

# ***Did Copyright Fail Music Artists?***

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Music soundtracks our lives, supports over two million domestic jobs annually, and is being listened to more than ever before. The record industry is thriving, having made over \$17 billion in 2023. Yet, many professional artists are barely surviving. Artists signed to record deals lament royalty payments that amount to a fraction of a penny for each stream of their songs. So where is all the money going, and who, or what, is to blame? Public rhetoric and existing legislative proposals would suggest that copyright is the main culprit. But is it?

This Article unpacks the music supply chain. It builds on existing scholarship regarding the role of intermediaries to show just how the interplay between artists' contracts with record labels and labels' contracts with streaming services (such as Spotify) disempower professional music creators and prevent them from gaining financial rewards. Indeed, contract may be the real villain.

A review of the panoply of proposed solutions illustrates why focusing reform efforts on copyright is misplaced; instead, improving artist remuneration is better handled by addressing contract terms that would blunt the impact of the intermediaries throughout the supply chain. This Article makes two proposals that do just that, including by encouraging artists to adopt a longstanding practice in other leading creative industries: collective bargaining.