

CONTENTS

PREFACE

XI

INTRODUCTION

1

PART 1: HISTORY

8

1 A CULTURE OF SAMPLING

9

An Overview of the Four Elements
of Hip Hop

2 LOOKING FOR THE PERFECT BEAT

42

The Birth and Rise of the Hip Hop/Rap Beatmaking
Tradition: Eight Periods of Distinct Development

PART 2: INSTRUCTION

AESTHETICS, COMPOSITIONAL ANALYSIS,
PERFORMANCE, AND PHILOSOPHY
OF THE ART OF SAMPLING

83

3 AN OVERVIEW OF THE ART OF SAMPLING

84

4 THE MECHANICS OF SAMPLING, PART 1

101

The Sampling Equation

5 THE MECHANICS OF SAMPLING, PART 2

137

Composition and Arrangement in the Art of Sampling

6 DRUMS AND SAMPLING

168

7 SAMPLING TECHNIQUES

204

Extended Sampling Techniques, Notes, Tips, and Analysis

- 8 MISCONCEPTIONS, CRITICISMS, AND THE
VALUE OF THE ART OF SAMPLING 239

Cultural Histories and Musical Orientations
that Inform Our Opinions of Sampling,
and Why Sampling is a Useful Art

**PART 3: COPYRIGHT LAW
AND THE ART OF SAMPLING 263**

- 9 AN OVERVIEW OF COPYRIGHT LAW 264
Historical Clarity on Copyright Law and Policy
in the United States

- 10 FAIR USE 278
Communal Creativity and Understanding
the Fair Use Doctrine

- 11 FAIR USE, THE SUPREME COURT, AND THE MUSIC
INDUSTRY 312
What the United States Supreme Court Says About Fair Use,
And the Music Industry's View of Fair Use

- 12 THE SAMPLE CLEARANCE SYSTEM 342
How the Sample Clearance System was Born,
What it Looks Like Today, and the Climate of Sampling
in the Music Industry

- 13 *BRIDGEPORT* AND THE FALSE
BRIGHT-LINE 362
Deconstructing Sampling's Most Infamous Court Case

- 14 *POST-BRIDGEPORT* 393
Five Key Developments that Signal Change in the Music
Industry's Attitude Towards Sampling

15 PROPOSALS

417

Reforming Sample Clearance and Resolving the Sampling/
Copyright Quandary

AFTERWORD

437

APPENDIX

441

INDEX

455

Preface

The Art of Sampling was born more than 18 years before I wrote and published the first edition of *The Beat Tips Manual*. I'd been collecting vinyl records for 15 years, been DJ'ing for 7, and making beats for 10. I was enamored with the art of sampling and the culture that emerged from it. Weekly trips to used vinyl record stores all over New York City were a big part of my routine. Journeys to fellow beatmakers' production "studios" throughout the Bronx, Queens, Manhattan, and Brooklyn were common. And, of course, late nights (early mornings) hunched over beat machines felt mandatory.

This time, ca. 1990-1995, was special. I was a teenager, and the sampling tradition of hip hop/rap music, which first popularized the art of sampling, was rising to its zenith. Sampling pioneers like Marley Marl, DJ Premier, Large Professor, Pete Rock, The Bomb Squad, Q-Tip, and The RZA were all creating great music and carving out signature styles and sounds. And the beatmaking community was just beginning to blossom.

Eager to examine and document the roots and rise of the beatmaking tradition — not just the art of sampling — of hip hop/rap music, I embarked on an ambitious undertaking that would eventually result in the creation of *The Beat Tips Manual*.

Though *The Beat Tips Manual* was the bigger endeavor, the more immediate calling — my deep interest in and focus on the art of sampling — always remained. In fact, much of what is presented here in *The Art of Sampling* is based on the sampling chapters that I published in various editions of *The Beat Tips Manual*. It was always my intention to break out and expand those sampling chapters and sections and turn them into a book that was distinct from the much broader focus of *The Beat Tips Manual*. Specifically, I wanted to create a study where I could further expand on the discussion of the art of sampling exclusively, without necessarily covering all of the key areas of the beatmaking