 bankruptcy. By the time of its bankruptcy filing the San José Symphony had a \$3 million deficit and only \$300,000 in physical assets, which included sheet music, office equipment, and an acoustical shell.⁵⁴⁹ In their June 4 announcement, the Symphony stated that after the final benefit concert on Saturday, June 8, they would shut down operations for six to eighteen months with the intention of coming back stronger than before.⁵⁵⁰ They formed the Symphonic Music Working Group, brought on new leadership to help re-organize, and reached out to community leaders to help find a sustainable model for their orchestra. But this symphony would never perform again.

⁵⁴⁸ KMVT (Silicon Valley Community Media), “Music Business Artistry – Symphony Silicon Valley – Andrew Bales,” Interview between Roxanne Janson and Andrew Bales, November 30, 2017, video, 25:47, https://www.youtube.com/watch?v=NC_KXs6DCao, accessed July 13, 2020.

⁵⁴⁹ Joshua Kosman, “San José Faces the music/ The collapse of the symphony raises questions about the city’s ability to support the arts, but many observers say the Silicon Valley cultural scene is a vibrant one,” *San Francisco Chronicle*, June 5, 2002. <https://www.sfgate.com/bayarea/article/San-José-faces-the-music-The-collapse-of-the-2830895.php>.

⁵⁵⁰ Joshua Kosman, “San José Symphony to file for bankruptcy,” *San Francisco Chronicle*, June 4, 2002. <https://www.sfgate.com/news/article/San-José-Symphony-to-file-for-bankruptcy-2831141.php>

A wave of bankruptcies swept across Californian orchestras at the end of the twentieth century into the twenty-first, and these were part of a national trend. After the fall of the Oakland Symphony in 1986, the San Diego and Sacramento Symphonies followed suit in 1996 and 1997, respectively. Like the Oakland Symphony, each of these orchestras reorganized shortly after their bankruptcy filings.⁵⁵¹ The Sacramento and Oakland Symphonies were both forced to present far smaller seasons than their pre-bankruptcy organizations, whereas the San Diego Symphony received a \$100 million donation from Qualcomm CEO Irwin Jacobs in 2002 which has allowed them to become one of the few full-time classical orchestras on the West Coast.⁵⁵² By contrast, the San José Symphony did not re-form after their Chapter 7 Bankruptcy filing, but fully liquidated and disbanded. This was not for a lack of trying, but because another orchestra formed in the void the San José Symphony had left during their bankruptcy. As leaders and musicians from the former San José Symphony were trying to chart new paths forward in their think tank known as the Symphonic Music Working Group, Andrew Bales, who was former head of the San José Ballet and a member of the Working Group, decided to form his own orchestra—Symphony Silicon Valley. The new orchestra was comprised of most of the former San José Symphony musicians and promised a new orchestra modality that he hoped would appeal to leaders in the heart of the Silicon Valley tech industry.

⁵⁵¹ The Oakland Symphony reorganized as the Oakland East Bay Symphony in 1988. The San Diego Symphony filed for Chapter 11 bankruptcy in 1996 but was able to avoid Chapter 7 Bankruptcy and resume normal operations under the same name in 1998. In the interim period, the orchestra still performed limited concerts but by that point at least twenty musicians had left the orchestra. My thanks to Doug Hall, fourth horn and former assistant personnel manager with the San Diego Symphony, for this information. The Sacramento Symphony went through two bankruptcies before reorganizing as the Sacramento Philharmonic in 1997. They merged with the Sacramento Opera in 2013 to become the Sacramento Philharmonic and Opera. Doug Hall (horn player with the San Diego Symphony) in discussion with the author, December 2020.

⁵⁵² “San Diego Symphony to Receive \$100 Million from Qualcomm CEO,” *Philanthropy News Digest*, January 11, 2002. <https://philanthropynewsdigest.org/news/san-diego-symphony-to-receive-100-million-from-qualcomm-ceo>.

This chapter analyzes why the San José Symphony was unable to find a path out of its financial problems. But perhaps more importantly, it considers how symphony leadership used their financial problems to obfuscate the many other major issues they were facing. Finance was only one of the problems the orchestra was grappling with, although it was the most quantifiable and therefore received the most attention. Yet as we saw in the previous chapter, the orchestra was facing a shifting demographic in Silicon Valley—one that cared less about traditional markers of prestige and class as manifested through concert attendance and philanthropy at the local level. The orchestra was also facing a community that attended fewer classical orchestral concerts despite the oversupply of offerings. The Symphonic Music Working Group spent months meeting to try to chart a new way forward for the group but were not able to find a path toward financial stability and organizational longevity.⁵⁵³ While the final years of the San José Symphony were fraught, the final months explicate how poor communication led to assumptions that eventually destroyed the organization. I look at the miscommunications between musicians and management, management and the board, the board and the rest of the organization, as well as miscommunications between the organization and local government, and between the organization and the public. Each of these points of contact was fraught with not only conflicting desires for the organization's future, but also divergent perspectives on what the orchestra represented to the city and why it should continue to exist. In short, the musicians wanted a full-time job for their lifelong passion of performing music, management wanted to retain their jobs at the symphony. The board wanted to make the

⁵⁵³ In researching the Symphonic Music Working Group, I was able to consult personal correspondence, press releases, and newspaper articles from a colleague, Mimi Carlson. She played flute with the San José Symphony and continues to play with Symphony Silicon Valley. Her spouse was on the board of the San José Symphony, and her wealth of historical knowledge and archival material was very helpful in piecing together the history.

orchestra into a sustainable business by reaching out to the technology industry while simultaneously appealing to the wealthy elite through buying a new hall and expanding the orchestra into a major professional organization. Local government wanted an orchestra that did not lose so much money, and the public was mixed.

Based on my analysis of these communication networks during the orchestra's bankruptcy and in its aftermath, I conclude that longevity neither protects an organization from bankruptcy, nor shields it from cultural and economic shifts. I also question whether the product in San José—that is, live performances of orchestral music by a cadre of professional musicians—was the problem that led to the symphony's bankruptcy. The symphony leadership oriented their marketing materials, fundraising efforts and their desire to buy a hall all pointed toward an adherence to arts patronage systems of the past. The elitist rhetoric that the orchestra leadership engaged in to draw philanthropy. These goals, which were all inherited from decades-old ideologies on how to run an orchestra in the United States, were more problematic for the orchestra's longevity than its budgetary deficit.

Philanthropy in Silicon Valley

Philanthropic giving was undergoing a shift in scope and mission across the nation at the time of the San José Symphony's bankruptcy. At the beginning of the twenty-first century, foundations were under financial stress due to poor post-9/11 economy. The David and Lucile Packard foundation—one of the largest philanthropic organizations supporting the arts in the Bay Area—saw its portfolio decrease from \$16 billion to \$5.5⁵⁵⁴ billion over the course of 2001,

⁵⁵⁴ Another article cites the decrease as \$13.1 billion to \$3.5 billion. Todd Wallack, "Foundations tighten their purse strings/ Nonprofits already reeling from cutbacks," *The San Francisco Chronicle*, October 18, 2002. <https://www.sfgate.com/bayarea/article/Foundations-tighten-their-purse-strings-2761476.php>.

which cut their arts grant budget in half, down to \$7.5 million.⁵⁵⁵ David Callahan, founder of *Inside Philanthropy*, argues that tech donors in the twenty-first century are “less interested in fortifying existing institutions and causes,” and would rather use their money to address systemic issues at their root cause rather than treat the symptoms of larger problems.”⁵⁵⁶ As with the Ford family, who created their Foundation partially in order to avoid paying higher taxes on their wealth, many tech philanthropists in the twenty-first century have enormous fortunes to contribute to charity partially because of their tax-evasion tactics. Callahan argues that Apple probably avoided paying \$2.4 billion in taxes in 2011 alone through philanthropic giving.⁵⁵⁷ The staggering wealth that the tech industry accumulated as a result of avoiding taxes that might otherwise have been spent on school arts programs that were cut or government support of the arts paints a clearer picture of corporate desires in Silicon Valley.

Entrepreneurs in tech rely on branding to augment their businesses and develop international reputations for themselves and their companies, and their philanthropic endeavors have to align with their brand. For tech industry leaders who focused on solving problems through innovation and creation, a classical music orchestra such as the San José Symphony did not align with the branding goals of many potential philanthropists. Additionally, with the naturalization of neoliberalism as economic reality, tech entrepreneurs focused on globalizing their brands rather than investing locally. Status was derived from global capital and branding, rather than local investment in existing small businesses.⁵⁵⁸

⁵⁵⁵ Joe Garofoli, “Small arts groups feel the pain/ With audiences and money dwindling, some may find it hard to survive,” *San Francisco Chronicle*, November 28, 2001.
<https://www.sfgate.com/politics/joegarofoli/article/Small-arts-groups-feel-the-pain-With-audiences-2848470.php>.

⁵⁵⁶ David Callahan, *The Givers: Wealth, Power, and Philanthropy in a New Gilded Age*, (New York: Alfred A. Knopf, 2017), 48.

⁵⁵⁷ Callahan, *The Givers*, 49.

⁵⁵⁸ Will Robin discusses branding in new music groups and their obeisance to neoliberal expectations in his article in the *Journal of the American Musicological Society*. See Will Robin, “Balance Problems:

The orchestra ignored the underlying historical and cultural shifts in favor of blaming their financial problems (via the lack of community support) for their bankruptcy. The San José Symphony's budget more than doubled in a decade. It grew from \$3.3 million in 1991 to \$7.8 million in 2001. The operating deficit grew concurrently, from \$1.6 million to \$2.5 million in 2000.⁵⁵⁹ Additionally, their losses grew during the peak of the Silicon Valley Boom in the 1990s. The board increased giving from \$2 million to \$4 million in the mid to late 1990s, which allowed them to expand their operations. By 1999, the symphony's revenue fell while their expenses continued to rise. Although the Symphony was in the heart of the Silicon Valley tech industry, most donations came in the form of small gifts from individuals, and the symphony even lost money while performing for corporate donors at its CEO night in 1999.⁵⁶⁰ The symphony had to figure out a way to encourage the wealthy residents to attend concerts and donate generously. They decided that they could garner philanthropic largesse through programming.

Toward the end of the twentieth century the San José Symphony increased its season programming and engaged some of the big names in classical music as their soloists. Working within the framework that the cult of personality—the belief that a name-brand soloist could draw a wider audience—orchestra leadership spent large sums of money on soloist fees as they simultaneously expanded the number of concerts during the season. Symphony musician spokesperson Kristen Linfante told reporter Allie Gottlieb that salary costs were indeed increasing the budget, but rather than going to the musicians, a large portion of the salary costs

Neoliberalism and New Music in the American University Ensemble.” *Journal of the American Musicological Society*, 71/3 (Fall 2018), 749-793.

⁵⁵⁹ Allie Gottlieb, “Silence of the Jams: Is it possible that to get out of its decade-long rut the San José Symphony had to destroy itself?” *Metro* (Silicon Valley's Weekly Newsletter) Jan 17-23, 2002. <http://www.metroactive.com/papers/metro/01.17.02/symphony1-0203.html>.

⁵⁶⁰ Ibid.

were a result of expensive guest artists whom she argued did not provide the same “bang for the buck” as the average orchestra musician.⁵⁶¹ In contrast to the Oakland Symphony, who decided to hire soloists from within the orchestra and smaller soloists who did not cost as much money, the San José Symphony hired Yo-Yo Ma, perhaps the most widely known cellist in the world, to play their gala concert in September 2001. The symphony was offering “too much product,” according to Association of California Symphony Orchestra executive director Kris Sinclair.⁵⁶² The San José Symphony was behaving similarly to its neighbor to the north, the San Francisco Symphony, by attempting to equal their programming despite a dramatically smaller budget. Perhaps they should have focused on lowering their soloist fees and engaging more local talent.

Leaders in the region questioned the orchestra’s decision to expand and hire expensive soloists. San José, although larger in population, did not carry the same cultural hierarchy that San Francisco did. There was also the question of what the market could bear in San José. “Obviously you can’t support a \$7.5 million orchestra,” argued former symphony board chair Doug McLendon. “In my estimation, the symphony needs to be a smaller size. A symphony is an art form, but it’s also a business,” he asserted.⁵⁶³ McLendon described the symphony in terms of business, but more importantly, in terms of its business structure. As I describe in previous chapters, although orchestras are a (not-for-profit) business, their structure is predicated on centuries-old models of arts patronage by a wealthy elite, rather than a democratized, free-market system. Therefore, when McLendon argued that the symphony

⁵⁶¹ Ibid.

⁵⁶² Ibid.

⁵⁶³ Ibid.

needed to be smaller, he was implicitly also noting that the patronage system in San José was no longer interested in supporting the European-derived model of orchestras in their community.

While the orchestra's insistence on a lack of donors as its main reason for failure was no doubt short-sighted, there were two events in the final years of the orchestra that had a significant effect on the San José Symphony's finances, not to mention the South Bay region and the entire country. First, the Dot Com crash had enormous ramifications for the San José area. Not only did the crash force tech entrepreneurs to question their business models, but it also caused a ripple effect of job losses throughout the region.⁵⁶⁴ In their report on the San José Symphony Thomas Wolf and Nancy Glaze noted that “the dot-com collapse and weak technology sector performance that accompanied the bust culminated in 2002 with an exodus of 40,000 people from Silicon Valley as employment fell by 87,000.”⁵⁶⁵ This meant that the symphony not only had fewer potential audiences to attend their increasing concert season, but fewer people would be able to donate generously to the cause. The second major economic disaster for the orchestra came after September 11, 2001 attacks on the World Trade Center in New York City. In the wake of this event, the US economy experienced a significant downturn, buffeted both by a recession that had started in March of 2001 and was exacerbated by the terrorist attacks.⁵⁶⁶ Individuals were not able to give as much money to arts organizations, and managements were worried about donor fatigue and ostracizing their potential audiences by asking for more monetary support than was possible. The symphony—which had already far overreached its financial capacity prior to these two economic geopolitical shifts—struggled to

⁵⁶⁴ Amar Mann and Tian Luo, “Crash and reboot: Silicon Valley high-tech employment and wages, 2000-2008, *Monthly Labor Review*, January 2010. 59-73.

⁵⁶⁵ Dr. Thomas Wolf and Nancy Glaze, *And the Band Stopped Playing: The Rise and Fall of the San José Symphony*, (Cambridge, MA: Wolf, Keens & Company, 2005), 52.

⁵⁶⁶ Gail Makinen, and Library of Congress Congressional Research Service, *The Economic Effects of 9/11: A Retrospective Assessment*, 2002, 8.

find donors to bail them out of the nearly decade-long hole they had dug for themselves. Rather than negotiate for a smaller season, cut back on spending, and seek a more sustainable operation model, the orchestra formed committees, their funders commissioned reports, and they sought to find external solutions to the problems that were caused by miscommunications between the stakeholders within and without the organization.

Wolf and Glaze Report

With their finances in peril and the world in a state of geopolitical and economic uncertainty, the David and Lucile Packard Foundation commissioned a report on the orchestra's bankruptcy. They hired arts consultant Dr. Thomas Wolf and Packard Foundation Director of Art Nancy Glaze. Later, in 2005, they published the report in the form of a print book on the final years of the San José Symphony, *And the Band Stopped Playing: The Rise and Fall of the San José Symphony*.⁵⁶⁷ Glaze worked for twenty-three years as Director of Arts Grantmaking at the David and Lucile Packard Foundation, and currently runs a consulting firm for nonprofit arts organizations in Sonoma County, north of San Francisco.⁵⁶⁸ Dr. Thomas Wolfe is a principal researcher at Wolf Brown consulting, where he works with groups across the United States.⁵⁶⁹

Wolf and Glaze were tasked with analyzing why the San José Symphony eventually filed for bankruptcy despite an enormous amount of funding from the Packard Foundation.⁵⁷⁰ As

⁵⁶⁷ Dr. Thomas Wolf and Nancy Glaze, *And the Band Stopped Playing: The Rise and Fall of the San José Symphony*, (Cambridge, MA: Wolf, Keens & Company, 2005).

⁵⁶⁸ For more on Nancy Glaze consulting, see: <https://www.nancyglaze.com/> .

⁵⁶⁹ For more on Wolf Brown consulting see: <http://wolfbrown.com/people/dr-thomas-wolf>

⁵⁷⁰ From the Acknowledgments of *And the Band Stopped Playing: The Rise and Fall of the San José Symphony*. "Much of the research cited in this book was carried out with funds from the David and Lucile Packard Foundation through the Arts Council Silicon Valley. Our thanks to the Packard Foundation and to Bruce Davis, executive director of the Arts Council, for his assistance." (96).

career-long arts administration consultants, Wolf and Glaze analyzed the San José Symphony from the perspective of its financial viability, and they focused on decisions made at the management level. Their report therefore covered finance, the market, audiences, venues, and reach. Similar to *Autopsy of an Orchestra*, which analyzed the financial infrastructure of the Oakland Symphony, *And the Band Stopped Playing: The Rise and Fall of the San José Symphony* is constructed with a philanthropic and administrative audience in mind.

Wolf and Glaze's subject positions as arts administration consultants is a beneficial perspective because they are focused on the finances of the organization. Their objective, in their respective careers, is how to make nonprofit organizations function financially. Sometimes this imperative takes precedence over the historical artistic, cultural, or even economic trends because the reports commissioners were not as interested in those factors. The thirteen reasons above provide a helpful structural framework for managers, administrators, and board members of orchestras across the country, particularly given the common issues embedded within these reasons. I build on this framework by discussing how the social and cultural shifts dating back to the mid-twentieth century influenced the symphony's financial decisions and ultimately resulted in its collapse.

Aside from occasional mentions of the larger context, the book does not analyze the undergirding social issues or shifts that were occurring at the time in depth but does provide valuable information and statistics for the financial problems the orchestra faced. Additionally, Wolf and Glaze created a list of thirteen reasons why the San José Symphony failed in the executive summary at the beginning of the book. These reasons were to serve as a practical guide for the transition committee and Symphonic Music Working Group as they worked on reorganizing the orchestra:

1. Its operation was based on an unachievable and overly ambitious vision that grew well beyond what the community could sustain.
2. It had weak leadership—board, staff, and musical.
3. It spent money it did not have and misallocated the money it did have.
4. It ignored sound advice from national experts even when that advice was provided free of charge thanks to the assistance of local funders.
5. It had insufficient marketing and fund-raising capacities.
6. It offered too much of the same product in the same way long after it was clear there was inadequate demand.
7. Its programming, said by some to be “unexciting,” did not address the realities of changing demographics and local taste.
8. It ignored obvious competition locally and regionally.
9. It performed in poor venues.
10. It operated in a collective bargaining environment that led to too many guaranteed services for musicians, services that did not reflect the realities of the marketplace.
11. It ignored obvious opportunities for partnerships in the areas of education and technology—partnerships that likely would have been met with widespread community enthusiasm and support.
12. It got diverted by the fantasy of an overly expensive concert hall even when its day-to-day operations were failing.
13. Its inadequacies were tolerated for too long by local funders, thereby exacerbating the problems it faced.⁵⁷¹

Most of the arguments accurately pointed toward weak leadership and missed opportunities of which leadership had failed to take advantage. Even the eleventh argument, that the symphony “operated in a collective bargaining environment that led to too many guaranteed services for musicians, services that did not reflect the realities of the marketplace,” points toward management, not the musicians, for overspending on labor. The authors attempt to be equanimous toward the musicians in general, but their professional backgrounds were far from the labor side of musical work. Finally, Wolf and Glaze argued that community funders were also to blame for their leniency and tolerance of the orchestra’s poor decision-making.

⁵⁷¹ Dr. Thomas Wolf and Nancy Glaze, *And the Band Stopped Playing: The Rise and Fall of the San José Symphony*, (Cambridge, MA: Wolf, Keens & Company, 2005), 10-11. For a copy of the Wolf and Glaze report, see: <https://www.culturehive.co.uk/wp-content/uploads/2013/04/san-josé-symphony.pdf> .

Reconstruction Attempts

The Symphony's first goal was to stop operations until they could find a sustainable way to run the orchestra. The San José Symphony had announced they would go dark for six to eighteen months following their June 8 benefit concert. They wanted to use the time as a way to save money while they tried to reorganize. Glaze was already heavily involved in the Bay Area arts community through her work at the David and Lucille Packard Foundation. She argued that arts organizations who had focused on the business side of their operations when times were good would be in better shape when times were difficult. Those who were not as focused on the business side might find it difficult to survive through an economic downturn. "It's the mid-size organizations that are going to be hurt, the ones with a budget between \$500,000 and \$1.5 million," she asserted, given the deleterious effects of both the tech bust and the 9/11 attacks. "The smaller ones can just hole up in their garage and go dark or keep going because they don't pay anyone anything anyway."⁵⁷² According to Glaze, if orchestras could hibernate until they were able to procure enough donations to continue their operations again, that would be the best way forward. The mid-sized groups, she believed, would be hit hardest, because they could not simply cease operations (due in part to their union contracts), and therefore required additional funding from individual and corporate donors. This was opposed to the largest groups like the San Francisco Symphony, who had multi-million-dollar endowments by the beginning of the twentieth-century, and were able to secure larger grants, and corporate funding due to their size and stature.

⁵⁷² Joe Garofoli, "Small arts groups feel the pain/ With audiences and money dwindling, some may find it hard to survive," *San Francisco Chronicle*, November 28, 2001.
<https://www.sfgate.com/politics/joegarofoli/article/Small-arts-groups-feel-the-pain-With-audiences-2848470.php>.

During the final months of struggle for the orchestra, multiple leaders attempted to resuscitate the organization alongside the Symphonic Music Working Group. The symphony leadership changed hands several times in its final years. Dick Gourley, a prominent businessman in the region had served as acting Executive Director of the San José Symphony in 2001 and attempted to turn around the organization on a pro bono basis. Gourley insisted that a large endowment could resuscitate the organization. Around forty percent of the San José Symphony's budget came from tickets sales, but the orchestra was unable to raise enough money to pay for the season. Gourley argued that an endowment should be at least three times the operating budget of an orchestra.⁵⁷³ With a \$7.7 million budget and an endowment of only \$1 million, the Symphony was nowhere near Gourley's \$23.1 million endowment goal. Even a \$450,000 subsidy from the San José cultural affairs office could not offset the amount of money the orchestra had to raise to make ends meet.⁵⁷⁴ Leadership certainly did not have to innovate their entire operations model, but keeping operations the same as they had been for decades was not going to ingratiate them to potential future donors.

Jay Harris, the former publisher of the *San José Mercury News*, took over for Dick Gourley as board chair at the end of 2001 in an effort to reorganize the orchestra and save it from bankruptcy. Harris was also named head of the transition committee in the wake of the June 4, 2002 announcement that the symphony would shut down for a few months while the transition committee figured out a reorganization plan. Harris asserted that had had never been a time "in which the San José Symphony has been effectively and properly led at the senior

⁵⁷³ Mike Antonucci, Lesley Valdes, and Michelle Guido, "Rebuilding Symphony won't be easy," *San José Mercury News*, October 21, 2001. Mimi Carlson archive.

⁵⁷⁴ Brian Bergstein, "San José Symphony silenced for now," *Arizona Daily Sun*, October 23, 2001. https://azdailysun.com/san-José-symphony-silenced-for-now/article_7eb7249c-a9d9-5309-9498-2dfb9ce9769a.html.

executive or board level.”⁵⁷⁵ The committee decided to adopt the Wolf and Glaze report in their deliberations. Harris said that the report included “thoughtful and candid suggestions for a fresh start and adapting the performance of symphonic music locally to our ever-changing community.”⁵⁷⁶ The report suggested that in order to survive, the San José Symphony should engage a new board, hire new management and new leadership, and ensure adequate funds before trying to reopen their doors. Les White, the interim chief operating officer of the San José Symphony, asserted that “ultimately we’re looking to create a sort of three-headed monster consisting of someone knowledgeable about fund raising, myself as manager and a symphony guru.”⁵⁷⁷ The plan was strong, but the committee was taking too long in their deliberations.

Some members of transitional team doubted whether shutting down the symphony was necessary. They thought that perhaps even a temporary shutdown could have amended the problems within the institution. However, the growing deficit made it much more difficult to regroup. The advisory group, including interim executive director, Dick Gourley attempted to find suitable solutions. Gourley asserted “I think the organization had to get to a point where it could relook [at] everything,” in an attempt put the orchestra back together, but in the end, it was too little, too late.⁵⁷⁸ Symphony Silicon Valley won out, and instead of rebuilding, the San José Symphony disbanded completely, and Andrew Bales took over the new orchestra.

Paul Chummers, the Executive director of the San José Symphony from 1999-2001, publicly explained why the symphony made the decisions it did in a January 25, 2002 opinion piece for the *San José Mercury News*. He claimed that the transition executive committee’s

⁵⁷⁵ Mike Antonucci, “Interim chief named for S.J. Symphony: Deficit may be higher than thought, new board chairman says,” *San José Mercury News*, January 4, 2002. Mimi Carlson Archive.

⁵⁷⁶ Joshua Kosman, “San José Symphony to file for bankruptcy,” *San Francisco Chronicle*, June 4, 2002. <https://www.sfgate.com/news/article/San-José-Symphony-to-file-for-bankruptcy-2831141.php>.

⁵⁷⁷ *Ibid.*

⁵⁷⁸ Allie Gottlieb, “Silence of the Jams.”

statement was “a masterful effort to spread anonymous blame for the symphony shutdown among a group of active current board members, a larger group of sadly inactive former board members, and former professional staff member.”⁵⁷⁹ Chummers believed that the contracts between the musicians and management, and between the music director and management were the two of the largest problems facing orchestra leadership. Chummers argued that whereas he had suggested the board make “painful changes” to curtail the seasons earlier, the board was unwilling to consider cutting the number of guaranteed services in the contract. More importantly, Chummers argued that music director Leonid Grin had not had a review of his performance since March 1999, despite many complaints about programming and diversity.⁵⁸⁰ In addition to his assessment that these two major contracts should have been revisited and renegotiated earlier, Chummers argues that the plan to renovate the Fox Theater was ill-fated. “It is especially sad for me to comment on a misguided effort by politicians to build cultural crown jewels downtown,” Chummers asserted.⁵⁸¹ He argued that the Redevelopment Agency had earmarked an “arbitrary” \$60 million for renovations to the Fox Theater and expected the symphony to raise the remaining balance. Chummers argued that the board erroneously thought that a building campaign was the best way to gain symphony support, rather than the more traditional forms of unrestricted endowment gifts that were more common for most arts organizations. This perspective corroborates the Oakland Symphony’s ill-fated decision to buy and renovate the Paramount Theatre in Oakland. For both orchestras, a building campaign was one of the major decisions that precipitated their bankruptcy filings. Without well-funded endowments, the building campaigns of these two regional orchestras was doomed to fail.

⁵⁷⁹ Paul R. Chummers, “Passing the Symphony Buck,” *San José Mercury News*, January 25, 2002. Mimi Carlson Archive.

⁵⁸⁰ *Ibid.*

⁵⁸¹ *Ibid.*

Symphonic Music Working Group

After the Chapter 11 bankruptcy filing, as Wolf and Glaze were working on a report to understand the causes of the bankruptcy, The San José Symphony convened a fifteen-person working group comprised of members of the community (including musicians, industry leaders, and people from other arts organizations, including Andrew Bales) to try to chart a path for the future. They wanted to understand what caused the bankruptcy and whether there was the possibility for saving the San José Symphony. They asked themselves several questions about the future of their group, including, “if a new symphony takes root here or is created from scratch, should it reach out to established classical music listeners or try to ‘convert’ popular music fans to the classical cause? How big should a new orchestra be? Should it be a full-time or part-time orchestra? A professional orchestra? A training orchestra? A regional touring orchestra?” Other questions addressed their very reason for existence: “given the costs, and with the San Francisco Symphony up the road, why have a symphony here at all?”⁵⁸² They were large questions with complex answers that in many cases were not possible to answer in a few short months. One important question that the committee asked themselves was whether they could (or should try to) compete with their much larger neighbor “up the road,” the San Francisco Symphony.

In reality, the organization was nowhere near being able to compete with the San Francisco Symphony from either a budgetary or a cultural perspective. Their leadership had continually expanded operations without undergirding their structure with the necessary

⁵⁸² Richard Scheinin, “Valley’s musical think tank: Group’s report looks at symphonies nationwide to help chart future for orchestral music in S.J.” *San José Mercury News*, June 29, 2003. Mimi Carlson Archive.

components to make a full-time orchestra sustainable. They did not have the money, first of all, but they also did not have the audience. Wolf and Glaze assert that “for most of the concerts, one third to one half of the tickets were unsold. For some, the number of unsold seats exceeded 50 percent.”⁵⁸³ Many of the subscribers who had bought season tickets did not show up to the concerts, which resulted in more unfilled than filled seats, which exacerbated the “empty house syndrome,” Wolf and Glaze further assert.⁵⁸⁴ The lowest concert attendance for the San José Symphony occurred during their Friday night Signature Series concerts at the Center for the Performing Arts, which was only filled to 37 percent of capacity.⁵⁸⁵ The empty house syndrome indicated not only low ticket sales, particularly single ticket buyers, but also had the psychological effect of creating the “illusion of failure” and discouraging donors from giving to institution that was not able to sell even half of the house in some concerts.⁵⁸⁶ The product the symphony was offering was not what the community wanted, despite efforts to program pops concerts that they thought audiences would want (the best-selling of which was the Lou Rawls concert that sold at 75 percent capacity), and trying to draw in multiple generations during the Family Series, which sold at an average of 66 percent.⁵⁸⁷

Before the Symphonic Music Working Group could plan their reorganization, they had to first define their mission and goals to fit within the community. The executive director of Cultural Initiatives Silicon Valley, and a member of the task force asked, “Should we have a new symphony for purely ‘patriotic reasons,’ for the sake of ‘civic pride?’”⁵⁸⁸ I have previously

⁵⁸³ Wolf and Glaze, *And the Band Stopped Playing*, 30.

⁵⁸⁴ *Ibid*, 30.

⁵⁸⁵ *Ibid*, 32.

⁵⁸⁶ *Ibid*, 32.

⁵⁸⁷ *Ibid*, 31-32.

⁵⁸⁸ Richard Scheinin, “Valley’s musical think tank: Group’s report looks at symphonies nationwide to help chart future for orchestral music in S.J.”

discussed the problematic nature of relying on “civic pride” as a source of community interest because it often serves as a proxy for highbrow white elitist hegemony. In reality, civic pride was not a drawing factor for audiences in the beginning of the twenty-first century. The task force realized that it could not rely on the argument that there was a paucity of demand in the greater San José Region. Audiences enjoyed classical music, even if half of them traveled to San Francisco to hear the Symphony up north play.⁵⁸⁹ The San José Symphony had the opportunity to engage in a meaningful way with the tech industry, if they had been willing and able to embrace new methods of technological and education mediation. Journalist Richard Scheinin wrote, “research suggests strong local support for a symphony that’s involved in music education and embraces new technologies for delivering music live and electronically.”⁵⁹⁰ Wolf and Glaze asserted that the community showed interest in musical performances, where rates of participation in classical music approached nearly 25 percent in the late 1990s, but the San José Symphony was only one of the several options consumers enjoyed.⁵⁹¹ In 1997, a survey found that almost as many people attended events outside of Santa Clara County as in San José.⁵⁹² Unlike San Francisco and the cultural experiences it offered, San José was not viewed as a center for cultural activity, and the Center for Performing Arts was an unattractive edifice outside of a lackluster downtown San José that was convenient mainly for its proximity to the surrounding freeways.

But even if the working group could find a way to attract more audiences, there was still the issue of finding their way out of debt. The symphony had difficulty attracting potential donors to their cause. The organization could not find an angel to help revamp the group and

⁵⁸⁹ Ibid.

⁵⁹⁰ Ibid.

⁵⁹¹ Wolf and Glaze, 20.

⁵⁹² Ibid, 21.

supply the funds they desperately needed. “If there is no wealthy champion,” asked some of the participants in the working group, “then why waste time talking about any of it.”⁵⁹³ It would have been ideal to find one major donor, but orchestra patronage had shifted away from that model decades earlier, toward a fundraising model that worked with corporate sponsors and a bevy of smaller donors.⁵⁹⁴ The operating expenses were too high for one patron to provide all the necessary funds, and most wealthy philanthropists wanted to put their money into more than one charity so that they could spread their portfolio and cultivate prestige across many venues. By expecting one person to step in to save the symphony, the task force was relying on antiquated modes of patronage and operating models.

The Symphonic Music Working Group met for several months to try and find solutions to the long-standing issues the orchestra had contended with, but before the orchestra could implement any solutions, they faced competition. Andrew Bales formed Symphony Silicon Valley and populated the group with nearly all the same members of the San José Symphony.⁵⁹⁵ But the working group was not ready to give up on their orchestra. *Mercury News* reporter Richard Scheinin asserted, “what’s apparently *not* on the table right now is a flat-out endorsement of the only going symphonic venture in the South Bay: Symphony San José Silicon Valley.”⁵⁹⁶

⁵⁹³ Richard Scheinin, “Valley’s musical think tank: Group’s report looks at symphonies nationwide to help chart future for orchestral music in S.J.”

⁵⁹⁴ Robert J. Flanagan, “Private Support of Orchestras,” in *The Perilous Life of Symphony Orchestras: Artistic Triumphs and Economic Challenges*, (New Haven: Yale University Press, 2012), 112-123.

⁵⁹⁵ A question for further research would be how much the Symphonic Music Working Group knew about Bales’s plans for taking over the symphonic reins in San José. Each of the public remarks I found wished Bales and Symphony Silicon Valley the best, but it would be interesting to learn more about the conversations that did (or did not) happen in private, and why the San José Symphony decided to file for Chapter 7 Bankruptcy and liquidate their assets shortly after the formation of Symphony Silicon Valley.

⁵⁹⁶ Richard Scheinin, “Valley’s musical think tank: Group’s report looks at symphonies nationwide to help chart future for orchestral music in S.J.” *San José Mercury News*, June 29, 2003. Mimi Carlson Archive.

Longstanding Miscommunication

As with the Oakland Symphony, some of the tensions within the organization stemmed from a chronic miscommunication problem between the organization's stakeholders. Some amount of disagreement is common in any organization, particularly when there is a tiered laborer-management structure as there often is in orchestras. In 1993, almost a decade before the San José Symphony's bankruptcy filing, the miscommunications between musicians, management, and board had become the subject of a communications dissertation by Gary Ruud.⁵⁹⁷ By the early 2000s, these issues were only further exacerbated by the crisis the orchestra faced during and after its bankruptcy filing. In addition to the internal stakeholders, the public, members of local government, and private donors each wanted a say in the future of the orchestra, which caused even more conflicts.

One of Ruud's central arguments addressed the inherent tension between the musicians', public's, and management and the board's desires. "In essence," Ruud argues, "organizational members who espouse the business code say that the Symphony should: (1) operate like any other business; (2) make decisions based on economic principles rather than from artistic interests; (3) be market driven; and (4) treat the music as a product."⁵⁹⁸

Management and the board wanted to try to find a way to balance their budget and thus decrease their debt. They wanted to treat the orchestra as a participant in the market economy and run their organization according to market principles rather than the more traditional model of patronage that had sustained orchestras for centuries. His first argument, that

⁵⁹⁷ Gary Ruud, *The symbolic tensions of organizational discourse: A cultural analysis of the San José Symphony*. Ph.D. diss., University of Washington, Seattle, 1993.

⁵⁹⁸ Gary Ruud, "The symphony: Organizational discourse and the symbolic tension between artist and business ideologies," *Journal of Applied Communication Research*, 28/2 May 2000, 126.

orchestras should operate like any other business addresses the perennial nonprofit organization problem of requiring donations to continue existing. Nearly all orchestras operate within the framework of requiring donations and grants to offset operating costs. Ticket sales cover only a fraction of costs, making it unsustainable to attempt to operate without philanthropic underwriting.

Ruud's second argument that the San José Symphony made decisions based on economic principles rather than artistic interests, subjected the San José Symphony to a series of metrics that orchestras had not been subjected to in the past. The music orchestras perform was written for specific markets at a specific time. Whether it was Haydn writing a baryton trio for his aristocratic patron, Prince Esterhazy, or one of his late symphonies for a public concert in London, he was able to shape the music according to the market.⁵⁹⁹ When his same late symphonies were played for a twenty-first-century audience in San José, they occupied a different musical place among the listeners. Like a Shakespeare play, the music was no longer new, but appreciated for its market economy and the taste of the general public taking priority over those who funded the endeavor was ever applied to orchestral music. Composers often composed for their specific audience, with the idea to please (or challenge) them. Even some of the very same pieces that challenged and infuriated audiences at their premieres (Beethoven's third symphony, Stravinsky's *Rite of Spring*, for example) have become almost innocuous canonical pieces today. Management at the San José Symphony made decisions about what music would be "good" for the upcoming season based on how many tickets they thought they would sell for the concert, argues Ruud.⁶⁰⁰ The board made programming decisions for

⁵⁹⁹ Simon McVeigh, *Concert Life in London from Mozart to Haydn*, (Cambridge: Cambridge University Press, 1993).

⁶⁰⁰ Ruud, "The Symphony: Organizational Discourse," 129.

economic impact rather than artistic impact. It is a paradox because music that is too popular can become boring, but music that is too difficult can potentially ostracize the audience.

Ruud's third argument about the leadership wanting the orchestra to be market driven, prompts the question of what the board wanted that to mean for the San José Symphony. The economics of trying to fit a regional orchestra, or even one of the largest American orchestras, into the market economy is fraught. Orchestral music played within the structure of a civic orchestra is a product that was not designed for profit and wealth accumulation as with corporations. It would be difficult to be market-driven in an orchestra without changing the product, or at least how it is delivered. Cultures change, which is not a bad thing, but when orchestras attempt to fit into contemporary culture with a product that was designed for a culture that is between decades- and centuries-old, that leads to problems and conflicts.

Beyond questions of repertoire, one of the conflicts between musicians and the administration was financial remuneration. The musicians wanted their employers to continue to expand the concert season and make the San José Symphony into a full-time orchestra, as some of the orchestra's leadership had also claimed to want. However, the musicians were the labor force of the orchestra, and therefore in a precarious position as workers rather than managers. Anthropologist and economic theorist David Harvey argues that whereas "individuals enter the labour market as persons of character, as individuals embedded in networks of social relations and socialized in various ways," capitalists (in this case, the board) view those individuals as "a mere factor of production."⁶⁰¹ The musicians were told that they were fungible, that their labor was not unique and other musician in the area could do as good a job for less money.

⁶⁰¹ David Harvey, *A Brief History of Neoliberalism*, (London: Oxford University Press, 2005), 167.

The symphony did not have a clear line of communication between their organization and the public. They assumed that they could expand their audiences by programming “light classical” and family concerts, but these shows were among the worst-selling programs.⁶⁰² The problem was not the repertoire. The problem was how the organization did not reach out into the community. The symphony struggled to find a marketing and development angle that set them apart from other musical organizations in the region. Judging from the other cultural institutions in the region, the symphony could have been successful if it had marketed itself in a new way.⁶⁰³ “I am finding this community to be tremendously open and receptive to new ideas,” noted Dan Keegan, the executive director of the San José Museum of Art, which initiated free admission in June of 2001 and experienced a 340 percent increase in attendance.⁶⁰⁴ The public was interested in art and music. Paywalls and insider behavior expectations were bigger impediments to “democratizing” the symphony than the product they were offering. Instead of making their “masterworks” concerts more accessible to the public, they created light classical music, and other concert series which had the opposite effect.

One of the claims that management continually made about their orchestra’s financial woes was that the community was not willing to support their symphony. In their June 4, 2002, press release, the executive transition committee stated that “a viable symphony organization must respond to the interests of local residents; be positioned within the reality of available

⁶⁰² Christopher Chowrimootoo and Kate Guthrie, Conveners, “Musicology and the Middlebrow,” *Journal of the American Musicological Society*, 73, no. 2, Summer 2020.

⁶⁰³ The Symphony had engaged the services of Bruce Coppock in 1996, who wrote a report outlining all the steps the symphony should take if it wanted to survive. Among his suggestions were ways to reach into the community and involve people from throughout the region. Unfortunately, his report was largely ignored. For more, see Wolf and Glaze, *And the Band Stopped Playing*, 68-69. For the full report, see Bruce Coppock, *Report to the Community Foundation Silicon Valley Regarding the State of the San José Symphony with an Evaluation of its Plans for the Fox Theatre*, December 11, 1997.

⁶⁰⁴ Brian Bergstein, “San José Symphony silenced for now,” *Arizona Daily Sun*, October 23, 2001. https://azdailysun.com/san-José-symphony-silenced-for-now/article_7eb7249c-a9d9-5309-9498-2dfb9ce9769a.html.

venues, resources and competing organization that exist today in the region,” essentially asserting that the local residents were in fact, not interested in the San José Symphony.⁶⁰⁵ Joshua Kosman argued San José’s citizens were not the problem, the San José Symphony was.⁶⁰⁶ Moreover, the problem was not, as management claimed, that citizens of San José did not have the money to support the arts. Opera San José and The San José Ballet were able to continue operations during the downturn in San José’s economy at the beginning of the twentieth century, although the San José Ballet would close their doors as well in 2016, which I discuss in more detail below. Irene Dalis, who founded Opera San José in 1984 asserted, “I always figure on income before I plan my season. I know that’s bass-akwards,” she said, “but it pays. You have to be realistic and not plan on pie-in-the-sky.”⁶⁰⁷ Brent Assink, the San Francisco Symphony Executive Director from 1999-2017, argued that San José showed a strong affinity and support for the arts. “The fact that the San José Symphony has up to now been one of the oldest orchestras in the West speaks volumes,” he asserted. But he warned against taking longevity for granted. “Orchestras that thrive need a strong board, strong management, and a strong statement of purpose, with a strong financial structure underneath. Nobody’s come up with a more sustainable model.”⁶⁰⁸ Assink argued that simply existing and providing classical

⁶⁰⁵ Executive Transition Committee, “San Jose Symphony Advisory Panel Report: Findings and Recommendations,” Press Release, June 4, 2002. Mimi Carlson Archive.

⁶⁰⁶ Joshua Kosman, “San José Faces the music/ The collapse of the symphony raises questions about the city’s ability to support the arts, but many observers say the Silicon Valley cultural scene is a vibrant one,” *San Francisco Chronicle*, June 5, 2002. <https://www.sfgate.com/bayarea/article/San-José-faces-the-music-The-collapse-of-the-2830895.php>.

⁶⁰⁷ Joshua Kosman, “San José Faces the music/ The collapse of the symphony raises questions about the city’s ability to support the arts, but many observers say the Silicon Valley cultural scene is a vibrant one,” *San Francisco Chronicle*, June 5, 2002. <https://www.sfgate.com/bayarea/article/San-José-faces-the-music-The-collapse-of-the-2830895.php>.

⁶⁰⁸ Joshua Kosman, “San José Faces the music/ The collapse of the symphony raises questions about the city’s ability to support the arts, but many observers say the Silicon Valley cultural scene is a vibrant one,” *San Francisco Chronicle*, June 5, 2002. <https://www.sfgate.com/bayarea/article/San-José-faces-the-music-The-collapse-of-the-2830895.php>.

orchestral music was not enough. The work of marketing, fundraising, and explaining the purpose of an organization to the public was never done. The San José Symphony needed more than prestige and the backing of very wealthy patrons. As Assink argued, they needed a strong statement of purpose and a clear and compelling reason for their existence. Tradition and longevity simply were not enough.

Even members of the board miscommunicated with each other. Part of this was due to the large rates of turnover on the board, and a rapid cycle of leadership changes. The board and leadership fundamentally did not have an understanding of institutional history in the organizations. In a system where little outside of the Collective Bargaining Agreement is written down, board members relied on the institutional knowledge of their predecessors to help run the organization. When those leaders left in quick succession, they left the new leaders without an adequate understanding of what needed to be done in order to successfully run the organization. Part of the reason for this was that the former leadership made some ethically reprehensible decisions, such as stealing \$77,000 from the Youth Orchestra's tour fund to cover the symphony's operations.⁶⁰⁹ Other poor decisions stemmed from the board's lack of financial commitment to the orchestra. Typically, a person sitting on the board of an orchestra is expected to donate a certain amount of money yearly to keep their seat. Sometimes it is explicitly stated in the bylaws, other times it is an implicit expectation. A board member's yearly donation is symbolic; it indicates that the board member is fully invested in the organization. However, in an article in the Arizona Daily Sun, Brian Bergstein asserted that some board

⁶⁰⁹ See appendix, "Letter from the Immediate Past Chairmen"

members “didn’t even own season tickets or make donations.”⁶¹⁰ The board members did not display their investment in the orchestra symbolically or fiscally.

Andrew Bales and Symphony Silicon Valley

The Symphony Silicon Valley was created out of the ashes of the San José Symphony. Andrew Bales, who was then the Executive Director of the San José Ballet (which closed its doors in 2016),⁶¹¹ decided to create a new orchestra with most of the musicians from the San José Symphony. When the San José Symphony filed for bankruptcy, Bales said “This will have a huge impact, because the symphony is one of the anchor groups of our community. We are going to struggle if many of our people decide they have to move elsewhere.”⁶¹² The fear of musicians relocating to other parts of the state or country was certainly a motivating factor for Bales in forming the Symphony Silicon Valley. On a practical front, he wanted an orchestra for his ballet productions, but if the musicians from the Symphony moved away, he would have more difficulty hiring a full orchestra for productions.

Bales—who, you will recall, was part of the San José Symphony Symphonic Music Working Group—was skeptical of the Wolf and Glaze study. “The \$180,000 study was a crock,” he asserted, inaccurately claiming that “there’s never been an arts institution in history that was started by a committee”⁶¹³ “At the end of the day, a new symphony will be born out of

⁶¹⁰ Brian Bergstein, “San José Symphony silenced for now,” *Arizona Daily Sun*, October 23, 2001. https://azdailysun.com/san-josé-symphony-silenced-for-now/article_7eb7249c-a9d9-5309-9498-2dfb9ce9769a.html.

⁶¹¹ Karen D’Souza, “Symphony Silicon Ballet Shutdown, ‘the writing was on the wall,’” *Mercury News*, March 8, 2016 <https://www.mercurynews.com/2016/03/08/silicon-valley-ballet-shutdown-the-writing-was-on-the-wall/>, accessed June 14, 2020.

⁶¹² Joshua Kosman, “San José Faces the music/ The collapse of the symphony raises questions about the city’s ability to support the arts, but many observers say the Silicon Valley cultural scene is a vibrant one,” *San Francisco Chronicle*, June 5, 2002. <https://www.sfgate.com/bayarea/article/San-José-faces-the-music-The-collapse-of-the-2830895.php>.

⁶¹³ Leigh Weimers, “Symphony planning live music at sunset,” *Mercury News*, undated news clipping, Mimi Carlson Archive. Although Bales’s statement is effective, it is not entirely true. There have been

action...I don't think the working group was born to be an action committee. They're a think tank. Think tanks are allowed to dream. It's not their job to implement. What I'm doing is pragmatic on the ground: rent a hall, take an ad in the newspaper and hope somebody shows up."⁶¹⁴ So, Bales decided to start Symphony Silicon Valley on his own.

Bales had considered creating an orchestra shortly after the San José Symphony cancelled its season in 2001, but "it would have been the wrong time," he asserted. "There was some healing that needed to happen first in the community," he told Joshua Kosman. In the end, though, he decided that something had to be done and that he was the one to do it.⁶¹⁵ There was already a large overlap of musicians who played in both the Symphony and Ballet, and this new organization would combine both orchestras into one group.⁶¹⁶ Leaders of the San José Symphony were not sure that the creation of Symphony Silicon Valley necessarily indicated the end of their orchestra, and that both ensembles could potentially coexist. Nancy Glaze issued a statement about the formation of a new symphony in San José:

We are very excited and pleased by the ballet's decision to revive live symphonic music in Silicon Valley. This bold move provides continuity for the many classical music lovers in the area and sustained employment for local musicians. The ballet's success in this venture could be a model for the rest of the United States.⁶¹⁷

orchestras formed by committee, notably Orpheus Chamber Orchestra. <https://orpheusnyc.org/about/about-us>. Other orchestras, particularly community orchestras, have been formed by a committee of community leaders, patrons, and/ or musicians.

⁶¹⁴ Richard Scheinin, "Valley's musical think tank: Group's report looks at symphonies nationwide to help chart future for orchestral music in S.J." *San José Mercury News*, June 29, 2003. Mimi Carlson Archive.

⁶¹⁵ Joshua Kosman, "San José Ballet creating new orchestra for South Bay," *San Francisco Chronicle*, October 5, 2002. <https://www.sfgate.com/bayarea/article/San-José-Ballet-creating-new-orchestra-for-South-2764869.php>.

⁶¹⁶ The transition wasn't always seamless; some of the musicians who had held principal chairs in San José Symphony were placed at the back of the section in the new orchestra, so the musicians had to work with management to make a new structure that seemed fair.

⁶¹⁷ Joshua Kosman, "San José Ballet creating new orchestra for South Bay."

Bales estimated that the operating costs of the new orchestra would be about \$700,000 to \$800,000 annually, and as of October 5, 2002, he had raised \$80,000 in seed money from private donors.⁶¹⁸ The seed money convinced him that he could make the season happen and decided to go ahead with announcing the project. The money was less than a typical San José Symphony season, but Bales wanted to start small. He had been involved in the arts scene since he relocated permanently to San José from Cleveland with the rest of the Cleveland Ballet in 2000, which I discuss below. Given his experience with both the Cleveland Ballet, and later, the San José Ballet, crumbling due to a lack of resources, Bales did not want to start the first season of Symphony Silicon Valley with an enormous budget. He decided instead to ease into operations with a smaller budget during the first season.

Bales argued that the orchestra operation decisions were going to be influenced by the market economy, asserting, “we’re going to let the market reaction and the audience determine the size and scale over time.”⁶¹⁹ Originally Bales wanted to hire only guest conductors for the first few seasons and then to potentially hire a music director, but now, after eighteen seasons, there still has not been a music director.⁶²⁰ Bales, however, still serves as executive director of Symphony Silicon Valley, and therefore has nearly complete say over artistic as well as administrative decisions. The budget for the first year of Symphony Silicon Valley was indeed \$800,000, but by the next season the budget had increased to \$15 million.⁶²¹

⁶¹⁸ Ibid.

⁶¹⁹ Mike Guersch and Anita Amirrezvani, “S.J. ballet company to form symphony: November debut planned; musicians welcome move,” *San José Mercury News*, October 5, 2002. Mimi Carlson archive.

⁶²⁰ Andrew Bales has invited many conductors to lead the symphony for a concert set over the years, and while many conductors return often, employing only guest conductors keeps overhead low, and is no doubt helpful for the symphony to earn 60% of its revenue each year, which is nearly twice as much as most other regional orchestras. “About Us,” Symphony Silicon Valley, <https://www.symphonysiliconvalley.org/about-us/about-the-symphony/>.

⁶²¹ Anita Amirrezvani, “San José well get a new orchestra: 2003-2004 program to have 6 concerts,” *Mercury News*, July 17, 2003. Mimi Carlson archive.

Bales drew musicians directly from the former San José Symphony, with most musicians retaining the same positions in the new group. While the working group was still discussing the potential for an orchestra in San José, Bales had assembled the musicians of the orchestra into this new group. Many of the musicians were excited by Bales's practical approach, driven by a desire to continue performing rather than waiting around to hear about the future of the San José Symphony. Principal percussionist Galen Lemmon said of the Working Group, "I don't need this group telling me what all the options are...Something's already happening. Get on the bandwagon."⁶²² The San José Symphony was too slow to keep going forward. Bales's new model effectively replaced the former San José Symphony, preempting a reorganization attempt by overtaking the market. It also showed how slow-moving and bureaucratic orchestras can be, due in part to collective bargaining agreements that do not address audience needs in real time, but function as a form of slow-moving manufactured growth, despite market forces. Bales attempted to mold his new orchestra more to audience taste in the region, focusing on pops concerts, and specifically, movie music. Symphony Silicon Valley has become one of the prominent performers of film music, performed live along with the film. The orchestra has cycled through the *Lord of the Rings* trilogy, many of the *Harry Potter* films, and the original *Star Wars* trilogy, to name a few. In addition to presenting more concerts on those sets to accommodate a wider audience, the musicians are also paid a slightly lower rate, to offset the high cost of paying for rights to play the film and perform the music.

In 2003, Ballet San José Silicon Valley announced that it was drastically cutting its budget to \$4.9 million, down from the previous season's \$6.3 million budget. The Ballet

⁶²² Richard Scheinin, "Valley's musical think tank: Group's report looks at symphonies nationwide to help chart future for orchestral music in S.J." *San José Mercury News*, June 29, 2003. Mimi Carlson Archive.

company had experienced a circuitous route toward the west coast, after having been founded in Cleveland in 1972 by Dennis Nahat and Ian Horvath.⁶²³ In 1986, the company embarked on a joint venture in San José, performing partial seasons in both the South Bay City and Cleveland while retaining separate budgets and fundraising efforts in each city.⁶²⁴ The similar threads between the two organizations were the dancers, who all lived in Cleveland, and Andrew Bales, the executive director. In 2000, with a major operating deficit in Cleveland and a surplus in San José, the rest of the season in the Midwest city was cancelled and the dancers were asked to relocate to San José.⁶²⁵ They decided to move out west in 2000, but the company's success in San José was short-lived. The Cleveland Ballet ceased operations completely in 2000 and put all their efforts toward San José.⁶²⁶ By 2003, however the surplus of a few years prior had all but disappeared, and the company was forced to reduce their operations. The 2003 cuts included pay cuts for staff, reduced operating budgets for every department, and resulted in eliminating the Sunday night performances and reducing hours for some employees.⁶²⁷ In 2016, without a clear path toward a sustainable future, the San José Ballet decided to cease operations. Although the San José Ballet does not exist anymore, the ballet performances were an important part of the work opportunities that musicians in San José had counted on. When the ballet company

⁶²³ Cleveland Ballet, "History of Ballet in Cleveland," <https://clevelandballet.org/history-of-ballet-in-cleveland/>, accessed December 1, 2020.

⁶²⁴ Octavio Roca, "San José Cleveland Dancers Asked to Form New Bay Area Company," *San Francisco Chronicle*, September 13, 2000. <https://www.sfgate.com/bayarea/article/San-José-Cleveland-Dancers-Asked-To-Form-New-Bay-2739198.php>.

⁶²⁵ There have been three iterations of the Cleveland Ballet, of which the second eventually moved to San José. The current Cleveland Ballet was formed in 2014 and is now "one of the fastest growing ballet companies in the Nation." Cleveland Ballet, "History of Ballet in Cleveland," <https://clevelandballet.org/history-of-ballet-in-cleveland/>, accessed December 1, 2020.

⁶²⁶ Octavio Roca, "San José Cleveland Dancers Asked to Form New Bay Area Company," *San Francisco Chronicle*, September 13, 2000. <https://www.sfgate.com/bayarea/article/San-José-Cleveland-Dancers-Asked-To-Form-New-Bay-2739198.php>.

⁶²⁷ Octavio Roca, "Ballet San José budget trimmed by \$1.4 million," *San Francisco Chronicle*, April 19, 2003. <https://www.sfgate.com/bayarea/article/Ballet-San-José-budget-trimmed-by-1-4-million-2621368.php>.

shut its doors in 2016, it not only sent the dancers out of work, but created an even larger gap in the work that musicians needed to make a living. Andrew Bales, who had continuously sought out better opportunities for himself by always looking for the next best career move that could garner him more stability and power. First, it was moving the unprofitable Cleveland Ballet company to San José. When the relocated company started to flounder, he got more involved with the San José Symphony before finally poaching the out-of-work symphony musicians into his own orchestra, leaving the San José Ballet behind and forming Symphony Silicon Valley in 2002.

Bales created Symphony Silicon Valley before leaving the San José Ballet, and before the San José Symphony filed for Chapter 7 bankruptcy, or liquidation. Bales asserted that part of the reason why he wanted to help create the new symphony orchestra was to be able to provide musicians for the ballet company. But with the new orchestra, it soon became clear that Bales could not continue to operate both organizations. In April of 2003, the chair of the Ballet San José Silicon Valley, John Stringer, announced that Bales would be leaving the ballet company at the end of the season to continue working as a consultant to the new orchestra. However, Bales would shortly thereafter become the executive director of the new symphony, where he remains the executive director today. “The ballet provided a great test of the marketplace for symphonic music,”⁶²⁸ Bales argued, and so he built the orchestra into a nonprofit corporation and enlisted the help of a board, with Peter Cartwright, chairman and CEO of Calpine, as the board chair.⁶²⁹

⁶²⁸ David Wiegand, “New nonprofit San José symphony adds concerts,” *San Francisco Chronicle*, July 23, 2003. <https://www.sfgate.com/entertainment/article/New-nonprofit-San-José-symphony-adds-concerts-2575896.php>.

⁶²⁹ Calpine is the largest natural gas and geothermal power generation company in the United States. Peter Cartwright founded the company in 1984, but left in 2005, when the company’s stock price dipped below \$1 and there was a worry about bankruptcy. For more, see: Associated Press, “Calpine dumps CEO, CFO amid debt woes,” *Daily News*, November 30, 2005, <https://www.dailynews.com/2005/11/30/calpine-dumps-ceo-cfo-amid-debt-woes/>. See also: Calpine website, <https://www.calpine.com>.

Bales had a different idea for leadership in Symphony Silicon Valley than his predecessors in the San José Symphony, and decided not to hire an artistic director, instead hiring guest conductors for each set. His decision to hire only guest conductors rather than a full-time conductor who also served as music director both saved the organization money and allowed Bales to retain control over both the operational and artistic decisions. This was a step away from the more traditional operational structure, where artistic director and executive director work in tandem to create a season and define the vision. In Symphony Silicon Valley's case, Bales, working with his board, was solely in charge of hiring conductors for each set, setting repertoire, and defining the vision of the symphony. Bales's model stepped away from the "cult of personality" and the power of a star conductor who could draw audiences to a performance. At the same time, this model granted Bales near total power when it came to operations, artistic, and executive decisions, which seems to have been a goal for the executive director for years. However, in public conversations, Bales told reporters that his justification for this was that he wanted to focus the attention on the musicians in the orchestra. "Let's honor the musicians themselves," Bales stated for an article about the orchestra published in 2006. He wanted "to make sure our musicians are also front and center."⁶³⁰ The musicians were generally in accordance with Bales. Bethany Zare, horn player with the symphony, who was also president of AFM local 153, and is now secretary treasurer of AFM Local 6, said "you don't get the staleness that the same person over and over would potentially bring" when working with a new conductor each set.⁶³¹ David Schoenbrun, bassist and eventual president of AFM Local 6,

⁶³⁰ Carolyne Zinko, "Pass the baton, please: Symphony Silicon Valley tries out new business model, using guest conductors only," *San Francisco Chronicle*, December 5, 2006. <https://www.sfgate.com/entertainment/article/Pass-the-baton-please-Symphony-Silicon-Valley-2482776.php>.

⁶³¹ Ibid.

asserted, “As an experiment it’s been scrutinized and I think it’s doing much better than expected in the estimation of the audiences and also among the musicians.”⁶³²

Bales decided to run his new orchestra according to different ideological principals than his San José Symphony predecessors. He was, and continues to be, influenced by the market economy. In 2003, Bales asserted that Symphony Silicon Valley was going to be “a market-driven company,” that would not play “a whole evening of Schoenberg and say we don’t care if only 100 people show up.”⁶³³ Bales was explicitly interested in programming music that he thought would sell. The 2003-2004 season programming shows an interest in standard programming that could showcase the musicians of the orchestra, including two members performing as soloists.⁶³⁴ As with the Oakland Symphony, not only did engaging a member of the orchestra as a soloist make the audience feel a stronger connection to the members of the orchestra (because they get to “know” one of the musicians in the orchestra), but it is also far less expensive than hiring a name brand soloist. However, despite using the musicians as a marketing tool, their work with the symphony did not provide them with any additional income outside of their symphony services. Bales could have tried to rejoin with the San José Youth Symphony, which disbanded from the San José Symphony in 2001 and formed their own nonprofit in 2002, but they are still completely separate organizations.⁶³⁵ Symphony Silicon Valley has presented youth concerts for local students, but they do not have strong education and outreach arms of their operations.

⁶³² Ibid.

⁶³³ Anita Amirrezvani, “San José will get a new orchestra: 2003-2004 program to have 6 concerts.”

⁶³⁴ Ibid.

⁶³⁵ San Jose Youth Symphony, “Mission, History & Today,” <https://www.sjys.org/about-us/mission-history-today/>.

Symphony Silicon Valley's opening concert took place at the Center for Performing Arts on November 23, 2002. David Loebel was the guest conductor. He was a member of Local 2-197, the St. Louis, MO local of the AFM. The *San Francisco Chronicle* reported that the concert had to start several minutes late because there were so many people trying to buy tickets at the door.⁶³⁶ Members of the public were skeptical as to whether the orchestra would be able to make the finances work in San José, in the same concert halls and same audiences that the previous orchestra had found untenable. But Bales was confident. "The way the betting's going, the odds are against us. But it's a very sound business model. It's almost a safe bet that it will succeed. 'Thriving' is a more difficult issue."⁶³⁷

Even if the San José Symphony had been able to re-group and find a new path to sustainability, their efforts were cut short by the formation of Symphony Silicon Valley by Andrew Bales. His orchestra has been able to survive, not because it is so different from the San José Symphony, but because he has incorporated more popular genres—such as movie music—into his seasons. Bales also keeps costs lower by hiring only guest conductors and paying a lower rate to musicians for the movie score concerts than for the classical masterworks concerts.

For all of his novel business strategies, Bales's model was the same model as almost all orchestras in the United States, with a few important tweaks: there would be no music director, only guest conductors, and rather than presenting multiple performances of the same concert program, there would only be one performance. Additionally, many of the soloists for the first few seasons were members of the orchestra. Each of these measures was an important cost-

⁶³⁶ "News: Phoenix Rises in San José," *International Musician*, January 2003.

⁶³⁷ Mike Guersch, "A symphony rises again in San José: But there's a lot on the line as new season opens Saturday," *San José Mercury News*, November 17, 2002. Mimi Carlson Archive.

saving practice that allowed Bales to streamline the budget and spend as little as possible in the first few seasons.

Bankruptcy is not always a bad decision, nor does it equate the failure of an organization. Instead, as I have shown through this chapter, the San José Symphony can be both a success story and a cautionary tale. Even though it does not exist today, there are few businesses that can exist for 123 years in any field, and the orchestra should be applauded for that. Were it not for Andrew Bales and Symphony Silicon Valley, there is a chance that the San José Symphony could have regrouped and created a new orchestra themselves.

Epilogue

The live performance sector of the music industry at the end of 2020 is a fraction of what it was at the beginning of the year. It has taken over a decade for ensembles to recover from the deleterious effects of the 2008 Great Recession, and now the COVID-19 pandemic destroyed the possibility of live performances in the foreseeable future for health and safety reasons. Particularly in California—which was the first state to issue a stay-at-home order—live music performances were quickly shut down.⁶³⁸ Governor Gavin Newsom’s administration in California still does not allow audiences at live performances and maintains strict restrictions for in-person gatherings.⁶³⁹

Most arts organizations in the Bay Area have acquiesced to these restrictions and have agreed to hold no in-person concerts until all the restrictions are lifted. They are concerned for the health and well-being of their employees and the community and know that there is an enormous liability in presenting concerts during a pandemic. Other organizations are starting to contest the restrictions. The San Francisco International Arts Festival filed a lawsuit against Governor Newsom and San Francisco Mayor London Breed for revoking their permit for an outdoor event on October 24-25.⁶⁴⁰ The restrictions were eventually lifted, but this does not mean that

⁶³⁸ Amanda Moreland, Christine Herlihy, et al, “Timing of State and Territorial COVID-19 Stay-at-Home Orders and Changes in Population Movement—United States, March 1-May 31, 2020,” *Centers for Disease Control Morbidity and Mortality Weekly Report*, September 4, 2020, <https://www.cdc.gov/mmwr/volumes/69/wr/mm6935a2.htm#:~:text=The%20first%20territorial%20order%20was,stay%2Dat%2Dhome%20orders>.

⁶³⁹ California Department of Public Health, “Guidance for Private Gatherings,” October 9, 2020, <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/CDPH-Guidance-for-the-Prevention-of-COVID-19-Transmission-for-Gatherings-10-09.aspx>

⁶⁴⁰ Tony Bravo, “San Francisco International Arts Festival sues after permit revoked for outdoor event,” *San Francisco Chronicle*, October 26, 2020, <https://datebook.sfchronicle.com/festivals/san-francisco-international-arts-festival-sues-city-after-festival-permit-revoked>. See also Nastia Voynovskaya, “An SF Arts Presenter Sues the City and State to Allow Outdoor Performance,” *KQED*, October 20, 2020, <https://www.kqed.org/arts/13888163/an-sf-arts-presenter-sues-the-city-and-state-to-allow-outdoor->

other organizations will be quick to follow suit. As opposed to other regions of the country, where the AFM is encouraging musicians to not agree to live concerts because their employers are attempting to put the employees in potentially compromising situations, most orchestras in the Bay Area have decided that it is better to present no concerts than to potentially sicken anyone. The Bay Area instituted a second stay-at-home order on December 7, 2020, which will last through January 4, 2021. Symphony Silicon Valley has ceased operations until January 2021, although it is unlikely that their January 23 and 24 “American Masters” concert set will occur because of its proximity to the stay-at-home order. The Oakland Symphony has been releasing recordings of archival performances every Friday but has no plans to resume live performances any time in the near future. The largest orchestras in the Bay Area, the San Francisco Symphony, San Francisco Opera, and San Francisco Ballet, have all announced that they will not resume live performances for audiences until the Fall 2021 season. The San Francisco Symphony, like the Los Angeles Philharmonic, has shifted its operation model to a video production company, and has produced several video projects as part of their “Currents” series and as part of a collaboration with composer Nico Muhly.

The virus has been politicized across the country, and the regional politicization has affected how arts organizations proceed with their operations. The Bay Area, in an abundance of caution, has shut down all non-essential events, of which live performances are a part. However, because orchestras face a long road ahead before they can resume performing live concerts for in-person audiences, it is important for them to try to adapt to the present situation, if only in anticipation of how the orchestral land will have changed when it is safe to

performances . See also Janos Gereben, “Festival Suit Against San Francisco Tests Fairness of Quarantine Rule,” *San Francisco Classical Voice*, October 26, 2020, <https://www.sfcv.org/music-news/festival-suit-against-san-francisco-tests-fairness-of-quarantine-rules> .

perform live concerts. Now, more than even just a year ago, it is important for orchestras to look at their history and make decisions that might be able to pivot them into a new, more sustainable model. It is my hope that this project will be able to provide some insight into the decisions orchestras have made in the past, in order to present a model for what, and what not, to do in the future.

Summary of Project

The outcomes of the two case studies in the project were bleak, but they also provided an important body of information on the complex ecosystem of regional orchestras and their diverse histories. The bankruptcies of the two case studies in this project were precipitated by several societal changes in the 1960s and 1970s that fundamentally shifted the orchestral landscape in the United States. Changes in education, funding sources, professionalization through labor politics, and shifting tastes within the public all affected how orchestras were run, who attended concerts, and who paid for them.

I reconstructed detailed timelines of the events leading to the final days of the orchestras to understand how very specific events and decisions led to the bankruptcies of these two orchestras. I sought to challenge the rhetoric that poor financial decisions were the root cause of the orchestras' bankruptcy filings. I argued that the problems the stakeholders blamed as the primary culprits were indeed problems, but stemmed from the set of assumptions that arose out of the shift of the 1960s-1970s. I also made the case that the problems stemmed from poor management of the organizations' brands, their missions, and their inability to find their place within the community.

In this project I looked at smaller orchestras that had started as community-focused regional groups but had expanded into nearly full-time orchestras by the 1980s or 1990s. By

studying smaller orchestras, I hope that I have provided a richer, more nuanced view of the orchestral landscape in the United States. Of course, it would be impossible to cover every possible scenario, and I do not attempt to do that in this study. By drawing attention to the bankruptcies of two regional orchestras in the Bay Area—a region that has a strong history of classical music consumption—and a number of wealthy philanthropists who have donated hundreds of millions of dollars to causes they believe in, I have shown that the assumption that a wealthy community will naturally support an orchestra is not only untrue, but contrary to the historical evidence. I also draw attention to the narrowing of the orchestral world over the course of the twentieth century, and how the shift from a wide range of diverse orchestras that often combined amateur musicians with semi-professional and professional musicians who lived in the area toward a stratification of professional orchestras (who live both in the area and out of town) and amateur orchestras (often with local musicians). The stratification was intended to provide a professional, and thus, higher caliber, orchestra for the community, but also to create a place for professional musicians to work. I argue that the problems leading to the bankruptcy of the Oakland Symphony and the San José Symphony were caused not solely by financial mismanagement, but rather a set of assumptions that were only partially true. Orchestra leadership assumed that their financial needs would be met by private and corporate philanthropists who would support the mission of performing primarily the masterworks of the European classical canon, and that audiences would continue to attend the concerts because of their association with highbrow culture and the desire for upward social mobility.

If the orchestras had become more deeply involved in their roles in their communities their situations might have been different. If the people in those communities had seen the orchestras as an integral part of their cultural fabric, the orchestras might have been able to avoid bankruptcy. It is not always fruitful to think in “what if” terms because there are so many

factors that precipitated the bankruptcies. On the other hand, thinking of other potentialities the orchestras could have enacted in another scenario makes it possible to imagine another future. The orchestras could have altered their business models slightly, expanded educational and community-focused offerings and worked with leaders in the community to create the musical hub they had argued to donors they were creating. In reality, donors who had traditionally been interested in philanthropy were no longer willing or able to donate ever-increasing sums of money to their local orchestras.

The professionalization and expansion of these two regional orchestras also stemmed from certain assumptions made by both leadership and the musicians about the viability and sustainability of regional orchestras. This is important because it fomented the breakdown of the orchestras in some ways. More accurately, the AFM created the expectation that musicians in orchestras should be able to make a full-time living from orchestra work. The Oakland Symphony was a member of ICSOM from 1975-1990, when they joined ROPA as the Oakland East Bay Symphony, and the San José Symphony was a charter member of ROPA in 1985. Management was responsible for ensuring that the organization could pay the salaries. The musicians' most important responsibility was to provide the product, that is to say, live performances by professional musicians. They were not responsible for any managerial responsibilities. These assumptions and expectations have become untenable for many organizations, but there is not a mechanism for lowering pay rates in orchestras outside of contract negotiations, which happen in general only once every few years, and have to be negotiated between management and the union. Given the expansionist imperatives in the US capitalist economy, any organizational contraction is seen as a failure. I argue that in orchestras, new mechanisms for contract negotiation, career advancement, and general operations could help provide a more sustainable future.

What Orchestras are Doing Today

As I assert earlier, the assumptions that orchestra stakeholders have held since around the 1960s about what orchestras represent, how they should function, what music they should play, and how they should pay for everything, have remained unchallenged, seemingly natural, law. Orchestras function with the idea that if they can appeal to funding sources that support community engagement and education, they might be able to ensure their longevity. As they did in the 1960s and 1970s, the goals of philanthropists and philanthropic organizations have shifted, this time away from the orchestral institutions and toward social justice initiatives, in some cases. The Ford Foundation, who you will remember, was a major funder of the Oakland Symphony, and in some ways, helped precipitate their bankruptcy, no longer funds endowments. Perhaps as a result of their study of the effects of their symphony orchestra grants, the website now states, “Our grant making does not support advocacy and commissioned projects, educational initiatives and student projects, film schools, journalism tools and technology, and awards, scholarships, and endowment funds.”⁶⁴¹ Their home page opens with the statement, “justice begins where inequality ends: We’re building a world where everyone has the power to shape their lives.”⁶⁴² The David and Lucille Packard Foundation, which was an important donor to the San José Symphony, opens their website with the statement, “Improving the lives of children, families, and communities—and restoring and

⁶⁴¹ “Creativity and Free Expression: Overview,” Ford Foundation, <https://www.fordfoundation.org/work/challenging-inequality/creativity-and-free-expression/>, accessed June 30, 2020.

⁶⁴² “Homepage,” Ford Foundation, <https://www.fordfoundation.org/>, Accessed December 10, 2020.

protecting our planet.”⁶⁴³ Though they do provide grants to the arts, these grants are part of their “Supporting Local Communities” grantmaking segment.

Perhaps because of changing philanthropic ideals, orchestras have been forced to occupy a new nonprofit niche, as the desire to support what some philanthropic organization might consider the elitism of classical music organizations fades. Orchestras have attempted to democratize their offerings and appeal to a wider demographic of their communities. Some orchestras in the twenty-first century have embarked on Diversity, Equity and Inclusion (DEI) initiatives, others have begun to program more composers of color and women composers, others provide low-cost or free El Sistema-type music education programs to lower-income students.⁶⁴⁴ Some administrations have realized that if they want to draw audiences from outside the traditional older middle-class white demographic they have to adapt and engage the members of the community. Through education and programming, some orchestras are trying to draw in younger, more diverse audiences. In order to ensure the longevity of the orchestras they have to make changes. Orchestras might have to give up some rituals in order gain new audiences and a more stable future. These initiatives are certainly a step toward creating diverse audiences from a wider demographic than the mid-century American audience, but without addressing the underlying assumptions that have guided orchestras since the 1960s in the United States, these additions might not be enough.

⁶⁴³ “Homepage,” David and Lucille Packard Foundation, www.packard.org, accessed October 20, 2020.

⁶⁴⁴ There was a large public outcry from many orchestras in the country after the murder of George Floyd in May 2020. Orchestras blasted “Black Lives Matter” statements on their social media platforms and vowed to make a change to address the lack of diversity in their institutions. However, since these statements in early June, little has been done to address the lack of racial diversity in personnel, programming, and audience engagement. Instead, other social media accounts have been started, on Instagram and elsewhere, with the intent of naming and addressing racial animus in classical music. Such accounts include @operairacist, @orchestraisracist, @composingisracist, @artsmanagersaracist, @danceisracist, and @balletisracist, to name a few.

Orchestras will have to amend and update their business models if they are to survive, not only past the COVID-19 pandemic, but for the years and decades beyond. The longer history of orchestras show they clearly had to shift their business models over the centuries to address audience desires and expectations. However, after the shift of the 1960s-1970s, the wide variety of orchestras were conglomerated into only a few models that orchestras were expected to follow regardless of budget size and modality.

Suggestions for the Future

In a utopian future, orchestras would be able to step away from the capitalist blueprint they have modeled their organizations after. Ideally, a reliable source of funding would supplement the orchestras in addition to robust ticket sales and donations. Ideally, local and federal government funding would support the orchestras and focus on sustaining their arts organizations. In European countries and other countries around the world, for example, orchestras are often at least partially underwritten by the government. There are still many issues that the orchestral ecosystem should address in their efforts to create a sustainable future for their organizations. Some of those issues are not directly related to the institutions themselves but have an outsize effect in their adjacent capacities. The higher education system produces an unsustainably large number of music graduates whose training prepares them to take auditions for orchestras that do not have jobs for them. The American Federation of Musicians, with its player conferences of ICSOM and ROPA, operates with the assumption that management's contractual obligation to pay the musicians' salaries indicates that the organizations are healthy enough to continue to exist. The leadership teams of orchestras, consequently, must focus on financial solvency above all else in order to retain and pay the

musicians. Each of these issues are just one element of what could be improved upon for the future. I address some of my own suggestions below, but there are certainly many other viable options. Based on my research of the Oakland Symphony and the San José Symphonies, my hope is that orchestras step away from trying to fit into a market-based for-profit corporation model, and toward a community-based nonprofit that dynamically tries to address the musical needs and desires of the local community.

Programming

Orchestral programming can be a deeply contentious issue for stakeholders. Some donors, board members, and musicians would prefer to play only the canonical repertoire, for in their mind, that is what orchestras are supposed to do. It does not matter that this historical precedent is relatively new in orchestras, the challenge of hearing new music is not enjoyable for some.⁶⁴⁵ Others would prefer to consistently premiere new works, as was the case with the Oakland Symphony under Gerhard Samuel. There are arguments for both desires, but ultimately, programming is not the true barrier to entry for many potential audiences. Still, I argue that a model for regional orchestras could include both the canonical warhorses and new compositions, ideally prioritizing works written by composers with connections to the local community and those who have been traditionally under-represented on classical music concert programs. By engaging with the local community through commissioning works by local composers, perhaps even about local events, figures, or attributes, orchestras can enhance the connection between their musical offerings and the bespoke characteristics of their community.

⁶⁴⁵ See William Weber, *The Great Transformation of Musical Taste: Concert Programming from Haydn to Brahms*, (Cambridge: Cambridge University Press, 2008), and William Weber, "The Muddle of the Middle Class," *19th-Century Music*, 3/2 (November 1979), 175-185.

This would not only create a more relatable image for the orchestra, but would also promote the importance diversity, equity, and inclusion from within their organization. Additionally, it would help move classical music away from its sometimes-stodgy reputation, and finally, create the opportunity for wider funding possibilities. Far from appealing to only the most traditional older audiences, orchestras should focus on entertaining a wider swath of the population. It would be encouraging to see a program that combined canonical composers with new music and other compositions that have been adapted for orchestras.

Audiences

One way to do this is to focus on concert decorum. Having a silent concert hall is a can be a moving experience for those who want to sit in rapt attention without the distraction of cell phones or other media. But it is also a difficult task for an audience that is not used to silence or sitting still, and can actually ostracize the listeners or exhaust them. The culture of rapt attention is one of elitism and cultural hegemony that grew out of the mid-nineteenth century.⁶⁴⁶ A portion of the music that orchestras play was written either before this culture developed (Haydn, Mozart, Beethoven). Other music was written in an era where audiences were able to express more freedom during concerts such as the rise of jazz and rock n' roll, when audiences could express their opinions of the performance during the performance. Lawrence Levine and Daniel Cavicchi both write about the phenomenon of audience participation as integral to the performance.⁶⁴⁷

⁶⁴⁶ Lydia Goehr, *The Imaginary Museum of Musical Works: An Essay in the Philosophy of Music*, (Oxford: Oxford University Press, 1992).

⁶⁴⁷ Lawrence Levine, *Highbrow/Lowbrow: The Emergence of Cultural Hierarchy in America*, (Cambridge: Harvard University Press, 1988). See also, Daniel Cavicchi, *Listening and Longing: Music Lovers in the Age of Barnum*, (Middletown, CT: Wesleyan Press, 2011).

Today, audiences are viewed as spectators whose only participation is a polite applause and obligatory standing ovation at the end of nearly every piece without the ability to actively participate in the creation and energy of the music. In my performances I have noticed that the standing ovations are an excuse for audiences to stand up and stretch at the end of an exhausting piece of music when they are forced to sit still for up to an hour at a time. Audience coughing and fidgeting during the performance is a cathartic act to alleviate boredom (at worst) or physical agitation. The orchestra members and conductor move constantly during performances, but their audiences are forced to sit still. Whereas this attention seemed ideal to select audiences in the nineteenth century, there is little reason to expect this from everyone in the audience today, except for in very specific cases. I suggest that audiences can intuit from the music when they should be quieter in the quiet portions and perhaps applaud (if they feel so inclined) when something very exciting happens. In many cases it is written into the music. Specifically, any number of the first movements of famous violin concertos written in the nineteenth century illustrate this concept. Take the first movement of the Tchaikovsky, Brahms, or Mendelssohn concertos. They race to the finish, but hearing a performance without audience applause at the end is somewhat of a let-down. As with the endings of many opera arias, they beg for audience engagement and participation, just as a jazz or rock solo often builds to an ending that is completed only by audience applause. If orchestras could allow audiences to participate again, they would intuitively understand how to engage with the music if given the opportunity. Some orchestras, notably the California Symphony in Walnut Creek, have attempted to shift audience behavior during concerts. The conductor, Donato Cabrera, has encouraged his audiences to applaud between movements if they feel inclined to do so, but the

habit of staying silent until the very end of the work is so ingrained in classical concert audiences that the practice of freer applause has not caught on, even when it is encouraged.⁶⁴⁸

Musician-focused organizations

One of the most important lessons from this project is that musicians are not commodities. They are not fungible, despite managements' efforts to assert the contrary. The musicians and the live concerts they create are the product. When Andrew Bales offered the out-of-work San José Symphony musicians employment in his newly-formed Symphony Silicon Valley, the San José Symphony leaders decided to liquidate. Part of this was because there was not a market for two regional orchestras in the area. More importantly, it was because the San José Symphony musicians were no longer interested in working for a failing organization. They made the choice to switch to a new orchestra. The San José Symphony management could have made the choice to work with Symphony Silicon Valley and continue existing, but they did not have the drive to make that happen and had lost the trust and confidence of their donors and audiences. They were not interested in helping musicians make a living within the delicate economy of work that Bay Area musicians had carved out for themselves. Instead of working with Symphony Silicon Valley to create a robust program of orchestral music in the South Bay, the San José Symphony leadership decided to liquidate their assets.

In orchestras, musicians are disincentivized from taking agency within everyday operations. Because musicians are treated as fungible, and their only opportunity to make a

⁶⁴⁸ "While You're Here: Practical information to make the most of it" California Symphony website, <https://www.californiasymphony.org/plan-your-visit/while-youre-here/>. The California Symphony encourages applause and has garnered attention for this encouragement from multiple sources. This is particularly true because the former executive director, Aubrey Bergauer, drew a lot of attention to the orchestra through her media outreach.

change within their workplace is through the elected players committee. The players committee is an intermediary between the rank-and-file orchestra musicians and the Local branch of the AFM. Musicians' work is regulated through the CBA, which negotiates the salary for every musician in the organization (unless the contract allows for individual bargaining). Orchestra CBAs protect musicians from unfair firing. Most contracts outline a strict series of steps management and the music director must take if they want to fire a musician, and there is often a provision for demotion if the musician chooses taking a lower position in the orchestra over being fired. But CBAs do not offer the possibility of job advancement outside of the contractually-negotiated raises for which a players' committee might bargain. If a musician does their job really well, there is no opportunity for promotion from within the organization. The only way a musician can attain a higher position is through a blind audition within one's own workplace. Very rarely, some contracts allow the music director to appoint a musician to a position if the audition does not find a successful candidate. Because of this, there is little incentive to take agency to improve the workplace outside of volunteer positions on the orchestra players' committee or as other volunteer union representative positions. In many cases, management will call on musicians to volunteer their time to aid their employers, who are paid a full-time salary for their work. If orchestras are trying to find a place for themselves within the market economy, then they have to treat the musicians as employees with agency, rather than an unskilled labor force. For their part, musicians also have to take more agency in their workplaces if they want to be part of the decision-making.

Whether orchestras will be able to find solutions in the future will depend on each stakeholder accepting that things must change in order to get better. This includes management, boards, donors, musicians, the union, and audiences. We will need to create a new shift in order to create sustainable models. Orchestras in the future might not look like they did in the 1960s.

That is not a bad thing. If orchestras want to avoid filing for bankruptcy after the COVID-19 pandemic subsides, they will do well to consider their workforce and listen to the ideas the musicians—as well as the public—presents.

Orchestras as educational institutions

One of the main culprits of audience decline in classical music, according to many thinkers, is the lack of music education in the schools. This is one of the main reasons orchestra leaders cite for creating education programs under their umbrella. One of the big problems with investing in classical music education is that it asserts the genre's hegemony of being a more important genre to learn about than other genres. This represents a Euro-philic viewpoint that prioritizes classical music over other genres, and also prevents other genres from being taught at the same time, because there is not enough money, time, or resources for music education in schools. Orchestra education programs often follow a conservatory-type curriculum, which can be considered a colonialist method of teaching.⁶⁴⁹ Orchestras have to decide whether they are entertainment organizations, educational organizations, classical music conservation organizations, or something else entirely. If they want to provide an education element to their organization, it should be more robust, and more carefully coordinated with other genres of music education, thereby not prioritizing classical music as the “best” genre of music. Orchestras have to avoid operating under the same set of assumptions that led the Oakland and San José Symphonies to file for bankruptcy.

⁶⁴⁹ For further information, see Alexis Anja Kallio, “Decolonizing music education research and the (im)possibility of methodological responsibility,” *Research Studies in Music Education*, June 27, 2019, <https://doi-org.proxy.library.ucsb.edu:9443/10.1177/1321103X19845690>, See also Margaret E. Walker, “Towards a Decolonized Music History Curriculum,” *Journal of Music History Pedagogy*, 10, no. 1 (2020), 1-9.

Focus on Locality

Regional orchestras need to develop a hyper-local relationship with their audiences if they want their community to support them. That could mean focusing on local composers, local soloists, and local arts organizations to work in tandem with. Orchestras could work with other arts organizations in the community—whether that is dance companies, museums, filmmakers, or youth groups—to create collaborative performances. Working with other groups in the community augments the importance of the orchestra as a central hub for arts-related events. If orchestras could collaborate with other organizations, it would draw them into a wider cross-section of their local communities rather than isolating them from all but the elite. Some concerts could continue with the same programming as before, but collaboration is one of the best ways to engage new communities, as well as sectors of local communities that have previously been unengaged with local orchestras. There are several simple ideas that could make a difference. Orchestras could commission local composers to write a short piece, they could highlight the musicians in the orchestra who live in the area, or they could host events outside of the concert hall. In the spirit of education, the parent orchestras could involve their youth orchestra students more in the professional side of the operation. Perhaps orchestras could create a relationship between local music schools and universities to work with orchestra, or to create a curricular connection between the two. Not every orchestra can or should operate with such a large budget as the San Francisco Symphony, for example, but that opens up the opportunity for regional orchestras to become hyper-local arts hubs, rather than attempting to compete with the largest orchestras in the country. If regional orchestras can find their niche and the spot that works for them within their communities, they can become more valuable to the people they are trying to serve.

Conclusion

No one knows what will happen to the performing arts industry as a result of the COVID-19 pandemic. Perhaps that is part of the reason why there is such high anxiety among musicians across the country, and no clear leadership from the labor unions. In March, near the beginning of the pandemic, several musicians questioned what orchestras did during the 1918 Spanish Flu pandemic.⁶⁵⁰ There were no conclusive answers to this query, because the comparison between orchestras a century ago and today is an apples to oranges comparison. Nevertheless, the very question illuminates several problems. First, orchestras looked very different a century ago than they do today, and if they weren't able to safely present concerts then, they would have just told the musicians they wouldn't be paid. Second, it shows that orchestra musicians would rather look to the past for precedents than find a new way forward, which is not always the best decision for musicians. Instead, musicians should ask how to forge a new path forward and find an equitable and fair solution to the problems orchestras are facing now.

Some orchestras have started to look into new operation models out of necessity. Live concerts will be the last events to reopen at the end of the pandemic, so orchestras have been forced to either develop new modes of operation or have shut their doors for the time being. The important difference between what is happening now during the pandemic and what happened in the final seasons of the Oakland and San José Symphonies is that the COVID-19 pandemic has been considered by nearly all orchestras a *force majeure* situation. In nearly every

⁶⁵⁰ I am a part of multiple musician Facebook groups, and although the specifics of those conversations are private, several members of these groups brought up their desire to know more about how orchestras handled the Spanish Flu of 1918.

orchestra contract, there is a *force majeure*, or “act of God” clause, that allows orchestras to cancel services without pay when there is a major natural disaster, environmental danger, or a pandemic.

The devastating circumstances of the pandemic have put thousands of orchestral musicians across the country out of work, and even local branches of the union have begun to offer workshops for musicians about changing careers. No freelance musicians will be able to support themselves through performing live orchestral shows for the foreseeable future. It is a difficult truth that the industry has not been able to face and deal with head on. Though this is a very difficult time for the orchestra industry, it is also an opportunity to define a new future. Already, orchestras like the Louisville Symphony have begun to present concerts that have engaged directly the local community and addressed some of the social issues of today.⁶⁵¹ The San Francisco Symphony has created a series called Currents, that engages with local music from San Francisco.

Some work is starting to trickle back, but it is slow going, and heavily limited by health and safety regulations. For one of the orchestras I am a member of, the Carmel Bach Festival, the only other seasons that have been canceled since its founding in 1935 were during World War II. In the Bay Area, every orchestra has canceled the 2020-2021 season, and only a few have produced or will produce live performances. Of those performances, some are solo performances, others are small chamber programs, or chamber orchestra programs. But none of these performances were given in front of a live audience. Moreover, it is possible that the live-streaming frenzy brought on by COVID-19 will leave its imprints on the ways that audiences want to experience live music. So as orchestral musicians and administrators struggle

⁶⁵¹ The Louisville Orchestra is offering online concerts for the 2020-2021 season: <https://louisvilleorchestra.org/>

through this period of seemingly interminable waiting, they would be wise to use the time to reflect, adapt, and plan a new future for themselves and their ensembles. In the post-COVID world, when live performances are safe again, orchestras will have the opportunity to redefine themselves for the new futures they want to occupy.

As someone who has dedicated most of my life to practicing and honing my skills on my instrument and performing the classical music that I so dearly love, this project has taught me that there is a wide abyss between the utopian ideal in which orchestral music exists, and the reality of the economy the many stakeholders have created. It is my hope that I can use the information I have gathered in this project to help create a more sustainable future for the orchestra industry, while addressing some of the problems I am deeply conflicted about. Orchestras will be able to survive as they do now in the future, but nothing can work the same way forever, and it will be in the best interests of orchestras in the future if they can define their values and goals as clearly as possible.

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Appendix

Appendix A: Timeline of Important Oakland Symphony Events

April 1985:

- Ronald J. Vincent resigns as Board Chair
- Cornell Maier elected new Board President

September 1985

- Negotiations begin on new three-year contract

October 3, 1985

- Musicians Walk out in negotiation talks
- Musicians vote to strike

October 18, 1985

- Henson Markham writes letter to Oakland Symphony Subscribers and Musicians

October 22, 1985, 8pm

- “Free Symphony Concert: The striking members of the Oakland Symphony performing works by Brahms, Vivaldi, Faure, and Dvorak”
- Calvin Simmons Memorial Theatre
- Personnel and repertoire:
 - Gregory Barber, conductor
 - Academic Festival overture
 - Dave Burkhart and Glenn Fischthal played the Vivaldi double concerto for 2 trumpets
 - Pelleas and Melisandre Suite, Faure
 - Dvorak New World Symphony

Friday, November 15, 1985

- The Symphony Association announces that the season had been canceled

Friday-Saturday, November 15-16, 1985

- Oakland Symphony Musicians Benefit Concert

Saturday, November 16, 1985

- 4 PM, Robert A.D. Schwartz convinces musicians and board to meet, hammers out a negotiation

Sunday, November 17, 1985

- Orchestra is back in rehearsals
- 11 concerts had been canceled at that point

Week of November 18: First concert week

- Garrick Ohlsson substitutes for Alexis Weissenberg for the new opening concerts of the seasons
- “Weissenberg, who is in Paris, could not arrive in time for rehearsals following Sunday’s settlement of the orchestra’s players’ strike.”⁶⁵²

⁶⁵² “Ohlsson to Sub for Weissenberg,” *San Francisco Chronicle*, November 19, 1985. Debbie Spangler Archive.

- Buckley Conducting, Rachmaninoff Third Concerto, (Instead of one of the originally scheduled Brahms Concertos), Dvorak's Carnival overture, Stephen Paulus' Concerto for Orchestra
 - Wednesday November 20 in Zellerbach
 - Thursday November 21 in Paramount

December 1985

- Maier resigns as Board Chair
- Jean Wentz elected to Board Chair

March 1986

- 1986-1987 Season announced, with more concerts and a return to the recently renamed Calvin Simmons Memorial Theatre, in the Oakland Auditorium

June 1986

- Players commission audit of Oakland Symphony Orchestra Association books

July 23, 1986

- Board of Trustees recommends massive cutbacks, "moves to ask the union to reopen negotiations to modify the labor agreement. Chair Jean Wentz makes the statement that 'the community is not willing or able to support the orchestra at its current level.' The board agrees to retain bankruptcy counsel."⁶⁵³

July 25, 1986

- Henson Markham writes to Mark Drury, asks to reopen negotiations: "...The Association's present financial crisis makes it impossible to issue, in good faith... a schedule with 170 services for the 1986-1987 contract year... Consequently, the Association must request that renegotiations begin immediately with respect to modifying the labor contract... there will have to be both a reduction in the number of services and in the size of the orchestra, by attrition from unfilled vacancies, in order to establish a sound economic footing."⁶⁵⁴
- Mark Drury, as told to Charles Shere: "After the Concord Pavilion concert July 25 Markham handed me a letter asking us to renegotiate the contract (to reduce the number of services) and saying that a public announcement had to be made immediately."⁶⁵⁵

July 28, 1986

- Drury replies, stating that musicians "cannot consider reopen contract negotiations until the Association's books are open; he requests certain financial information. The threat of filing an Unfair Labor Practice charge with the National Labor Relations Board is raised."⁶⁵⁶
- Drury: "We might go into negotiations if they'd open the books to us, but that any unilateral announcement of a schedule change would result in an unfair labor charge."⁶⁵⁷

⁶⁵³ Beene, Mitchell, and Johnson, *Autopsy of an Orchestra*, 72.

⁶⁵⁴ Quoted in Beene, Mitchell, and Johnson., *Autopsy of an Orchestra*, 72.

⁶⁵⁵ Charles Shere, "Symphony on the brink over union, money woes," *The Tribune*, August 7, 1986. Debbie Spangler Archive.

⁶⁵⁶ Beene, Mitchell, and Johnson, *Autopsy of an Orchestra*, 72.

⁶⁵⁷ Charles Shere, "Symphony on the brink over union, money woes," *The Tribune*, August 7, 1986. Debbie Spangler Archive.

- The Association announces it is going to cut back part of the season anyway, stating, “After years of running operating deficits, the Oakland Symphony Orchestra Association, in a bold move of fiscal responsibility, announces that it has reduced its 1986-1987 season by 37 concerts in order to achieve a balanced budget.”⁶⁵⁸
- News Release, July 29, 1986. Jean Wente: “While the Board deeply regrets having to make these changes on such short notice and under these circumstances, it is only by such sound financial planning that the future of the Symphony can be assured.”⁶⁵⁹
- Drury: “Markham brought a letter to my apartment saying that if we filed a charge, they’d file for bankruptcy.”⁶⁶⁰

August 3, 1986

- “Union files Unfair Labor Practice charge, accusing the Association of making unilateral changes in the collective bargaining agreement.”⁶⁶¹

August 6, 1986

- Markham writes to Drury: without opening talks again, the association will “have no option but to seek the protection of a bankruptcy court, and to request the invalidation of the collective bargaining agreement.”⁶⁶²

August 20, 1986

- Association deficit projected at \$965,000 [\$2,260,530 in 2020 dollars] Board approves filing for reorganization under Chapter 11 Federal Bankruptcy Code in a “good faith effort to save the organization.”⁶⁶³ Appoints community leaders to “reassess organizational goals and establish a long-range plan.”⁶⁶⁴

August 21, 1986

- Markham writes to Drury again, outlining the proposed contract modifications

August 22, 1986

- OSOA files for protection under Chapter 11 of the Federal Bankruptcy Code
- Pat McCarthy: “Virtually nobody among the musicians wants to renegotiate the contract.”⁶⁶⁵
- The Symphony Owed \$139,086 to the Paramount, \$181,400 to the Wenger Corporation, \$27,390 to ASCAP (American Society of Composers, Authors and Publishers)⁶⁶⁶
- Owed \$31,390 to the musicians’ pension fund (for first and second quarters of 1986).⁶⁶⁷

August 25, 1986

⁶⁵⁸ Beene, Mitchell, and Johnson, *Autopsy*, 72.

⁶⁵⁹ Oakland Symphony News Release, July 29, 1986. Debbie Spangler Archive.

⁶⁶⁰ Charles Shere, “Symphony on the brink over union, money woes,” *The Tribune*, August 7, 1986. Debbie Spangler Archive.

⁶⁶¹ Beene, Mitchell, and Johnson, *Autopsy*, 72.

⁶⁶² Beene, Mitchell, and Johnson, *Autopsy*, 72.

⁶⁶³ Beene, Mitchell, and Johnson, *Autopsy*, 73.

⁶⁶⁴ Beene, Mitchell, and Johnson, *Autopsy*, 73.

⁶⁶⁵ Gordy Slack, “Oakland Symphony files petition for bankruptcy,” *The Tribune*, August 22, 1986. Debbie Spangler Archive.

⁶⁶⁶ Gordy Slack, “Oakland Symphony files petition for bankruptcy,” *The Tribune*, August 22, 1986. Debbie Spangler Archive.

⁶⁶⁷ Gordy Slack, “Oakland Symphony files petition for bankruptcy,” *The Tribune*, August 22, 1986. Debbie Spangler Archive.

- “the Association files a motion to have the court reject the collective bargaining agreement.”⁶⁶⁸ (Look at long quote in *Autopsy* for more detail)
- Orchestra Players’ Committee “denounced the attempts of orchestra management to cut wages”
 - They called it “The first step in destroying the symphony’s current status as a high-caliber, nationally recognized orchestra.”⁶⁶⁹
 - “We must fight to continue to provide the East Bay with (a) quality musical experience,” (Mark Drury, Chair of Players’ Committee)⁶⁷⁰

August 26, 1986

- Musicians denounce pay cuts to the press (SF Chronicle, 8/26/1986)

August 28, 1986

- Markham writes to Drury again, outlining specific contract modification proposal.

Early September 1986

- Musicians propose that in order for them to agree to the many contractual concessions (and their income moving from \$12,000 to less than \$6,000), they would have to gain something in return
- Pat McCarthy, spokesperson/bassist. “If they’re going to take away such a large part of our season, they’ll need to make concessions in the non-monetary departments. We need some form of power-sharing. We need to have members on the board of trustees.... But, they won’t budge.”⁶⁷¹
 - Having a few musicians on the board is a common occurrence in today’s orchestras.

September 8, 1986:

- Bankruptcy hearing in U.S. Federal Bankruptcy Court. Judge Cameron Wolfe. “Judge Wolfe declines to set aside the labor contract at this time, grants a continuance until September 12, and urges the parties to reach a settlement before that date.”⁶⁷²
- OSOA League (formerly the OSOA Guild) declares itself a separate nonprofit.

September 10, 1986:

- Board of Trustees meets. “There is discussion of the fact that the next year of the agreement begins September 15, with resulting financial commitments to players. The possibility that trustees might be personally liable for financial obligations incurred after that date is discussed. Though no definitive answer to the question of personal liability is available, there is much concern expressed. The board decides to file for liquidation under Chapter 7, if no agreement on contract modification is forthcoming.”⁶⁷³

September 12, 1986

⁶⁶⁸ Beene, Mitchell, and Johnson, *Autopsy*, 73.

⁶⁶⁹ “Musicians Assail Cuts in Oakland Symphony Pay,” *San Francisco Chronicle*, Tuesday August 26, 1986. Debbie Spangler Archive.

⁶⁷⁰ “Musicians Assail Cuts in Oakland Symphony Pay,” *San Francisco Chronicle*, Tuesday August 26, 1986. Debbie Spangler Archive.

⁶⁷¹ Gordy Slack, “Oakland Symphony Stalemate,” *The Tribune*, September 1986. Debbie Spangler Archive. (Exact Date Unknown)

⁶⁷² Beene, Mitchell, and Johnson, *Autopsy*, 73.

⁶⁷³ Beene, Mitchell, and Johnson, *Autopsy*, 73.

- Management and players (with counsel) have their first face-to-face meeting since the crisis began
 - Union counters with proposal of 50% service reduction with an offer of a one-year 32% reduction, commitment to full snapback in 2nd year, reaffirmation of goal of major status
 - Management says snapback is impossible, reductions must be permanent
 - Union counters (after caucus) with proposal that Association pay court-appointment trustee
 - Management caucuses, musician representatives walk out of session
 - 12pm, Association reaches union counsel by telephone, rejecting proposed trustee appointment (their bankruptcy counsel's recommendation). Reiterate that if no agreement is reached by the afternoon, the Association will file for liquidation
 - 3:30 pm, Oakland Symphony Orchestra Association ceases to exist, filed for liquidation under Chapter 7 of the Federal Bankruptcy Code.

Appendix B: Calvin Eugene Simmons Funeral Program. (Museum of Performance and Design Archive.)

Honorary Pallbearers

Ronald J. Vincent, Chairman of the Oakland Symphony
 Nathan Rubin, Concertmaster of the Oakland Symphony
 Sedge Thompson
 Robert Fahrner
 Cleophus Williams
 Charles E. Caldwell

Pallbearers

Robert Rohadeh, President of Pension ILOU #10
 Bert Donlin, Welfare Director, Pensioners
 Ben Roy, Pensioner
 Lawrence Thiheavy, Local #10 Business Agent
 Willie Zenn, International Representative
 John Carr, President, Local #10

The family gratefully acknowledges the many kind deeds and comforting expressions of sympathy extended during the period of bereavement.

Osborne's Funeral Directors
 2200 Sutter Street San Francisco, California 94115
 Telephone: (415) 922-4110



In Loving Memory of

MAESTRO
 CALVIN EUGENE SIMMONS
 1950 - 1982

Funeral Services
 TUESDAY, SEPTEMBER 7, 1982
 11:00 A.M.

Grace Cathedral
 1051 Taylor
 San Francisco, California

Minister Officiating
 Pastor T.L. Thomas

Interment
 CYPRESS LAWN MEMORIAL PARK
 Colma, California

Obituary

"American genius and youth at its most commanding, at its most vibrant."
 Leontyne Price

Calvin Eugene Simmons. Born in Mt. Zion Hospital, San Francisco, at 10:11 p.m. on April 27, 1950, came to Christ at the age of six at Mt. Zion Baptist Church under the pastorage of Rev. N. H. Jiles; much beloved son of Henry Calvin and Mattie Pearl Simmons; beloved conductor of the Oakland Symphony Orchestra.

Calvin began his musical life with the San Francisco Boys Chorus. After graduation from Balboa High School, he attended the Cincinnati College Conservatory of Music and the Curtis Institute of Music in Philadelphia. He studied conducting with Max Rudolf and piano with Rudolf Serkin.

In 1970 he became Assistant Conductor of the Merola Opera Summer Program. In 1974, he joined the Conducting Staff of England's Glyndebourne Festival Opera, its only American and its youngest conductor for four successive years. Calvin came to the Oakland Symphony after three years as Exxon/Arts Endowment Conductor with the Los Angeles Philharmonic where he also served as Music Director of the Young Musicians Foundation Debut Orchestra. Calvin was the first recipient of the American Symphony Orchestra's Leopold Stokowski Conducting Award, and was also a recipient of the Kurt Herbert Adler Award.

Calvin was a frequent guest conductor with some of the nation's major opera companies and orchestras, and was one of the leading conductors of his generation. His opera engagements included the San Francisco, Metropolitan, New York City, San Diego, and St. Louis operas. He appeared as a guest conductor for: the New York Philharmonic, the San Francisco Symphony, the Detroit Symphony, the Philadelphia Orchestra, the London Philharmonic, the Royal Philharmonic, the Minnesota Orchestra, the Buffalo Philharmonic, the Toronto, Atlanta and Vancouver Symphonies, the American Symphony Orchestra and the National Symphony, among others.

Calvin left this life on August 21, 1982, while vacationing at Lake Placid, New York.

Program

Oakland Symphony Concertmaster Nathan Rubin will lead a string quartet of Oakland Symphony musicians

- PROCESSIONAL
- SCRIPTURE Old Testament - Dr. A.R. Robinson
 New Testament - Dr. H.S. Gloyd
- PRAYER Dr. Percy Smith
- SELECTION Mt. Zion District Chorus
- SELECTION Men of The Cathedral Choir
- ACKNOWLEDGEMENTS Valerie Coleman
- OBITUARY (Read Silently)
- "SOFTLY AND TENDERLY" Marilyn Horne
- THOUGHTS Kurt Herbert Adler - General Director
 Emeritus, San Francisco Opera
 Madi Bacon - Founder and Director Emeritus,
 San Francisco Boys Chorus
 Ronald J. Vincent - Chairman, Oakland
 Symphony Orchestra Association
- SELECTION Mt. Zion District Chorus
- SPECIAL THOUGHTS Very Rev. Father Gregory Ofiesh
- "TOUCH SOMEBODY'S LIFE" Rita Rice
- EULOGY Pastor T.L. Thomas
- PARTING
- RECESSIONAL John R. Renke, Organist

Appendix C: Letter from Henson Markham to Subscribers, October 18, 1985. (Debbie Spangler Archive.)



The Paramount Theatre
2025 Broadway
Oakland, California 94612
(415) 444-3531

Richard Buckley, Music Director and Conductor

Henson Markham, Executive Director

October 18, 1985

Dear Subscriber:

As this is written no agreement has been reached between the Oakland Symphony Association and Local 6 of the American Federation of Musicians for a new contract to replace the previous two-year one which ended on September 14 last. The musicians went on strike on Thursday, October 3, and broke off negotiations on Saturday, October 5. The Association was therefore forced to cancel the opening set of Regular Subscription concerts at the Paramount Theatre, the first Zellerbach concert, the first Musical Galaxy concert and the first Pops and Rheem Theatre concerts.

We are in no way happy about this since the only reason for our existence is to provide you with the means of experiencing great music and we now find ourselves unable to do so. As a subscriber and loyal supporter of the orchestra you have undoubtedly given some thought to matters as they have been reported in the media and we are writing now to inform you of the current status of affairs.

The Oakland Symphony is a regional orchestra. It began existence as a community orchestra fifty-one years ago and approximately two decades ago moved up to the regional classification of the American Symphony Orchestra League. Within the last few years its musicians have made what can only be described as incredible gains in salaries. For the 1981-82 season the minimum guaranteed salary for each individual player was \$5,355 for only 262½ hours of work. For the 1984-85 season, just ended, that guarantee had grown to \$9,250 for only 370 hours of work, a monetary increase of 73% in four years! Under our offer to the musicians which they rejected to go on strike, a new three-year contract would have resulted in a minimum guaranteed salary of \$15,040 for 450 hours after two more years, which would be an additional 62% increase. This would therefore amount to an increase in guaranteed wages of 135% in seven years -- surely a figure that private industry would find hard to match! And to put these figures in even clearer perspective, this is not simply more guaranteed money for more guaranteed work. The per-service rate, which was \$62.50 during the year just ended, would be \$80.00 in the third year of the new contract.

In addition the Association had also indicated its willingness to accept a one-year, two-year or three-year contract in an effort to meet the union's needs. Yet despite the fact that the union had agreed to the first and second year terms as offered, they indicated they will sign nothing less than a three-year contract.

The Board of Directors of the Oakland Symphony feels strongly its obligations to both the community and to the musicians. One obligation must be balanced against the other. The Board is committed to a pattern of meaningful growth for the orchestra but it must take place within a context of financial responsibility. Reality must enter the picture when it comes to questions of what sums of money can realistically be expected to be raised, whether it be through raised ticket prices or through additional contributions or both. The Oakland Symphony has had deficits ranging in the hundreds of thousands of dollars annually for a number of years as a result of our recent expansion. Our financial reserves have also shrunk alarmingly.

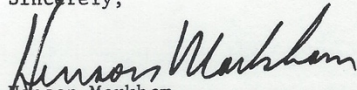
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New management and new Board leadership, coupled with public support, had hopefully begun the difficult task of reversing this trend. Nevertheless there is still a tremendous risk, and commitment, involved on the part of the Board in its willingness to attempt to raise the funding required for its 62% salary-increase offer. To accede to the union's additional, and totally unrealistic, demands would add in three years an additional half-million dollars to our already projected continuing deficit! It is the feeling of your Board that it would be unfair and dishonest to promise what is not likely to be attainable and such action would be highly irresponsible.

The Association has negotiated with the musicians in good faith these past few months and stands ready to continue to do so until an agreement is reached. We have recently requested the services of a federal mediator. At this difficult time we are deeply appreciative of your understanding and patience. We do ask that you retain all tickets to cancelled concerts until matters are resolved, at which time arrangements will be made for their disposition.

With all good wishes.

Sincerely,



Henson Markham
Executive Director

HM:jg

Appendix D: Letter from Dorothy H. Reed to Henson Markham, September 3, 1986. (Debbie Spangler Archive.)

Sept. 3, 1986

Henson Markham, Executive Director,
Oakland Symphony
2025 Broadway
Oakland, Calif. 94612

Dear Sir:

For the past 8 years, I have attended the Oakland Symphony and it has been such an exhilarating experience, that it has become a necessary part of my life.

Everyone agrees that the superb talent of the Oakland Symphony's fine artists cannot be compared.

How could intelligent management decide that "Bankruptcy" is a solution to any problem of this dimension. There must be alternatives if more research is conducted.

It is outrageous the way this is being handled to the detriment of those musicians who make a beautiful concert possible. How come?

Concernedly yours,

Dorothy M. Reed
Artist Dorothy H. Reed

Copy to:
Oakland Tribune

Darlings;

I have this original all ready to go. I'll wait for your approval or your additions before I send it, yes.

Lovingly, Dorothy

Appendix E: Timeline of Important San José Symphony Events

1953: Sándor Salgo was conductor. 4 concerts per year at Civic Auditorium in San José

- 77 players at the time, conductor was only salaried musician.
- Community orchestra (in other words, not fully professional, did not belong to union)
- Annual budget was \$6,000
- Under Salgo the orchestra became a union group.
- This is from a set of hand-written notes by Ruth Pfaff, a 1st violinist in the San José Symphony. These were in Mimi Carlson's archive.

1967: CPA opened when Guthrie was conductor

- “Mr. Guthrie moved us into The Center for the Performing Arts and performed the opera “Aida” with live animals on stage. He was a wealthy newspaper tycoon from Southern Calif. And amateur conductor.” (Ruth Pfaff notes)
- “3 months after we moved to the Performing Arts Center, the ceiling collapsed while the workmen were adjusting the cable. Then we returned to the Civic Auditorium for a while.”

1988: Banker Douglas McLendon appointed President of the Symphony.

- Season opens with accumulated deficit of \$500,000.⁶⁷⁴

1992: Shirley Lewis, San José Councilwoman, replaces McLendon as President

- Lewis inherits \$1.5 million deficit.⁶⁷⁵

1994: Symphony opens season without deficit.⁶⁷⁶

1997: Deficit returned in 1995, grew to \$1.18 million in summer.

- Lewis starts campaign to buy new concert hall⁶⁷⁷

1999: Season starts with \$1.2 million accumulated deficit.

- Paul Chummers, former Detroit Symphony general manager, becomes executive director in May⁶⁷⁸
- Conversely, according to SJ Mercury News, “Fiscal year 1999 saw the symphony post a surplus of \$411,00 and it still had a \$4,000 surplus the following fiscal year.”⁶⁷⁹

March 2001: deficit reaches \$1.6 million.

- Dick Gourley (Tech exec) takes over as chief executive

⁶⁷⁴ Lisa M. Krieger and Rodney Foo, “S.J. Symphony to fall silent: Bankruptcy to be declared; resurrection on a smaller scale is goal,” *San José Mercury News*, June 4, 2002. Mimi Carlson Archive.

⁶⁷⁵ Ibid.

⁶⁷⁶ Ibid.

⁶⁷⁷ Ibid.

⁶⁷⁸ Ibid.

⁶⁷⁹ Lesley Valdes and Pete Carey, “Symphony finances fall further into crisis: donations plummet as economy softens,” *San José Mercury News*, August 30, 2001. Mimi Carlson archive.

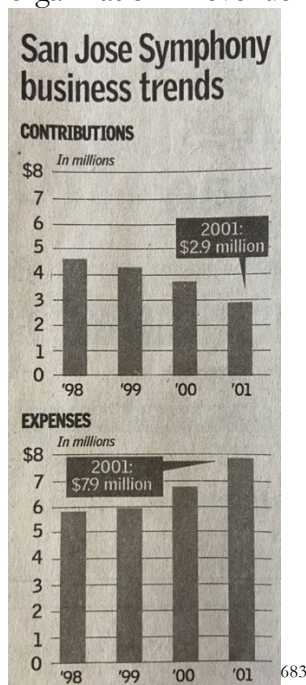
- Gourley takes over on a pro bono basis. Isn't paid for his work.
- Enjoys support from many of the musicians, as well as members of administration/board

May 2001: The season is announced

- May 8, Joshua Kosman publishes the season in *The San Francisco Chronicle*⁶⁸⁰
- Summer: Deficit hits \$2.6 million

August 2001: Dick Gourley comments on the financial situation:

- “The net of all these numbers is that our donations were down \$1 million, our expenses went up \$1 million, and ticket sales were down approximately \$400,000,” According to Dick Gourley, interim executive director.⁶⁸¹
- “we need to downsize. We need to determine what is the right size for this organization—revenue-wise and expense-wise.” Dick Gourley⁶⁸²



- ⁶⁸³

September 2001: Musicians of the San José Symphony donate money to the Red Cross to help with efforts related to September 11th during an onstage ceremony during a concert.

- Organized by the musicians

⁶⁸⁰ Joshua Kosman, “San Jose Symphony season set/ Yo-Yo Mat to play gala opener in the fall,” *The San Francisco Chronicle*, May 8, 2001, <https://www.sfgate.com/bayarea/article/San-Jose-Symphony-season-set-Yo-Yo-Ma-to-play-2921861.php>.

⁶⁸¹ Lesley Valdes and Pete Carey, “Symphony finances fall further into crisis: donations plummet as economy softens.”

⁶⁸² Ibid.

⁶⁸³ Ibid.

- Patti Whaley: “The house was overflowing, and it was a great night.” “It was wonderful to see the community wanting to experience beautiful music, but even more wonderful to see the orchestra pulling together and reaching out to help others—even as we privately speculate whether our next paycheck is coming. I am very proud to see how our national community of musicians has reacted to this tragic occurrence.”⁶⁸⁴

October 7, 2001: Gourley says that the orchestra would not shut down.⁶⁸⁵

October 15/18, 2001: interim chief executive officer Dick Gourley suspended the Symphony’s 56-concert season and asked the 32 members of the San José Symphony Board of Directors to resign. Sends a press release on October 15

- The press release was written October 15, but the press generally reported the layoffs on the 18th of October.
- Symphony announces that it will shut down “temporarily”⁶⁸⁶
 - Dick Gourley: “Our aim is to develop a new business model that we hope the community will support, and to relaunch the organization after the first of the year... The hope is to get the symphony up and running by February.”⁶⁸⁷
 - “There is a lot of risk in these kinds of reorganizations... We’re in a great deal of pain right now. We are working as closely as we can with the board but we hope they move quickly.”⁶⁸⁸
- Press release: Gourley: “San José Symphony has struggled financially for many years, and we have not had the courage to address the issues that are preventing the organization from becoming a vital and sustainable institution... We must change to survive; we must provide products that are more relevant to the Silicon Valley community; and we need a business model that supports the profitable delivery of those products.”⁶⁸⁹

October 27, 2001: Gourley, interim financial director Curtis Dudnick and Michael McSweeney, former chair of the (now-defunct) board, laid off the 89 musicians and 30 staff members. Also laid off Leonid Grin, who had been hired 10 years earlier. Attempts to reorganize by Feb 1

November 2001: San Jose Youth Orchestra breaks from San José Symphony when they discover that the SJS took \$15,000 from a fund for the upcoming Japan youth orchestra tour for the parent orchestra operating budget.⁶⁹⁰

- It was actually \$77,000

⁶⁸⁴“Helping to Heal,” *International Musician*, November 2001.

⁶⁸⁵ Lesley Valdes, “S.J. orchestra soldiers on: Beleaguered symphony continues season as it searches for long-term solutions to its financial woes.”

⁶⁸⁶ Ibid.

⁶⁸⁷ Ibid.

⁶⁸⁸ Ibid.

⁶⁸⁹ Press release from San José Symphony Leadership. October 15, 2001.

⁶⁹⁰ Lisa M. Krieger and Rodney Foo, “S.J. Symphony to fall silent: Bankruptcy to be declared; resurrection on a smaller scale is goal,” *San José Mercury News*, June 4, 2002. Mimi Carlson Archive.

December 8, 2001: 9-member Transition Executive Committee, led by Jay Harris (Former *Mercury News* publisher), met as interim board.

- Tried to figure out what went wrong, reconstitute the symphony
- Susan Hammer (former SJ mayor) joins committee. Gourley resigns⁶⁹¹

January 8, 2002: Named members of the advisory board, named by Transition Executive Committee to solicit help.

- Members were supposed to represent the ethnic and geographic diversity of the region, to represent arts and entertainment, business and social sectors of Santa Clara County
 - Maribel Alvarez, founder and Executive Director of MACLA
 - Galen Lemmon, symphony musician and drum shop owner
 - Nancy Glaze, of the Packard Foundation

January 10, 2002: Press statement from the San José Symphony

- Transition Executive Committee stated that unspecified symphony officials “improperly” used \$1.7 million donated from four unidentified sources.
 - Was supposed to be used for a proposed symphony hall and education center.
 - “Instead, the board used it to extend orchestra’s existence by diverting it to cover operating costs and collateralize loans.”⁶⁹²
 - Also stated the San José Symphony used \$77,000 belonging to San José Youth Symphony. The committee called this “particularly deplorable and morally indefensible.”⁶⁹³
 - “Indeed, it seems quite likely that had these actions not been taken they symphony would have been forced to suspend operations months or even years earlier.” (from the Press Statement).

January 11, 2001:

- Letter from “Immediate past Chairmen of the San José Symphony Board to Former San José Symphony Directors:

February 2002: Estimate of deficit grows to \$3.4 million.

February 23, 2002: City sponsors first (of 4) benefit concerts for the San José Symphony

- Mayor Ron Gonzales announces \$80,000 to sponsor the first benefit concerts
- Carl Guardino, president of Silicon Valley Manufacturing Group, raised \$35,000 (as of 2/11/02)
- Jim Cunneen, president of San José Chamber of Commers, asked board to sponsor a concert

⁶⁹¹ Ibid.

⁶⁹² Allie Gottlieb, “Silence of the Jams: Is it possible that to get out of its decade-long rut the San José Symphony had to destroy itself?” *Metro* (Silicon Valley’s Weekly Newsletter) Jan 17-23, 2002. <http://www.metroactive.com/papers/metro/01.17.02/symphony1-0203.html>.

⁶⁹³ Ibid.

- SJ Symphony's Maestro's Club of major donors also agreed to sponsor concert⁶⁹⁴
- Private donations had raised \$200,000 so far for the symphony

February 23, 2002: Benefit concert for SJS

- Wanted to raise \$50,000, but they raised more than \$65,000.⁶⁹⁵
- Final number: \$71,500⁶⁹⁶

March 18, 2002: Letter from Jay T. Harris, Chair of SJ Symphony Board

- About how/where to donate (the Community Foundation Silicon Valley was controlling the funds and disbursing them)
 - 10% of all new contributions to the fund "will be diverted to the permanent endowment that is maintained in the San José Symphony Foundation."
- Wanted to raise \$500,000 to "support the development and launch of a 2002-2003 season."⁶⁹⁷

March or April 2002: Intended reopening, that got pushed further back.

- Jay Harris: "We will ... report our overall findings to the public at a time and in a manner that is consistent with our goal of restoring trust and confidence in the San José Symphony which will move forward with new leadership at the staff and board level"⁶⁹⁸

April 20, 2002: \$300,000 gift

- Marie Bianco, former San José Symphony board chair, and major donor, gave \$300,000 to the symphony to expand marketing and development operations
- Les White, former San José city manager, who helped rehabilitate United Way, was named chief operating officer of SJS.⁶⁹⁹

April 27, 2002: Second Benefit Concert

- All Mozart program, with George Cleve conducting
- Took \$80,000 to put on the concerts, supported by: Silicon Valley Manufacturers' Group (including Microsoft, American Airlines, Compaq, Deep River Associates), among others.⁷⁰⁰

⁶⁹⁴ "Symphony is hitting the right notes; Big questions have not been answered but benefit concerts and help form the city raise hopes," *San José Mercury News*, February 11, 2002. Mimi Carlson Archive.

⁶⁹⁵ Colin Seymour, "S.J. Symphony benefit showcases value of live orchestra," *San José Mercury News*, February 25, 2002. Mimi Carlson archive.

⁶⁹⁶ "Encore! Symphony benefit is a rousing success; next challenge is to keep money flowing," *San José Mercury News*, February 27, 2002. Mimi Carlson Archive.

⁶⁹⁷ Letter from Jay T. Harris, Chair of SJ Symphony Board, March 18, 2002.

⁶⁹⁸ Allie Gottlieb, "Silence of the Jams: Is it possible that to get out of its decade-long rut the San José Symphony had to destroy itself?" *Metro* (Silicon Valley's Weekly Newsletter) Jan 17-23, 2002. <http://www.metroactive.com/papers/metro/01.17.02/symphony1-0203.html>.

⁶⁹⁹ Lisa M. Krieger, "S.J. Symphony moves to restore stability with new appointments," *San José Mercury News*, April 20, 2002. Mimi Carlson archive.

⁷⁰⁰ Lesley Valdes, "Mozart, and symphony, come to life at fundraiser," *San José Mercury News*, April 28, 2002. Mimi Carlson Archive.

- Raised \$55,000

May 11, 2002: Third Benefit Concert

- Only raised \$43,400, less than the previous two benefit concerts.

June 4, 2002: San José Symphony announces plan to suspend operations and file for (Chapter 11) bankruptcy⁷⁰¹

- Press release, with select excerpts released by Executive Transition Committee: “San José Symphony Advisory Panel Report: Findings and Recommendations.”
 - “Symphony music in San José not dead, but new life requires major overhaul in structure, program, financing.”
- Four Guiding Assumptions:
 - There needs to be a new program and organizational structure
 - “everything is on the table”—kinds and numbers of concerts, administrative structure and practices, existing contracts...”
 - “there is a need for adequate capital and ‘zero-based budgeting.’”
 - “fewer orchestra services are to be expected.”
- “Clear and definable mission and vision” consistent with the following Guiding Principles:
 - It must be unique to San José and the Silicon Valley but distinct from San Francisco
 - It should be different from the old Symphony and characterized by being resilient and flexible enough to withstand change,”
 - It should be grounded in the ability to make realistic and practical programmatic decisions in the context of available funding
- Needs to be greater accountability of Board and management personnel particularly regarding fiscal matters
- “MUST HAVES” for the new orchestra:
 - “There must be a new Board to lead a new organization. This Board must be committed to active fiscal management and fundraising and gaining the trust of the community
 - There must be new management highly skilled in arts management, knowledgeable about music and grounded in financial reality. A visionary leader will be needed to re-invent the way a symphony orchestra conducts its business....

June 6, 2002: Andrew Bales op-ed in Mercury News:

- “The economic model on which the symphony has been based has not worked for more than a decade. But this is true not only here; it is a problem faced by mid-budget symphony orchestras all over the country.”
- “The symphony’s donors invest in the present. I don’t find that an indictable offense; I consider it true philanthropy.”

⁷⁰¹ Joshua Kosman, “San José Symphony to file for bankruptcy,” *San Francisco Chronicle*, June 4, 2002. <https://www.sfgate.com/news/article/San-José-Symphony-to-file-for-bankruptcy-2831141.php>

- “Endowments are important to ensure continued services. We all aspire to build them. However, to cover the contributed revenue needs of each public benefit corporation with endowment earnings would require philanthropic contributions 20 times the current level of annual giving.”
- “Public benefit companies serve needs that are immediate, or there would be no rationale for their existence. These organizations’ primary mission is to provide services, not to guarantee their own permanence against all possible eventualities.”⁷⁰²

June 8, 2002: Final Benefit concert, then operations were to cease for 6-18 months.

September 2002: The Symphony was ready to file for Chapter 7 Bankruptcy in September, but musicians asked for a one-month delay to raise money to save the sheet music from bankruptcy courts.

- The musicians were not able to raise the money
- 900 scores, valued between \$110,000 and \$125,000⁷⁰³

Wednesday, November 13, 2002: Tim Beswick, SJS operations director announces to the San José Arts Commission that the San José Symphony would file for Chapter 7 Bankruptcy and liquidate its assets.

- \$300,000 in assets were turned over to a trustee for liquidation
- Tim Beswick: “We regret that we didn’t succeed in our hopes of filing for Chapter 11, but we hope the efforts of the ballet will succeed.”⁷⁰⁴

November 23, 2002: Symphony San José, run by Andrew Bales/Ballet San José, is set to play first concert in a 4-concert series

⁷⁰² Andrew Bales, “Artistic connection: Symphony’s music reached people,” *San José Mercury News*, June 6, 2002. Mimi Carlson Archive.

⁷⁰³ Angela, Watercutter, “San José Symphony opts to Dissolve,” *Associated Press/San Francisco Chronicle*, November 14, 2002. <https://www.sfgate.com/news/article/San-José-Symphony-Opts-to-Dissolve-10490688.php>.

⁷⁰⁴ Mike Guersch, “San José Symphony set to fold, file for bankruptcy,” *Mercury News*, November 14, 2002. Accessed via the Internet Archive, WaybackMachine. <https://web.archive.org/web/20021119054055/http://www.bayarea.com/mld/mercurynews/4520479.htm>.

Appendix F: Letter from Michael McSweeney to San José Symphony Subscribers, November 15, 2001



SAN JOSE SYMPHONY

LEONID GRIN
MUSIC DIRECTOR AND CONDUCTOR

November 15, 2001

Dear San Jose Symphony Subscriber,

First, my apologies for the delay in getting this letter to you. When I was in the Navy, I learned that "there are no excuses" and I will offer none now. You should, indeed, have heard from us before you heard from or read about the current situation in the press.

Second, and but for the need to apologize for our tardiness this would be first, I would like to thank the many subscribers who have contacted me, the Symphony office, and former board members to express your support, your willingness to help and your personal concerns for the orchestra members, Leonid and the staff. In the midst of all that is going on, these contacts have been encouraging and heartwarming.

As you have by now heard or read, the Symphony has suspended the 2001 – 2002 season due to inadequate funds. We hope to restart things early in the New Year, but as of now that must be expressed as a goal and not a promise. Between mistakes of the past, a weakening economy, and the events of September 11, the Symphony is in bad financial shape. While our financial weakness was known and being worked on long before the September events, we had no margin for coping with the consequences that followed immediately upon that tragedy. We are not alone in this situation; the Boca Pops, a Boca Raton, Fla.-based orchestra led by Peter Nero and known for light symphonic music, has shut its doors and will file for chapter 7 bankruptcy within the week, according to the South Florida Sun-Sentinel. We recognize that it is our task to find a solution; and, in doing so not to repeat the mistakes of the past.

At its last meeting the Board of Directors took two steps intended to move away from the past towards a new and better way of doing things. In the first, we agreed to "clear the decks" - all elected members of the Board submitted their resignations. This was to both acknowledge responsibility for the situation that exists, and to allow for a new board to be created addressing the future. Under the By-laws at least one remaining Director is required, so as Chairman I was left in place to begin that process—my remaining is not a signal that I escape any part of the responsibility for the current situation!! Before resigning, the Board charged me with forming a new transition Executive Committee to begin the work of assessing what the new/future San Jose Symphony needs to look like if it is to succeed.

Restarting the San Jose Symphony is not a matter of a quick fix. The challenge is not to simply find money with which to hobble through the now-suspended season, it is to find a new model for operating that will allow us to be free from constant financial crises. To do this will take some time. It will also take the creative input of many, and substantial energy, commitment and time of those who will assume the critical role of working this through. It will also take some patience on your part, which I ask that you continue to grant us so we can do more than simply find a stop-gap solution.

We have in fact begun the process. I am contacting persons to serve on the transition Executive Committee, meeting with concerned community leaders, speaking with potential investors for a new and different Symphony; and, I have been seeking and obtaining the guidance of some very knowledgeable and committed people. I do not yet know what the new Symphony will look like, nor when it will be ready to unveil; but, I can assure you much is going on behind the scenes.

Finally, I promise that we will do a better job of communicating with you as the process unfolds. Thank you again for your encouragement, your expressions of concern, and your support.

Sincerely,

Michael D. McSweeney
Chairman
Board of Directors

Michael D. McSweeney, Chairman
Richard S. Gourley, Interim CEO

100 North Almaden Avenue, San Jose, CA 95110 (408) 287-7383 FAX (408) 286-6391
www.sanjosesymphony.org

Appendix G: Letter from Jay Harris to Symphony Subscribers, March 18, 2002. (Mimi Carlson Archive.)



SAN JOSE SYMPHONY

March 18, 2002

Dear Friends,

I hope this letter finds you in good health and spirits.

Certainly, the health and spirits of your San Jose Symphony are much improved as compared to the low point last fall when operations were suspended.

Our first benefit concert on February 23d was a complete success. Maestro Leonid Grin and the symphony orchestra performed splendidly. The performance of Jon Nakamatsu was unforgettable, unbelievably generous and critically acclaimed.

The Symphony played to a sold-out house at the Center for the Performing Arts for the first time in five years. The standing ovations and shouts of "Bravo!" were numerous. Leonid was at his passionate best and his opening remarks to the audience were stirring. The musicians were clearly appreciative of the enthusiastic reception they received and the opportunity to play together again. As they say, a good time was had by all.

More than \$71,000 was raised for the San Jose Music Fund.

I have received numerous questions about the purpose and uses of the Fund. I will try to answer them briefly.

The San Jose Music Fund is maintained at the Community Foundation Silicon Valley to support the small transition staff and the work of the advisory panel that is developing a new strategic and business plan for the Symphony. It will also provide funds for the Symphony's operations as we prepare for and enter a 2002-2003 season.

In order to allow donors to contribute with confidence to the efforts to secure the Symphony's future, disbursements from the Fund are controlled by the Community Foundation senior management and are limited to the purposes just outlined.

I have also been asked if the Symphony is requesting contributions to the Fund from its many long-time supporters. *The answer is an emphatic YES!* Contributions of any size would be enormously helpful and greatly appreciated.

Our goal for the next phase of our rebuilding effort is to raise a minimum of \$500,000 to support the development and launch of a 2002-2003 season.

If we are able to raise the \$500,000 minimum for essential pre-season activities we should be able to present a season next year, albeit a somewhat reduced one. We will offer no more in the way of performances than we are confident we can afford to present.

LEONID GRIN
MUSIC DIRECTOR AND CONDUCTOR

Jay T. Harris, Chairman

100 North Almaden Avenue, San Jose, CA 95110 (408) 287-7383 FAX (408) 286-6391
www.sanjosesymphony.org

If you would like to make a contribution - and we hope that you will at this critical juncture - please make your gift payable to the San Jose Music Fund and send it to:

The San Jose Music Fund
c/o Community Foundation Silicon Valley
60 South Market Street
Suite 1000
San Jose, CA 95113-2336

You may have questions about appropriate giving levels. I would suggest you consider the levels that we, and you, have used in previous years. Those levels are:

Sustaining Members	\$300 to \$499
Associate Members	\$500 to \$999
Conductor's Circle	\$1000 to \$2,999
The Guardians	\$3,000 to \$4,999
The Patrons	\$5,000 to \$9,999
Maestro's Club	\$10,000 to \$24,999
Golden Baton Circle	\$25,000 to \$49,999
Impresario Circle	\$50,000 and above

Keep in mind that if you give this year you will be doing so for the same reason that you have in the past - to sustain and support the performance of great symphonic music in our community and the talented musicians who produce it, the members of the San Jose Symphony.

If you have any questions concerning contributions to the Fund, please call Tim Beswick, the interim administrator of the Symphony, who will get you an answer promptly. His number is (408) 287-7383 x 230.

You may be asking yourself whether you can give to the Symphony with confidence that we will not have a repeat of last fall's debacle. Let me try to give you reason to feel assured.

We are in the process of building an operating budget for next fiscal year that begins July 1. Total expenses will be reduced by at least 40%. The administrative staff of the Symphony will be reduced by more than half. Much of the work once done by paid staff will be shifted to our enthusiastic and talented volunteer corps. The budget assumes we will face a significant reduction in earned and contributed income from the levels of the last full season.

We are committed to imposing a fiscal and management discipline on Symphony operations that has been lacking in recent years. We will operate next year within the balanced budget we are building.

Many of you have also asked about whether building a reasonably sized endowment for the Symphony will be a priority. We are committed to doing so. Indeed, ten percent of all new contributions to the Fund (and to the Symphony when it has regained fiscal stability) will be diverted to the permanent endowment that is maintained in the San Jose Symphony Foundation. There will be no exception to this unless a donor specifically requests a different distribution of his or her gift.

With the success of the first concert - which was generously sponsored by the City of San Jose - we are buoyed by a renewed sense of momentum and confidence.

We are at work now on the next benefit concert that will be an all-Mozart program on April 27th at the CPA. The orchestra will be led by our former Maestro, George Cleve. As you probably know, Maestro Cleve has distinguished himself on many fronts in recent years including his leadership of the very popular Midsummer Mozart Festival.

Tickets for the April 27th concert are now on sale. Our long-time box office manager, Brenda McHenry, will be at her post (along with volunteer support) to take your orders. In response to requests from many of you, we will offer a package buy for the three remaining benefit concerts.

Finally, you will be pleased to know Maestro Grin is hard at work developing a Signature Series program for the coming season.

Moreover, on May 1 we will receive the report from the advisory panel the Symphony executive committee created to recommend innovative strategies for building a Symphony with a new vision that is appealing to San Jose/Silicon Valley audiences of sufficient size and breadth to support the organization's operations. The panel is comprised of local and national experts, members of the orchestra and community representatives. Its deliberations are supplemented by input from authorities nationwide. I expect it will give us a plan for a first class, fiscally sound and flexible Symphony that connects to our community through a range of musical programming, its approach to its audiences, and a commitment to guaranteeing an engaging, exciting artistic experience for all who attend.

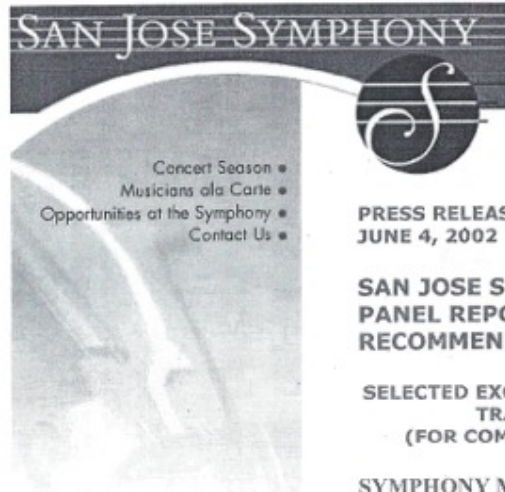
Given the fact that we are still working to build a reliable foundation and a vital artistic plan for the future, we will not be able to announce the program for next year until June. We want to be sure that we never again offer our customers and supporters a service we are later unable to deliver.

We thank you for your continued support and interest and hope to see you again soon at a performance by your San Jose Symphony.

Sincerely,

A handwritten signature in black ink that reads "Jay T. Harris". The signature is written in a cursive, flowing style.

Jay Harris
Chairman



**PRESS RELEASE
JUNE 4, 2002**

**SAN JOSE SYMPHONY ADVISORY
PANEL REPORT: FINDINGS &
RECOMMENDATIONS**

**SELECTED EXCERPTS RELEASED BY EXECUTIVE
TRANSITION COMMITTEE
(FOR COMPLETE REPORT, [CLICK HERE](#))**

**SYMPHONY MUSIC IN SAN JOSE NOT DEAD,
BUT NEW LIFE REQUIRES MAJOR
OVERHAUL IN STRUCTURE, PROGRAM,
FINANCING**

Symphonic music can still be a vibrant part of the San Jose community, but a viable symphony organization must respond to the interests of local residents; be positioned within the reality of available venues, resources and competing organizations that exist today in the region; and be free of the debt and inefficient structure of the old San Jose Symphony.

These are some of the key findings of a San Jose Symphony Advisory Panel Report released today by the Transition Executive Committee of the San Jose Symphony.

The Advisory Panel's report and recommendations were adopted May 15 by the Committee, which is chaired by **Jay Harris**, president of **Deep River Associates**. The committee commissioned the report shortly after it was formed in the wake of the Symphony's October, 2001 shutdown.

Because it will take time to establish new structures, financing and leadership, the Advisory Panel Report recommended that the symphony "go dark" for a significant period. This will also allow a new organization to make a clean break from the old San Jose Symphony.

Going "dark" means that as of June 15, the symphony administrative staff will be further reduced; the June 8 benefit concert will be the final one in the series. The organization will reconcile expenditures through June 15 and receive and release to the public an annual audit; and, then, finish the task of either voluntarily or through appropriate legal channels resolving claims from creditors.

There will be no regular symphony season for the coming year. The symphony musicians will be performing two previously contracted events in July. It is possible that the musicians may perform similar contracted work during the dark period, which is expected to last from six to 18 months.

By accepting the panel's recommendations, the committee hopes to set the stage for the creation of a vibrant symphony organization and program for Silicon Valley.

Today, on behalf of the symphony committee he chairs, Harris released excerpts – including findings and recommendations – from the report of the Advisory Panel, which was received on May 1 and adopted on May 15.

The Advisory Panel report was based on a set of Assumptions, Guiding Principles and Essential Elements, which led to a variety of conclusions and recommendations.

Mr. Harris said, "This report was prepared by a group of dedicated and community spirited citizens under the leadership of **Nancy Glaze** of the **David and Lucile Packard Foundation**. The report includes thoughtful and candid suggestions for a fresh start and adapting the performance of symphonic music locally to our ever-changing community. It contains realistic recommendations and programmatic possibilities. We are very thankful to the Packard Foundation for providing the funding to allow the preparation of this report."

"The next step will be to hand this report to a Startup Steering Committee that will work with a small team of consultants and staff to select a clearly defined programmatic vision for the symphony. In its work, the

committee will seek additional input from the community under the guidance of a nationally respected symphony consultant. It will create a new organizational structure and an entirely new board for a local symphony organization."

"The Startup Committee will also begin major fund raising efforts. A regular schedule of symphony performances under the new organization and vision will not begin until the organization has the capital to properly fund operations for at least a year, adequate reserves and the beginnings of an endowment to secure its future."

"If the committee does these things well it will, I believe, restore credibility with both previous and new subscribers and donors. It is important for all of us to really push hard for success so that once again, through the excellence of our orchestra, this community can enjoy exciting and new symphonic music experiences."

A synopsis of the report from the Advisory Panel is provided below and a more complete summary is linked to this press release as an Adobe Acrobat file.

The fourteen member Advisory Panel was established by the Transition Executive Committee to "develop innovative strategies for achieving a vision for the San Jose Symphony that will be appealing to San Jose/Silicon Valley audiences..." and "an organizational model that is attuned to the hard realities of the non-profit cultural climate in the South Bay." The Panel was comprised of leaders in local arts and cultural groups, orchestra members, various foundations and service organizations, government officials and supporters and funders of the Symphony.

The Panel started by embracing what it called the "fact" that the old Symphony organization is insolvent and in need of major changes.

It then developed four Guiding Assumptions:

- (1) There needs to be a new program and organizational structure;
- (2) "Everything is on the table"—kinds and numbers of concerts, administrative structure and practices, existing contracts..."

(3) "There is a need for adequate capital and "zero-based budgeting."

(4) "Fewer orchestra services are to be expected."

The Panel then determined there needed to be a "clear and definable mission and vision" consistent with the following Guiding Principles:

- It must be unique to San Jose and the Silicon Valley but distinct from San Francisco.
- It should be different from the old Symphony and characterized by being "resilient and flexible enough to withstand change."
- It should be grounded in the ability to make realistic and practical programmatic decisions in the context of available funding.

The panel went on to define other key principles such as keeping the organization connected to the community and engendering exciting and energetic programs. The organization must be flexible and there needs to be greater accountability of Board and management personnel particularly regarding fiscal matters.

The panel also identified essential elements, which it called "MUST HAVES," for any new symphony organization:

- There must be a new Board to lead a new organization. This Board must be committed to active fiscal management and fundraising and gaining the trust of the community.
- There must be new management "highly skilled in arts management, knowledgeable about music and grounded in financial reality". A visionary leader will be needed to "re-invent the way a

symphony orchestra conducts its business”.

- New artistic direction will be needed to “educate the audience, be dynamic and attuned to the community, and able to attract new audience members, sponsors and supporters”.
- There will need to be funding for the organization before commitments are made to produce programs or seek contracted services. “A concrete, realistic funding plan must be part of any new endeavor” and that plan will require “adequate capitalization,” that is, reserves plus the first year’s operating budget plus an endowment-building program.
- Effective marketing will require an exciting message that reaches out into the community “to new audiences as well as the old.”
- Programming will need to reflect audience demand; “...the new Symphony must be attuned to and part of the rich and varied community here.”
- Education is the primary mission. “We will engage new audiences and build community support by educating people of all ages and backgrounds.”
- “Musicians must be involved as participants in planning, governing and setting program direction for the new organization.”
- Any new organization needs to be prepared to play in a variety of venues--- indoor, outdoor, smaller, non-traditional and “until the South Bay can support a thriving symphony, there should be no thought of a new hall.”

These Assumptions, Guiding Principles and Essential Elements for any new organization have led to the Panel’s recommendations for next steps, which were

accepted and adopted by the Transition Executive Committee. They are:

- Adopt the vision for the new organization as incorporated in the Assumptions, Guiding Principles and Essential Elements of a new organization.
- "Go dark" and accept and acknowledge the need for a new organization that makes a "clean break" from the old organization.
- Create a communications plan to advise the public of activities during this transition period.
- Form a Startup Steering Committee that will operate for a minimum of six months and develop a communications process to keep the community informed of its progress.
- Hire a visionary symphony consultant and secure other national experience and expertise to thoroughly understand classical music audiences, education and organizations.
- Secure funding for the start-up period and develop a business plan for the future
- Form a new Board and organizational structure.
- Develop a new forward-looking plan for symphonic and classical music unconstrained by the problems and debts of the current organization. This planning effort should assure the involvement of top community leadership to help refine the vision and specific program objectives of the organization.

STARTUP STEERING COMMITTEE

As mentioned above this new Committee has been given the task of moving any new organization forward. This new group will begin to actively meet in the middle of June, Harris indicated.

"This new Committee will be charged with carrying out the recommendations of the Panel. A key part of its

assignment will be to evaluate the different program scenarios identified in the Panel's report and to meld those into a new programmatic vision for the Symphony."

Mr. Harris announced that two of the initial members of the Startup Steering Committee would come from the advisory panel. They are **Sam Broydo**, of **Applied Materials**, and **Nancy Weiner**, a long-time visionary leader of arts development in San Jose and Silicon Valley. Joining them will be **Pat Compton** of the **Compton Foundation**, which has been a major supporter of the Symphony, and **Chris Greene** of the **San Jose Symphony Foundation**, a separate and independent organization from the Symphony created years ago to build and hold an endowment for the Symphony. The orchestra has been asked to select two members for the panel. Three members of the current executive committee will serve on the new group for the sole purpose of affecting a smooth transition. They will leave the Startup Group no later than August 15. They are former **San Jose Mayor Susan Hammer**, **Jay Harris**, president of **Deep River Associates**, and **Peter Hero** who heads the **Community Foundation Silicon Valley**.

Mr. Harris said that the new Startup Steering Committee would have a small team of consultants and staff to help fulfill its tasks. A consultant with considerable symphony experience will be selected within the next thirty days to work with the Startup Committee. In addition, **Les White**, the current **Interim Chief Operating Officer**, will continue as part of the team along with **Kathleen Rydar**, a fund raising consultant who helped the **Tech Museum** in its highly successful fund raising efforts. **Tim Beswick**, of the current symphony staff, will also be part of this team.

CONCLUSION

Mr. Harris said, "The Startup Steering Committee will be charting a new course in the world of symphonic music. To succeed it will have to be ambitiously pragmatic – to break the mold of how symphony music has been delivered in this region, and perhaps much of the country, while recognizing the real resource constraints we face."

Mr. Harris said, "A quote from the conclusion of the Panel's report captures the challenge for our community: to redefine the symphony and bring the glory of its past into sync with the opportunities of its future:

"Considerations of costs will be paramount, but also considerations of programming, style, outreach, nimbleness, new ways of connecting with and listening to the community will be a part of any future symphony model. One thing is certain—this new organization cannot take on more than it can afford. It will be based on today's reality in the South Bay as well as a premise of flexibility, so that it can accommodate to the South Bay performing arts climate."

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ROPA ORGANIZED; 23 Charter Members !

On January 1, 1985, the Regional Orchestra Players Association was proud to list the following 24 orchestras as Charter Members of ROPA:

AUSTIN SYMPHONY ORCHESTRA
CHARLOTTE SYMPHONY ORCHESTRA
COLORADO SPRINGS SYMPHONY ORCHESTRA
COLUMBUS SYMPHONY ORCHESTRA
FLORIDA ORCHESTRA (TAMPA)
FT. WAYNE PHILHARMONIC
FT. WORTH SYMPHONY ORCHESTRA
GRAND RAPIDS SYMPHONY ORCHESTRA
HARTFORD SYMPHONY ORCHESTRA
JACKSONVILLE SYMPHONY ORCHESTRA
MEMPHIS SYMPHONY ORCHESTRA
NASHVILLE SYMPHONY ORCHESTRA
NEW MEXICO SYMPHONY ORCHESTRA
OMAHA SYMPHONY ORCHESTRA
PHILHARMONIA ORCHESTRA OF FLORIDA
(Ft. Lauderdale)
RICHMOND SYMPHONY ORCHESTRA
SACRAMENTO SYMPHONY ORCHESTRA
SAN JOSE SYMPHONY ORCHESTRA
SAVANNAH SYMPHONY ORCHESTRA
SHREVEPORT SYMPHONY ORCHESTRA
SPOKANE SYMPHONY ORCHESTRA
TULSA SYMPHONY ORCHESTRA
VIRGINIA ORCHESTRA GROUP (NORFOLK)
WICHITA SYMPHONY ORCHESTRA

ROPA is a communication organization for all Regional level symphony orchestras in the United States and its Territories. To realize the potential of ROPA, one only has to look at where the ICSOM orchestras were 23 years ago (prior to the formation of ICSOM), and where the ICSOM orchestras are today. ROPA's goals and objectives will parallel those of ICSOM, but with awareness of the special needs and desires of both the full-time and part-time musician.

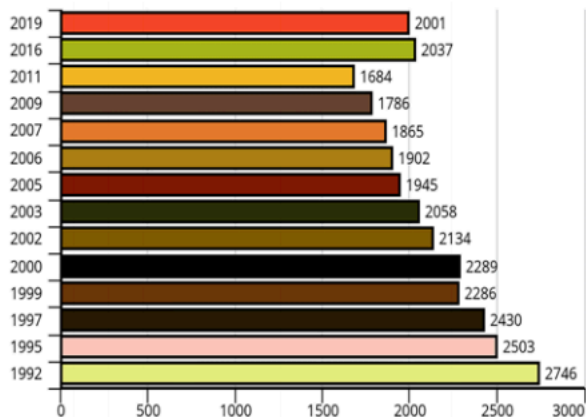
This first newsletter includes a full report on the ROPA convention held in Columbus, Ohio, September 7-9, 1984, news of contract settlements in member orchestras, and other information. We solicit your contributions, news, suggestions and support.

By-law proposals are being studied by all the ROPA officers, and the committees appointed at the convention are involved in research. Other regional orchestras are still being contacted concerning membership in ROPA. Plans for the 1985 convention in Ft. Worth, Texas are well under way.

Locals Merged Into Local 6

<p>Local 424, Richmond, CA Chartered 4/20/1907 Merged into Local 6 on 8/20/2018.</p>	<p>Local 333, Eureka, CA Chartered on 9/24/1903. Merged into Local 292 on 1/1/1995.</p>	
<p>Local 292, Santa Rosa, CA Chartered on 4/15/1903. Merged into Local 6 on 1/1/2015.</p>	<p>Local 541, Napa, CA Chartered on 8/25/1925. Merged into Local 292 on 6/1/1994.</p>	
<p>Local 153, San Jose, CA Chartered on 7/22/1901. Merged into Local 6 on 1/1/2014.</p>	<p>Local 510, San Leandro, CA Chartered on 3/15/1909. Merged into Local 153 on 1/1/1994.</p>	
<p>Local 367, Vallejo, CA Chartered on 4/8/1907. Merged into Local 292 on 7/1/2012.</p>	<p>Local 346, Santa Cruz, CA Chartered on 11/17/1903. Merged into Local 153 on 7/1/1993.</p>	
<p>Local 616, Salinas, CA Chartered on 6/29/1925. Changed name to Monterey on 7/17/1968. Merged into Local 153 on 1/1/1996.</p>	<p>Local 669, San Francisco, CA Chartered on 3/7/1946. Merged with Local 6 on 4/1/1960.</p>	

Membership Census



Membership Trends

With 2,746 members in the early 1990s, Local 6 clearly had many more members than today. Steady decline over time has only recently slowed by the addition of merged locals (see above).

- In 1992 only 24% of the membership were women and now that number has grown to 38% in 2019.
- In 1992 we didn't have any members over 80 years old. Today we have two members who are 100 years old and our youngest member is 10.
- While the median age has decreased since 1992, so has the number of younger members. This reinforces the need to become relevant to the younger generation in order to survive.

Remembering Local 669

Musicians Union Local 6 was established in 1885. Ten years later in 1896, The American Federation of Musicians was chartered and became part of the American Federation of Labor (which later became the AFL-CIO).

Black musicians were not allowed to join Local 6. In San Francisco, with rare exception, black musicians were not allowed to play east of Van Ness Ave. In 1924, they were granted a charter by the AFM to do business as Local 648, which had the same jurisdictional boundaries as Local 6, and was headquartered in Oakland. Ten years later, during a bitter territorial conflict with Local 6 which ended up in court, the AFM revoked Local 648's charter. Black musicians were then placed under Local 6 stewardship.

As a subsidiary of Local 6, black musicians paid work dues and membership dues, but they had no rights. They could not vote on wage scales or job condition matters, or receive the death benefit. In 1943, AFM President James C. Petrillo abolished all black subsidiary locals. He demanded that white locals accept black musicians as equal members, or he would grant them their own charters. When Local 6 refused, Local 669 was formed. Over the next 15 years, several failed attempts were made to merge the two locals.

On April 1, 1960, because of the California Fair Employment Practice Act, the two locals were finally merged.

⁷⁰⁵ "Locals Merged into Local 6," *Musical News: The Official Newsletter of Musician Union Local 6*, 91/3, May/June 2019.