



Against the digital revolution? Institutional maintenance and artefacts within the French recorded music industry



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ABSTRACT

Institutional maintenance is particularly intriguing when it occurs in the case of technological shifts, with both changes in technologies but persistence in fundamental ways of thinking. In such a case, artefacts may play a significant role, since they are impacted by new technologies but may remain associated with old values. This raises a core question: What work is carried out on the cognitive dimension of artefacts by actors engaged in institutional maintenance? We answer this question through a study of players' endeavors to maintain the institution of intellectual property rights in the French music industry from 2004 to 2008. We interviewed 26 actors and compiled a base of secondary data over an extended period of time. Our results underline that some artefacts convey institutional maintenance, even in the case of technological shifts. More specifically, we show that actors engaged in institutional maintenance target their efforts towards the manipulation of values infused into artefacts. We also shed light on their efforts to design global devices, akin to the idea of "dispositif". Embedded in these global devices, some artefacts become nodal points forcing actors in the field to comply with the institution that is defended.

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1. Introduction

In the recorded music industry, new technologies accompanying the digital revolution threaten existing business models and offer new structures to create, produce and distribute music. Moreover, these new technologies have also induced broader societal change and have led to the emergence of critical thoughts relating to music, artists, intellectual property rights and the value of culture. As such, some groups or individuals now advocate new models, such as the global license in France, the creative contribution [1,2], or the development of a hybrid economy [3]. This technological shift has also transformed the role of artefacts. Some of them, like CDs, used to be central but have become less preeminent and are progressively replaced by new ones. However, in this context of change many core values and beliefs have remained unchanged.

One fundamental pillar of the recorded music industry, the institution of intellectual property rights (IPRs) has been maintained or even reinforced. The persistence of IPR plays a fundamental role in counterbalancing the digital revolution and its potentialities. For instance, there have not been significant evolutions regarding the remuneration of artists, the patrimonial dimension of art, the way rights are collected in France, or the concentration of economic power among a few companies called the "majors".

Several incumbents in the music industry have indeed not been standing by, passively witnessing this digital revolution from the sidelines. Instead, they actively engage in considerable efforts, mostly oriented towards the preservation of the IPR regime. An overview of these efforts highlights that they particularly target artefacts, like CDs. It is all the more coherent as artefacts, per se, instill persistence: some of them direct behaviors, reinforce specific values or reproduce systems of meanings. Meanwhile, they can be transformed and manipulated by actors. By artefact, we refer to an object that has been intentionally made or produced for a certain purpose, and that can be distinguished from a natural object. It represents culture,

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values and symbols [4]. As Scott [5] emphasizes, it represents one type of institutional carrier that both reflects and shapes an institution. Building on Lawrence and Suddaby's [6] concept of "institutional work" – i.e., the purposive actions to create, change or defend institutions – we explore the actions of actors, which are aimed at reproducing institutional arrangements through artefacts. This issue is all the more interesting in a case of technological change that artefacts are at the very heart of tensions between evolving physical properties and values they were associated with. Institutional work on artefacts can be seen as a broad process since artefacts are related to interconnected dimensions – technological, political, or cognitive dimensions, for example. Without denying this interconnection, our starting point in this paper is the cognitive dimension since artefacts are linked to values and embody a culture and a program of action. It raises three main research questions: What is the relationship between an artefact and ways of understanding in an evolving industry? What work is carried out on the cognitive dimension of artefacts by actors engaged in institutional maintenance? How do they infuse artefacts with values?

We argue that most efforts rely on discursive work and more specifically the discursive manipulation of artefacts. To put it differently, many actors tend to transfer or reinforce values around artefacts through the discourse they produce. Furthermore, artefacts may also be reflexively perceived as strategic resources for actors, who can use them to change, defend or create an institution.

To address these issues, we draw on an in-depth study of the recorded music industry in France and specifically analyze the institution of intellectual property rights. We study a short period during which the project of a global license was under discussion. This project triggered much heated debate in the French Parliament as the digital revolution threatened to shake up existing business models with the legalization of peer-to-peer file sharing. Using data gathered from 26 in-depth interviews, observation, and secondary sources, we explore the types of artefacts that were preeminent in the field during the period from 2004 to 2008. We then identify the types of efforts carried out by groups and individuals engaged in maintenance, their influence on shaping artefacts, and the way artefacts recursively impact social order.

Our results in the recorded music industry corroborate the idea that artefacts play a pivotal role in the institutional maintenance performed in an industry facing technological jolts. We highlight the considerable efforts undertaken by central actors to interact with key artefacts. In particular, we show that actors attempt to manipulate the cognitive associations tied to artefacts by producing texts and developing close-knit relations with central political actors. They also try to design broader systems to align new artefacts with the institution they defend. In this vein, we underline the idea of global devices, akin to the idea of *dispositifs* [7]. Embedded in these global devices, some artefacts become nodal points forcing actors in the field to comply with the institution that is defended.

The remainder of this paper falls into four parts. First, we focus on the theoretical foundation of our research. The second part of our paper describes our research method – namely, a longitudinal qualitative study over the 2004–2008 period based on the analysis of interviews and secondary data. We then present our empirical data. In the fourth and

final part, we discuss the main conclusions drawn from our research.

2. Literature review: Institutions and artefacts

Institutions are defined as taken-for-granted and enduring sets of practices [8]. However, whereas the question of how institutions are created and diffused has been widely discussed, the issue of how they are maintained has received less attention [5,6]. From this viewpoint, the stability of institutions is considered to be an outcome attributed to mimesis and collective consensus rather than a process of contestation. This emphasis on isomorphism has led researchers to focus on social conformism and regularities [9] and to see it as a way to naturalize established behaviors.

Yet the reproduction of rules and beliefs within an industry is not a purely institutional and automatic process [10,11]. For example, Lawrence et al.'s [12] research shows how dominant groups with sufficient resources can manipulate institutions to their own advantage, defining rules and controlling access to capital in order to impose and maintain their own domination.

Although the process of institutional maintenance remains a rather poorly studied phenomenon, it has not been totally ignored by institutional scholars [13–17]. One approach to analyzing this process has been to focus mainly on the role of discourse. Here, the main hypothesis posits that discourse constitutes institutions [18], defines the standard way of thinking [19,20] and conveys stability [20]. This approach deals primarily with the symbolic and discursive aspects of institutional maintenance.

In this paper, we also seek to analyze some processes through which institutions may be maintained within an industry. However, our main interest lies in a crucial yet overlooked mechanism that can reinforce the existing order: the role of artefacts. Indeed, institutionalization deals with discourses and artefacts that define and constitute organizations and with the way social reality comes into being through various forms of objectification [21]. We do not deny the important role played by discourse, but we are particularly interested in the stream of research that articulates discourse and artefacts in the stabilization of reality. Our aim here is to focus on actors' discursive work to engage in maintaining past arrangements through the cognitive manipulation of artefacts.

The development of a "pragmatic" shift in the study of economic activities [22] can be identified in contributions that have emphasized the role of instruments, devices or artefacts in the social construction of markets and organizations [23–26]. Most of these works have particularly focused on the very materiality of economic settings [27], whether visible – bodies, rooms, desks, chairs, buildings, computers, pictures, etc. – or invisible – data networks, electricity, or other infrastructures [28]. In this view, artefacts refer to "products of human action" and are "intentional" and "perceived by the senses" [29]. They imply a certain level of materiality and concreteness [22]. Other important studies in organization theory have also placed great emphasis on the importance of artefacts [30,31], asserting that "organizing is bound up with the material forms and spaces through which humans act and interact" [28].

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