

THE Arts

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The New York Times

A Verdict Based on an Old Way of Making Music

Here's how songs, especially hip-hop and R&B songs, are made today: the framework is built in the studio by a producer, working on some combination of keyboard, drum machine, sampler and computer program. Songwriters contribute toplines and conceptual ideas, and sometimes all the words. Generally speaking, at the moment of creation,

JON CARAMANICA
CRITIC'S NOTEBOOK

there is no sheet music, no notation that's meant to guide musicians. On Tuesday, a federal jury in Los Angeles concluded that Robin Thicke and Pharrell Williams, the performer and primary songwriter-producer of the 2013 pop hit "Blurred Lines," committed copyright infringement by using elements of the 1977 Marvin Gaye song "Got to Give It Up" in their composition without proper credit. The jury awarded Mr. Gaye's family approximately \$7.3

What's wrong with the 'Blurred Lines' decision.

million, a combination of profits from the song and damages. That's an attention-getting amount of money, but the verdict itself is far more damning. Owing to the specifics of copyright

law, the jury was instructed to base its decision on the sheet music, a fact that reflects how inadequate copyright law is when it comes to contemporary songwriting and production practices. In 2015, the arrangement of notes on a sheet of paper is among the least integral parts of pop music creation. We're decades beyond the time when a songwriter penned a tune on paper, then gave it to musicians to perform.

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Marvin Gaye's family sued Pharrell Williams, left, and Robin Thicke.



JAMIE MCCARTHY/GETTY IMAGES, RICK WILKING/REUTERS

Outspoken On the Bench And Onstage

By ADAM LIPTAK

WASHINGTON — In December, after more than a year of research and reflection, Edward Gero went to see an argument at the Supreme Court. He was in the final stages of preparing to portray Justice Antonin Scalia onstage, and it was time to see his subject in his element.

Mr. Gero, a seasoned actor steeped in Shakespeare, felt right at home.

"The level of listening in that room was astonishing," he said. "The only thing analogous to that is being in a theater with a good show."

And Justice Scalia, who dominates Supreme Court arguments with probing questions laced with sarcasm, gave a fine performance.

"He's got a wonderful speaking voice," Mr. Gero said. "He knows how to keep the vocal energy going to the end of the thought. He lands the idea. He uses pitch. He uses inflection."

Afterward, the two men had lunch in Justice Scalia's chambers here. They had a lot in common, and they hit it off.

A couple of months later, at a rehearsal on a snowy afternoon in February, Mr. Gero was using what he had learned in December to fit Justice Scalia's mannerisms, cadences and bluster to the words of John Strand's new play, "The Originalist," which is scheduled to run through April 26 at the Arena Stage in southwest Washington.

Surrounded by dozens of photocopied pictures of the justice lining the rehearsal room, Mr. Gero said he was

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RIALTO PICTURES/STUDIOCANAL

Moirá Shearer as a dragonfly in a new restoration of the 1951 film "The Tales of Hoffmann," beginning a one-week run at Film Forum on Friday.

The Artifice and the Alchemy

Admirers and detractors of Michael Powell and Emeric Pressburger's film "The Tales of Hoffmann," from Offenbach's opera, are equally vociferous. The newly restored edition, playing at Film Forum Friday through next Thursday, reminds us why. This 1951 film belongs to a bewildering number of categories. It's lip-synch opera, multilayered meta-theater (indeed, a dizzyingly baroque exercise in overt artifice), a kitsch extravaganza of luridly colored design (by Hein Heckroth) and a keenly musical ballet.

ALASTAIR MACAULAY
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The 1951 film version of 'The Tales of Hoffmann,' restored.

And what's more, it's an over-the-top example of 1950s neo-Romanticism tipping over into surrealism; it's not merely Anglophone but terminally English (the ostentatious quaintness of several accents is its most dated feature); it's steeped in ideas from Diaghilev's Ballets Russes (the femme

fatale entrancing the hero, the dolls whose poignancy and vivacity raise questions about reality); and it's an audacious essay in film fantasy, sui generis in its inventions and its splicing of different arts.

I love it except when I don't. It's crazy, twee, camp, exhilarating, trite, bold.

"Tales of Hoffmann" followed the success of Powell and Pressburger's "The Red Shoes," and again its dance heroine is Moirá Shearer. Though "Hoffmann" doesn't have the obsessive fervor of

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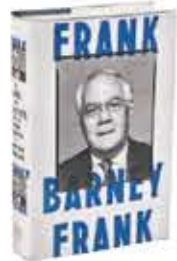
A Strategist Daring to Fault Both Sides

The expectations, from both readers and publishers, for a political memoir are that the author will use the book to give what-really-happened insider details, offer a healthy portion of score-settling and provide ample introspection on a life in elected office.

JONATHAN MARTIN

Barney Frank, the long-serving Democratic representative from Massachusetts (1981-2013), dutifully serves up some of each in his autobiography, "Frank: A Life in Politics From the Great Society to Same-Sex Marriage," but it is apparent that he is primarily doing so to satisfy the demands of the genre.

Mr. Frank's memoir is a sophisticated and extended work of political analysis posing as his life story. It is not that he doesn't devote pages to recounting his rise from being the son of a Bayonne, N.J., truck-stop owner to a powerful member of the House of Representatives and the most prominent openly gay politician in the country. It is just that what so plainly animates him — and this book — is making his case for how politics and issue advocacy should be practiced.



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INSIDE



How to Get To 'Oklahoma!'

That Rodgers and Hammerstein musical wasn't the only show that started out with another name. Playwrights with new shows this spring discuss how they choose titles for their works. PAGE 5.

A Contest Honors Ireland's Poets and Past

By DOUGLAS DALBY

DUBLIN — Since the days of the bards, when poets served as aides-de-camp to medieval chieftains here, Ireland has built a reputation as a birthing ground for legend and verse.

"Bards were the Mad Men of their day — they were the Madison Avenue spin doctors and makers of political fables for their leaders," said Declan Kiberd, a professor of Irish studies at the University of Notre Dame in Indiana.

Like the church and the farm, though, poetry holds a lesser place in Irish society today, despite the legacy of Yeats and a love for Seamus Heaney, the Nobel laureate whose 2013 funeral was broadcast live on Irish television. So, to rekindle interest, RTE, the national broadcaster here, has been running an unashamedly populist contest, A Poem for Ireland, to find Ireland's best-loved poem written over the past 100 years.

After weeks of voting online and by mail, the winner was announced on Wednesday

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PAULO NUNES DOS SANTOS FOR THE NEW YORK TIMES

Irish literary and theatrical giants — from left, Oscar Wilde, John Millington Synge and Sean O'Casey — grace posters in the Temple Bar area of Dublin.

LAST 2 WEEKS

THE PERFORMANCE OF A LIFETIME.

"THE BEST MUSICAL OF THE YEAR."

— NEW YORK MAGAZINE



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