

Draft Plan for www.bahaichoir.com – The Website for Bahá'í Choir Resources and Management

Summary

This document sets out the vision for an interactive resource website for Bahá'í Choirs (www.bahaichoir.com), lists some of the desired features, and considers how the legal aspects involved (Copyright, Licensing) can be respected to the satisfaction of both copyright holders and music users.

Building on the fantastic efforts of Lorraine Manifold (<http://bahaichoralmusic.com>), we hope that, as the website takes shape and grows, it will become a universal repository of Bahá'í choral music with advanced search filters, offer access to practice files and facilitate their collaborative creation, and, where needed, offer a (paid) licensing system for those musical works where this is required.

Background

Over the years, the “Stimmen Bahás” (the Bahá'í Choir of Germany) have accumulated a database of currently 80 Bahá'í songs, with PDF-sheet music and specially created MP3-audio files of each vocal part. Having received many requests to use this database by other Bahá'í choirs, and knowing that many other Bahá'í choirs too use MP3-Audio files to help the singers rehearse their parts prior to or between rehearsals, the aim of this website is to make the material available in a way that is useful to choirs and respects the rights of copyright holders. With the emergence of <http://bahaichoralmusic.com>, the urgency to create this website has decreased and the aim has expanded to be broader and more versatile.

Overview of the proposal

A) Public section of the website

News section: A place where people interested in Bahá'í choral music can retrieve information, announcements and news about Bahá'í choirs and composers of Bahá'í choral music around the globe, posted by individual Bahá'í choirs.

Free resource section: The songs with lax or no copyright restrictions can be accessed and downloaded, (akin to bahaichoralmusic.com).

B) Login-required section of the website

A platform to aid the management of Bahá'í choirs: After logging in, members of a particular Bahá'í choir can see announcements written by their choir's manager and conductor and they can use/download/print/hear the sheet music and MP3s that their choir uses/has paid access to.

A tool for conductors or musical directors of a choir: this special type of user can view the full database of music in order to assess which songs are appropriate for their choir. Once they select a song, depending on the copyright restrictions it may have, it will either be directly made available to their choir members, or permission to use the song can be obtained directly from the composer/copyright holder (which may include payment of a license fee).

Composers/copyright holders and musical directors/conductors **can upload new songs** which –after the bahaichoir.com administrators check the copyright restrictions– are made available to all users/the public resource section. **Skilled singers can help in the production of new MP3s materials.**

Target Groups

- Bahá'í choirs and their members, as well as other choirs that sing Bahá'í choral music, such as vocal ensembles and interfaith choirs, etc...
(N.B. A choir is a group of singers that practice/rehearse and then perform several different vocal parts at the same time, the most common of these being the Mixed Choir that is composed of Sopranos, Altos, Tenors and Basses. A choir is not a sing-along, see the discussion in chapter 1 of Truman and Tahiri's booklet "*Nine Steps to Raise and Nurture a Community Choir*", available on for download on www.bahaichoir.com)
- Composers of Bahá'í choral music
- Individuals interested in Bahá'í choral music

The website is **not** targeted at those seeking resources for Bahá'í songs that have one vocal part only or individual Bahá'í musicians who wish to promote their material. Several other websites already cater for this need, including: <http://onemusician.org/> , <https://www.divinenotes.com/> , www.ruhi.org/resources/

Cost

We aim to keep this website free, so that anyone can use the website, regardless of their or their choir's financial means. Any license fees for certain songs paid by choirs go directly to the copyright holders. The initial cost of producing the website and webhosting are being carried by an individual. Donations or assurances to offset these costs and for the future maintenance of the website are very welcome!

Listing of features currently planned

Description of the different classes of users:

- "Registered user" = anyone from the public who has created a free account on bahaichoir.com
- "MD" = "Musical Director" = "Conductor" = the person in charge of the musical aspects of running a choir.
- "Choir Member" = a registered user who has linked his account to his/her choir.
- "Choir admin" = "Choir manager" = "manager" = the person(s) in charge of organising, planning, enabling the choir to happen on a non-musical level. Sometimes, especially in smaller choirs, the MD is also the Manager.
- "Composer" and "Copyright holder" are used almost synonymously throughout this document. The composer is usually the copyright holder, unless he/she has passed that right on to e.g. a music publisher or a performance rights society.

		Pub	Reg	Mbr	Mng	MD	©H	Adm
	Implementation priority	Public/unregistered users	Registered user	Choir Members	Choir managers/admins	Musical Directors (MD)	Composers/©-holders	Website administrators
Legend: <ul style="list-style-type: none"> ➤ "X" = feature available for this group of users ➤ "(X)" = this feature can be enabled by Choir Admin or Website Admin as necessary. ➤ "n/a" = not applicable ➤ "internal" refers to something within and private to a particular choir. 								
Feature and feature description								
Multilingual support. English is the development language, plus German. Other languages can be added later.					n/a			
Support for mobile devices and forward compatibility with any potential apps.					n/a			
View external/public choir news & announcements (news=reports of activities, announcements=upcoming activities)		X	X	X	X	X	X	X
Download free practice MP3s and PDFs		X	X	X	X	X	X	X
View choir profile pages (pictures and general info etc.)		X	X	X	X	X	X	X
View composer profile pages		X	X	X	X	X	X	X
Advanced search/filter functions for songs: search by language, country of origin, composer, voicing, level of difficulty		X	X	X	X	X	X	X
Calendar of all future events by different choirs	low	X	X	X	X	X	X	X
Be able to browse the titles and composers of all the songs in the database, but not the PDFs or MP3s. Maybe ability to listen to 20-second "demo tracks" and for some songs ability to see first page of PDF.		X	X	X	X		X	
Ability to sign up for a global newsletter, every time a new public post is made.		X	X	X	X	X	X	X
Access to more PDFs and MP3s			X	X	X	X	X	X
Ability to "like" -individual songs in the database -public posts			X	X	X	X	X	X
Access to their choir's internal announcements and news, as well as other internal documents (such as "Choir rules", address books, etc.)				X	X	X		
Access to their choir's purchased or authorised music (a.k.a. the choir's "repertoire")				X	X	X		
Ability to sort the song-database (i.e. the part that is accessible to them) by author, title, etc., and/or to use custom song lists created by the choir admin.				X	X	X		
Ability to sign-up to a choir's upcoming internal events (could be done via doodle or Google forms/docs, needs to have Custom Fields/Forms to be set by the choir admin to be useful). Also, ability to see who else has signed up for events.	low			X	X	X		
Ability to change own contact details (Tel, address, e-mail, Vocal part=Soprano/Tenor/Alto/Bass) and ability to select which details are public/viewable to other choir members	low			X	X	X		
see other singer's contact details (could equally be implemented as a static page to be updated by the choir admin)	low			X	X	X		
upload internal pictures for other choir members to see/gallery	low			X	X	X		

	Pub	Reg	Mbr	Mng	MD	©H	Adm
write internal or external choir news and submit it for approval to the Choir Admin.			X	X	X		
Download of multiple files			X	X	X	X	X
write internal choir news/announcements			(X)	X	(X)		
create internal events and polls (via plugins (e.g. Doodle/Google forms), or (low priority) via native website capability using pre-filled members' "preferences" such as voice part)			(X)	X	(X)		
post external choir news/announcements to the public website			(X)	X	(X)	X	X
make payments or otherwise obtain permission to use a specific song (via PayPal / Ujo / off-line / no payment)				X	X		
Create song-lists (linked to song database) with the possibility of numbering them. E.g. "list of songs we'll perform in the concert on 21st March 201X" or "list of songs that you need to learn by heart" etc.				X	X		
ability to upload documents for the internal use of the choir (e.g. "choir rules")				X	X		
(post-)moderate comments that people make on INTERNAL posts. Enable/disable comments for posts.			(X)	X	(X)		
(post-)moderate comments that people make on EXTERNAL posts. Enable/disable comments for posts.				X		X	X
Edit public "choir profile" or "composer profile" page			(X)	X	(X)	X	X
be able to view the <i>full</i> database (MP3s+PDFs) and have permission to print <i>one strictly personal copy only</i> of each song to determine suitability for own choir.					X		X
Ability to select songs from the database and make them available to choir. (may require payment by Choir Admin or approval by Composer)				(X)	X		
Ability to create new songs, and upload associated mp3s and PDFs. A newly posted song is visible only to own choir. Limited number of such "custom/private" songs per choir (e.g. 10). Any song can be created/uploaded by the MD. It is the MD's responsibility to reasonably ensure that no copyright is being violated. bahaichoir.com will not check whether the MD is infringing copyright and cannot be held responsible. This feature is useful if the choir has some music in its repertoire that is not on bahaichoir.com.						X	X
Ability to promote own "custom/private" songs that are of interest to the general database (i.e. Bahá'í songs). At this stage, bahaichoir.com ensures the song meets the quality and copyright requirements before the song becomes generally available to the users of the database. The MDs are encouraged to promote their songs.					X	X	
Ability to upload new versions of sheet music (e.g. with a different language) or better quality mp3s for existing songs in the Database. (For PDFs of sheet music, multiple files must be allowed in the database.) This feature can be disabled on a per-song basis by composers when they create a new song.		(X)	(X)	(X)	X	X	X
Select a licensing policy for the songs they upload/own						X	(X)
Depending on licensing policy: Approve requests to use songs OR be notified about song usage OR receive payments (via e.g. PayPal, Ujo, etc.)						X	(X)
Automatic "watermark" creation on licensed PDF downloads, e.g. "licensed to Great Choir to print 75 copies"							n/a
Approve requests for new choirs (need some evidence that they are a real choir, e.g. a supporting letter from National Spiritual Assembly)							X
Check/monitor PDF and MP3 quality							X
For new songs, research and establish copyright situation, then approve them							X

[Legal and fair usage of music: respecting copyright and enabling easy licensing](#)

Different composers have different views on how they should be rewarded when their songs are used: some will be happy that their song is being used at all, while others need to make a living from their work. As users of the music, we must respect the wishes of those who create it by respecting the relevant intellectual property laws. In this way, we honour the composers' time and effort in writing/crafting the beautiful music. *"The people of Bahá should not deny any soul the reward due to him, should treat craftsmen with deference, and, unlike the people aforesaid, should not defile their tongues with abuse."* (Bahá'u'lláh, excerpt of the *Fifth Taráz*, Tablets of Bahá'u'lláh, p. 38-39)

A few words about music copyright (applicable to most countries): From the moment the music is composed/imagined, all copyright belongs to the composer. (NB. In order to *prove* copyright, there needs to be some kind of written or audio recorded record – in the world of choral music, it is usually written down as “sheet music”). In order for others to use it, the composer needs to grant permission, but verbal permissions are often a bit loose and difficult to trace. (NB. A composer can transfer all of (or certain aspects of) their copyright ownership to someone else, or they can also relinquish their copyright and the work becomes part of the *public domain* i.e. it will be “free” for anyone, which happens automatically 70 years after their death.) Now, a “license” is a formal permission from the composer/copyright owner that grants a user the right to use the music in a certain way. A license can be given free of charge, or be conditional on some payment. A license can be requested, or just simply given out to anyone. A license can have certain conditions and limitations attached to it, and it can be granted to some but not to others. In summary, it is up to the sole discretion of the copyright holder to issue (or not to issue) a license! But usually, copyright holders want to grant licenses, because otherwise no one may use their work legally. For Bahá'í choral music, this is where *Bahaichoir.com* comes in:

[bahaichoir.com](#)'s aim in this realm is twofold: first, **to inform users about the different policies that different composers have about their music** on a song-by-song-basis, and second, **to facilitate the granting/negotiating of licenses**, so that choirs can get simple and legal access to the music they want to sing if it has not been made totally free. There are different copyright laws that govern different aspects of music (print, digital, recording, performance, etc.) and composers often have different preferences for each aspect. For the purpose of *bahaichoir.com* we will break them down into these four domains: (1) sheet music, (2) rehearsal files, (3) performing rights and (4) recording rights. Each song will have a policy in place for each domain, and these will be shown with the help of different icons so that users can easily see what composers want and what (if any) the restrictions are. The proposed policies that copyright holders can choose from are set out below. In return for the service, composers/copyright holders will need to grant *bahaichoir.com* certain rights so that the service can work effectively; this is also set out below.

1. Sheet music licensing

Sheet music (also known as “music notes” = “sheet music” = “scores” = “partitures” = “librettos”; digitally usually transmitted as “PDF”-Documents) is the written representation of the music composed. As set out above, the copyright for reproducing the sheet music generally (or at least: initially) lies with the composer. However, some composers have or make agreements with a music publisher, who administrates this copyright for them. On *bahaichoir.com*, the copyright holder of each song will typically choose one of the following options for their sheet music and how to license/offer it to the website's users:

1. Free to use/print for everyone (e.g. the music on [www.bahaichoralmusic.com](#), Eric Dozier's lyric sheets, Matthew Levine's music)
2. Free to use/print for everyone, but must be a registered user or must be a member of a *bahaichoir.com*-registered choir (e.g. Cosma Gottardi's songs)

Cosma Gottardi – Draft Plan for [www.bahaichoir.com](#) – Version 2018-02-22.

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3. Free, but only for specific (registered) choirs upon approval by the copyright holder (e.g. some of Tom Price's music)
4. License to print a certain number (or an unlimited number) of copies for use by a certain individual or choir (price per copy or per choir to be set by copyright holder) (e.g. Zak Mortensen)
5. No licenses available: contact copyright holder or publisher for license. (*Bahaichoir.com* will have links to publishers etc. if no other method of distribution can be agreed)

In return for the publicity and ease of access of their songs to choirs via *bahaichoir.com*, copyright holders are expected to grant *bahaichoir.com* the right to let the music director (MD) of each approved Bahá'í choir (i.e. those that are registered on *bahaichoir.com*) print one *strictly personal* copy in order for them to assess suitability for their choir.

2. Audio practice files (MP3s) & licensing

In general, in order to record any song, the composer's (or copyright holder's) permission is required. On *bahaichoir.com*, all composers / copyright holders whose music is included on the site are required to grant *bahaichoir.com* (and through it, to all the vocal artists and MDs in its network) the right to record the vocal parts of their composition with the aim of creating rehearsal-MP3s and demo-tracks (not for proper/full recordings – see section 4 below about that).

In general, once a recording has been authorised by the composer/copyright holder and been recorded by an artist, (most of) the copyright to the *sound recording* lies with the *artist*. Given this, *bahaichoir.com* requests that artists who create the practice files (such as the Stimmen Bahás' Musical Director) donate the rights to the recordings they make to *bahaichoir.com*, so that *bahaichoir.com* can distribute the files to the choirs, and to edit, mix and re-master them if needed.

Policies for **practice files owned by *bahaichoir.com***: (The files are free of charge, but not free to distribute)

1. Fully public, freely downloadable.
2. Registration required or choir membership required. (This helps composers to track the usage of their song.)
3. Only available to choir members whose choirs have obtained permission to use a particular song's sheet music.

There may be **practice files that *bahaichoir.com* does not own the rights to**: Some choirs (e.g. OHF/Eric Dozier) have their files freely available on the web. (*bahaichoir.com* hopes to be allowed to integrate these into the system, or will at least link to them from its catalogue/database). We also envisage the possibility that in the future some professional artists (producing professional quality audio material) may require a payment/license for using their recordings, similar to the sheet music policies. Practice files not owned by *bahaichoir.com* can follow any of the above three policies, or:

4. Practice files available only to the choirs who have paid a license to use the practice files (various pricing policies to be determined when needed).

3. Performance Rights

Generally, the right to perform a song needs to be granted by the composer/songwriter. However, as it would be an impossible task for composers worldwide to keep track of where all of his/her songs are performed and to collect royalties, most composers become a member of a performance/author rights society, such as BMI and ASCAP in the US, the PRSforMusic in the UK, GEMA in Germany, or SACEM in France. By becoming a member of one of these societies, the composer generally grants the society all

the rights regarding giving permissions to performers and in return receives royalties less an administration fee. The different societies collaborate on an international level, so that performers can get royalties from other countries too.

In most countries, the organiser of a concert or the performer has the legal obligation to contact the Society in their country, to tell them which songs are being performed, and usually to pay a license for using the material, the price of which is usually a function of the concert's ticket price. In some countries (such as the UK), special types of performances (such as music used in divine worship, weddings, etc.) are exempt from paying, however the organisers still need to declare which songs they are using, because some societies remunerate composers based on song usage, not on royalties earned per song. The advantage for the performer/concert organiser is that he/she does not need to contact each composer to negotiate a license and obtain the permission to perform their music!

On *bahaichoir.com*, every song will have information about obtaining performing rights. This will usually fall into one of the following 4 categories (once again, to be chosen by the composer/copyright holder for each song and visualised by icons):

1. The Composer/Publisher is member of a Performance/Author Rights Society; therefore the performing choir (or concert organiser) must notify the Performing Rights Society in its country according to the laws of the country and may need to pay a fee for performing the song.
2. Composer is not member of a Society, and the composer "freely grants performing rights without restriction"
3. Composer is not member of a Society, and the composer "grants performing rights under the condition that" you e.g. notify him/her when you use the song, or within a given time limit.
4. Composer is not member of a Society, and the composer would like to have "all rights reserved" in this respect. If a choir or ensemble still wants to perform the song, they can contact the composer to obtain permission (and to negotiate any terms and conditions), and where possible contact details will be available.

4. Recording Rights

As already stated in section 2 above, the composer generally needs to give his or her consent their song is to be recorded. Whilst they grant it to *bahaichoir.com* for the purpose of practice tracks, they may not grant their permission to anyone. Also, in general, royalties are earned by the composer when the song is distributed, e.g. via online music stores or through the so-called mechanical license that the producer (i.e. often: the choir) must usually pay when producing a CD, according to the laws of their country. Recording rights are not an easy business, but nonetheless *bahaichoir.com* will provide helpful information to choirs and facilitate contact with the copyright holders: For each song, Composers/copyright holders can choose one of the following options for their songs regarding recording rights:

1. "all rights reserved" – contact composer to obtain permission (and to negotiate any terms and conditions)
 - 1a. all rights reserved – permission will generally be granted to any group of singers
 - 1b. all rights reserved – permission will generally be granted to high standard choirs
 - 1c. all rights reserved – permission will generally not be granted
2. "permission to record is freely granted, but need to notify the composer and send a copy of the recording"
3. "recording permissions freely granted without restriction"