

Plundered Artists?

How Musicians are Affected by Digital Sampling and Whether the Law Protects Their Interests

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Digital sampling in popular music is when a portion of one song is used in another. This practice first rose to prominence in the late 1980s. Since then, it has remained controversial, raising a host of ethical and legal questions.

This paper, through case studies, examines the effects of sampling on the musicians whose works are sampled. It explores the rights afforded to them under copyright and other laws - and whether artists are adequately equipped to protect themselves from any potential harm, or successfully capitalize on any potential benefits arising from being sampled. This paper also looks proposed changes to the existing legal infrastructure and the impact they may have.