

Heffley's Position

To paraphrase him: This music should be withdrawn from the light of day. Its moments have passed. It is no longer relevant to my life now, no longer what I wish to say to the world, nor be responsible for, once heard.

When I made it, I saw myself as a musician who wrote about music on the side; gradually, by choice and circumstance, I became a writer about music who played it on the side. Even when it was at the center of my plate, I conceived, produced, and marketed it like a hobbyist at a street crafts fair, not as a music-business player. I and my music remained marginal even on the itself-marginal local jazz and improvised/creative music scenes.

I'm embarrassed to have even my most original and developed projects out there next to all the dedicated, hard-working, dues-paying, hustling musicians I know and respect and have written about and played with over the years, because it's all just the rough sketches of a dabbling dilettante by comparison...even—especially—next to the new generation of them starting to blossom now.

As for my recordings of the compositions of others, they deserve doubly to be withdrawn. They were done in the same throwaway spirit of fun as I'd done them for years, as were the lyrics I penned for them on a whim, just to have something to say and sing. I never wanted to be a professional interpreter of covers (what Braxton calls a "stylist"); I certainly didn't want to pay for mechanical licenses or get publishers' permissions, also for a fee, if possible at all, for the right to record and share such fun.

That said, my feelings have nothing to do with the quality of the music itself. Every one of these CDs means much more to me than does the music of all my favorite other musicians living and dead, great and humble. They mean that much for the records they are of certain moments in my journey and evolution as a human being, and for the arc and momentum they all add up to that is bearing me to my fullness as both person and musician. They're both my stops and my steps along my way, and I treasure them for the information and energy they carry that is carrying me to the music I have to make next—which *will* be a music of my own, fully informed as much as formed, sent out as seriously and carefully as anyone's, to the world with love.

Finally, though, as such, they all comprise a private treasure, for my ears and keeping only. They don't bear the music I feel will or should be received by the world in love. They are of academic interest only—to me, as the student work leading to my first fully realized work; to anyone else, as that too, if to anyone else at all. My heart was not, is not, in them enough as gestures meant to bring in the world's hearts. I want to take them all back, and start over.

Yul Agee's Position

These recordings, now that they've been born, deserve a life of their own beyond their maker's life. Whatever their purely personal value to him, they have a value to the rest of the world that he has no right to control or deny, any more than a parent has the right to completely control or take the life of his or her child.

They speak and minister to me as a listener in much the same way, I sense, that they do to him. They should be free to speak to and touch and move any and every other soul they can. Their rough edges—home-production values, in some cases, and eccentric aesthetics—constitute much of their appeal (think of the value of old recordings of legendary masters—Caruso, Armstrong, Thomas Edison himself—where the truth aura trumps the sound quality of the primitive technology). The things they express are as universal as they were personal to Heffley; and the promise they bear of even greater work to come is just as interesting and exciting to me and, likely, to others as it is to him.

Who does he think he is, bearing only to abort, planting and harvesting only to hoard? Indeed, we should all have our chance to see not only his full blooms but also the soil that bore them. They should not have to be cut down and stuck in a vase we must also pay for if we want only the living flowers.

More selfishly, I want to say what I always have to say to my readers about the music qua music, and the personal, historical, social, and cultural conditions it stems from. I want my readers to be able to hear the music I'm saying such things about, as they always have been.

These commodifying restrictions on information don't apply where I come from. It is customary to duly credit authors and musicians as the sources of their work, but once that work is out there, it is all public domain, and

all are free to tweak it in their own ways—to alter chords, melodies, lyrics slightly or greatly, as also to perform a work as is without paying anyone for the right to do so.

Heffley has freely given me all the recordings he made, all of live gigs and studio sessions. Why can't I just play it all for any and all who care to hear what it is I'm talking about, just as I could for anyone who happened to be sitting here with me? The question is rhetorical, of course—one I will kick around as I comb through what I can and cannot share as sound here, though I can write about it all, as well as share as texts lyrics banned as sound.

Our Compromise

I will present my gloss on this work, even on those (showing, but disabled) tracks that have no legal permissions for release of their music, or lyrics, or both. In some cases, I will work around Heffley's refusal to get them, by

- getting them myself, if and as I can
- promoting more sales of what is licensed or owned by him, to fund more licenses, as far as that might go
- printing the lyrics apart from their songs, in my gloss

In other cases, he will indulge my agenda by

- re-doing some lyrics to new music of his own
- re-doing some sung into purely instrumental versions.

My agenda—to present the whole extant body of recorded work and my analysis of it—will be served by opportunities to examine the reasons things can't be accessed as much as by experiments and strategies designed to make them (all, ideally) accessible.

As I set forth thus as promoter and publicist to agent this full access; and as he, in the trust of our bond, works with me within the bounds of his own agenda (getting on with the more musically original and professionally authentic life he feels lies beyond this amateur journeyman body of work, spending no resources or energy on it, begging for no permissions, bugging no past collaborators who share his detached indifference to the work as something of public interest)...the wild card in play with both

agendas will be—you.

If anyone responds to this musico-literary-discursive offering, it will become one thing; if no one, another. Either way, Heffley and I will have gotten what each of us needs to get from it, for which we will be in each other's debt. Whether any of you and either of us also end up mutually indebted so remains to be seen.

Snatched from the Flames

The variety of Heffley's recordings—early Western music, traditional jazz repertoire, improvised and experimental music, original compositions and lyrics, electronic music, the music of Anthony Braxton and John Cage—was for him a kind of scattershot marking of territories, any one of which he thought he might develop more deeply later, when his dissertation was done and he settled into a teaching position. He wanted to lay down a sample of everything he did musically while he had access to the means to do it. It cost little to then put up on websites, especially when most of it was original, and when he was less aware of or concerned with the seriousness of the copyright laws, even for the smallest, least commercial such enterprise.

Now, however, his relationship to both academic and musical professionalism have turned a sharp corner—one, to twist the analogy, he has painted himself into. His highly specialized scholarship and degrees have led him into interdisciplinary interests away from their natural professional networks and purviews; the teaching and scholarly work he's taken on since finishing his graduate studies has taken him farther from, not closer to, as he'd assumed it would, his previous activity as a musician on any kind of market (though, as we'll see, that will change if things unfold according to his plan). He approaches retirement age without having ever landed any substantive or enduring job to retire from.

Heffley's current project as a scholar (his third book, funded by a Guggenheim Fellowship) also looks at this issue of music as intellectual property, in its general context. Working—subtitled “The Folkloric and the Radical in Improvised and Experimental Music,” it examines the laws governing private ownership and public domain, contrasting oral/folk-traditional practice—of all music being both privately and publicly owned at once, with no “rights” hindering anyone's free use and alteration of the communal material—and its literate-traditional counterpart, the wired

world in which even sights and sounds (if they're digitized, they're as literate-traditional as when they were analogized and, before that, notated as scores and sheet music) have become commodified texts available for commercial exploitation.

His look at this issue will not include his own experience with his own music. My modest addition to the conversation around it, here, will be to include the parts of that experience of interest to me, along with my own experience of and exposition on it.

The Forest and its Trees

As you've read if you followed the link above, Heffley and I met when both of us were out for a solitary hike in a forest park of a Vienna suburb. I like to think of my account of his music here as that of the lone ear in those woods that happened to hear their trees fall.

My exposure to these recordings was as gradual as their production. I came upon the first of them on Heffley's "almatour" (again, a signal of the "amateur" thrust) website, then on MP3.com., garageband.com and other such sites, some of which are probably still out there and not included here, some offered free, some for sale. The CDs started to be available, then, sometime around the mid-to-late '90s, but heffleyrecords.com has only been up a couple of years, and has mostly lain unpromoted, unexplained, and unvisited, until now.

Having seen and heard the CDs come together in their real-time sequence, then, I approach this exegesis of them from a somewhat detached angle of a certain cut. They have arranged themselves in my mind's ear and eye into a-chronological pairs, roughly, and also into an overarching narrative. That narrative, in brief:

- starting from the desolation and despair of unrequited, unsuccessful, and/or otherwise lost or thwarted love, the green singer-player Orphizes his way out of his unsounded hell in the dawning realization that he's blown his last chance at romantic/erotic love by doing something he wasn't supposed to but couldn't help doing;
- he spends not a few years pondering this tragedy, obsessing over

and analyzing it from every possible viewpoint, futilely, as broken hearts and souls tend to do;

- for respite, he finally falls silent (as poet-lyricist) and loses himself in his instrumental music;
- in the end, he comes full circle by singing and playing again, with the same intensity and balance between words speaking the most visceral truths couched in the truest musical gestures...only now the messages about love and life are different, more appropriate to his current state and (two-decade-) later stage of life.

Those Pairs:

1. *The Oily Daze and Demos*
2. *Nine Medieval Troubadour/Goliard Songs and Pierced Through by Love's Blackest Shafts*
3. *Songs of Nature and Love and Double Bill Heavens*
4. *Marriage/Disease/Divorce and Why Am I As I Am With Women?*
5. *Fake Book Stuff and Lazy Ampliano/Music for Loners*
6. *Meditations on Bosnia and ReGuarding: Collaborations with Dead and Living Males and Females from Different Gene Pools*
7. *Japanangka: Seed Dreaming and Fishy Scales, Fuji Scaled*
8. *Big & Little Instrus and Castor and Pollux*
9. *Meditations on Early Braxton and Ryoanji*

The Oily Daze & Demos

These two are not at heffleyrecords.com because they are completely unavailable. Heffley's agenda for them to remain so was mitigated by a compromise that would honor my agenda, of full exegesis: an interview with him about them both. As he says in our interview, we may eventually work out a way for the music itself to see the light of day, but for now this

hearsay must suffice.

The Oily Daze's value to me lies in its documentation of the mainstream local-club-gig sound Heffley had striven for and cultivated since his first adolescent years as a player; we hear that sound at its best, most developed and, to some degree, original, with equally masterful and distinctive bandmates—just before it would be swept away by the rush of the Northwest Creative Orchestra and subsequent Braxton years of the first half of the '90s. *Demos* overviews those years, and those since, up to the present.

The two CDs pair up well because the first constitutes the seeds of the second's various and wilder flowers and fruits. They make less sense as even home-grown saleables, both because of the personal as well as the copyright issues of our concern. *The Oily Daze* is simply of more personal-historical than musical-commercial interest; and *Demos*, as its title suggests, is a collection of excerpts from various unreleased live gigs, and from tracks available in full at heffleyrecords.com—a “demo” CD, originally designed as a part of the musician's press kit and the academic's portfolio. Both present challenges even more thorny and awkward than those posed by the other covers of copyrighted material, thus also making them both not worth trying to hear while even more worth discussing. As we did in the course of our talk.

The interview serves to set the stage for the music that *is* completely available, and to convey well enough that soil it grew from.