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MARKETPLACE

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HEADLINE: Martin Kaplan of the Norman Lear Center talks about forces that are banding together to fight a law they say dooms musicians to indentured servitude

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CHERYL GLASER, anchor:

This is MARKETPLACE. I'm Cheryl Glaser, in for David Brancaccio.

What do Courtney Love, Sheryl Crow and the AFL-CIO have in common? They're just some of the forces that are banding together to fight a law they say dooms musicians to indentured servitude. Under current California law, seven years is the maximum that workers can be held to personal contracts for their services, except for musicians working for recording companies. But Martin Kaplan, director of the Norman Lear Center, says musicians are backing a new bill to make the recording companies change their tune.

Mr. MARTIN KAPLAN (Norman Lear Center): Their view is that they should be more like free agents the way that sports stars become free agents or movie stars. It was Olivia de Havilland who filed a suit against the studios in the '40s which first changed the studio system from a place where the bosses could lock up the artists who they had under contract to a system now in which you can go from place to place and deal from deal looking for the best money you can find.

GLASER: Now this is confusing to me at least 'cause, you know, most of the contracts I hear about say, 'OK, we sign star A to a contract and you have to make three or four albums.' What's the big deal? You make your three or four albums, you leave that label and go to another one.

Mr. KAPLAN: Part of the problem is that it usually takes quite a long time to make those albums, and in the course of doing so, the treatment that you receive from the music label may change. You may be the flavor of the month when you're signed, and they put a huge amount of money into promoting you and paying for your lovely motor coaches and your staff, and then if you don't do so well or some new star has come along, they don't have to spend that kind of money on you, and so you feel like the wall flower at the ball and yet you have to stay at that company. So they may say, 'Oh, this new tape you've done, I don't hear a single on it.' And what are you going to do? You have to stay with them.

GLASER: Why are the musicians pressing their case now with the economy being so soft and CD sales down? Do they see this as their ideal chance, that recording companies are vulnerable?

Mr. KAPLAN: I think what they see is fluidity, that the sense that in the entire entertainment business everything is in play and the artists are saying, 'Well, look, if sports talent has made a change in the way their contracts are done, if historically movie stars have done so, why not us in the music business?'

GLASER: And this is really gaining momentum as we head towards the Grammys next month, right?

Mr. KAPLAN: Yes, indeed. There's the sense that there could be a kind of a popular backing for this, that it would be a mass movement, and so various benefit concerts and performances are being scheduled. It's a little hard to imagine the fans being completely sympathetic to people whose annual revenue is far larger than anything that people who buy their product can ever imagine coming into their lives. On the other hand, we do sympathize and almost empathize with the stars as if they were our friends; their problems are our problems. Fans believe that stars really know them and that they know their stars, and so if they're hurting, we're hurting with them.

GLASER: Martin Kaplan is associate dean of USC's Annenberg School for Communication.

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