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WITNESSES TO THE WOUND

A Covenant Investigation into the Exploitation of the Zamar Carriers

100 Years of the Music Business on Trial

Report No. 13 of an Ongoing Series

JAMES BROWN

1933 – 2006

The Godfather of Soul — The Most Sampled Artist in History

*Band members fined \$5 per mistake, paid poverty wages while Brown generated millions —
body sat in cold storage 2 months — scholarship fund for underprivileged children blocked for
16 years — estate settled for \$90M — children waited*

**NOTE: Full bilateral account — what Brown did to his musicians AND what the system did to his
estate and charitable intent.**

March 2026 · Kepha Arcemont, Elder and Founder

SECTION ONE — THE GIFT: WHO YAHWEH MADE HIM

Biography: Born Shoeless in Barnwell, Died the Hardest Working Man in Show Business

James Joseph Brown Jr. was born May 3, 1933, in Barnwell, South Carolina — into extreme poverty. His parents separated early. He was raised by relatives in Augusta, Georgia. He shined shoes. He danced for coins thrown by soldiers. He was sent home from school for insufficient clothing. By any standard of the covenant community’s responsibility to its most vulnerable, he began with nothing and was given nothing by the systems around him.

The gift was uncontainable. He joined the Famous Flames in 1955. **Live at the Apollo** — which King Records did not want to release, believing no one would buy a live record by a Black R&B artist — sold over a million copies and remained on the Billboard pop chart for 66 weeks. **Papa’s Got a Brand New Bag, I Feel Good, Cold Sweat, Say It Loud, Funky Drummer.** These are the foundational texts of funk, soul, and hip-hop. The most sampled artist in history. Every major Black American musical artist from Sly Stone to Prince to Michael Jackson to Jay-Z credits him.

◆ *I have been playing music since I was fourteen. My tradition is blues-rock, not James Brown’s funk. But the tradition I carry passes through him. Every musician who plays rhythm music in America today has been shaped by what Brown did with the beat. The down-stroke. The emphasis on the one. The musical grammar he and his band created in the mid-1960s is the grammar that hip-hop built its entire empire from. The most sampled artist in history. And the musicians who created those samples with him were paid \$25 per show.*

Born	May 3, 1933 — Barnwell, South Carolina — raised in extreme poverty in Augusta, Georgia
Early life	Shined shoes; danced for coins; sent home from school for insufficient clothing
Career span	50+ years; 100+ Billboard chart singles; most sampled artist in music history
Landmark songs	Papa’s Got a Brand New Bag (1965); I Feel Good (1965); Cold Sweat (1967); Say It Loud – I’m Black and I’m Proud (1968); Funky Drummer (1969–70)
Band wages	\$25–\$50 per show for many members; fines reduced take-home further
Fine system	\$5 per infraction (unshined shoes, wrong notes, missed cues, upstroke guitar); hand-signaled during performance
Death	December 25, 2006 — congestive heart failure — age 73

Estate dispute	16 years of litigation; body in cold storage 2 months; \$90M catalog sale to Primary Wave 2021
Charitable intent	Will specified I Feel Good Trust — scholarships for underprivileged children SC and GA — not implemented for 16 years
Recognition	Rock and Roll Hall of Fame inaugural class 1986. Grammy Lifetime Achievement 1992.

SECTION TWO — WHAT BROWN DID TO HIS MUSICIANS

The Fine System, the Poverty Wages, and the Overseer Comparison

The covenant honesty standard requires naming the full account on both sides. James Brown was simultaneously a man the industry exploited and an employer who exploited the musicians beneath him. This section documents what he did to his band. Section Three documents what happened to his estate and charitable intent. Neither account cancels the other.

The Fine System

Saxophonist Maceo Parker described the standard to NPR's Terry Gross: *"You gotta be on time. You gotta have your uniform. Your stuff's got to be intact. You gotta have the bow tie... The patent leather shoes we were wearing at the time gotta be greased. You just gotta have this stuff."* Bassist Fred Thomas told Bass Player magazine: *"He fined me 50 bucks and fired me, even though I didn't mess up!"* The American Songwriter documented: *"One flash meant \$5 gone from a player's pay. Flashed five times? That's \$25, which was no small amount in the 1950s and 1960s. It kept the band in shape, like a slap from an overseer."*

Guitarist Wood described: *"Trying to please him was aiming at a moving target, apparently by design."* Brown fined for unshined shoes, wrong notes, missed cues, and guitar upstrokes — signaled by hand while his back was to the audience during performance. Band members were **hired, fired, quit, and rehired all on the same tour**. Brown purchased the uniforms the musicians wore; if they left, he required the uniforms back. A musician could end a performance with fewer dollars than the show had promised.

⚠ DOCUMENTED FINE SYSTEM: *Band members fined \$5 per infraction with hand signals during performance. Fines for: wrong notes, missed cues, unshined shoes, wrong uniform components, upstroke guitar. Bassist Fred Thomas documented being fined \$50 and fired in one interaction — while not having made a mistake. American Songwriter: fines 'kept the band in shape, like a slap from an overseer.'*

The Counter-Testimony: Bootsy Collins

The Devarim 19:15 standard requires the full account. Bootsy Collins told Rolling Stone: *"James felt the fines would make you work harder. He was using that reverse psychology on us, and we didn't understand at the time... When we got there, he just stopped fining us."* This testimony is entered. **It does not close the covenant analysis.** The Torah does not endorse the overseer system because some workers survived it stronger. Devarim 25:4 — you shall not muzzle the ox — applies to the ox that produces extraordinary results. The excellence of the music does not redeem the poverty of the wages.

SECTION THREE — WHAT THE SYSTEM DID TO BROWN'S ESTATE

The Body in Cold Storage and the Children Who Waited 16 Years

James Brown died December 25, 2006, at age 73. His 2000 will directed his estate toward the *I Feel Good Trust* — scholarships for underprivileged children in South Carolina and Georgia. The man who shined shoes in Augusta wanted his wealth to go to children in the same situation. **Not one scholarship dollar reached a child for 16 years.** The estate was not settled until 2021.

His body sat in a gold casket in cold storage in a funeral home for more than two months while family members fought. The estate dispute involved more than a dozen lawsuits. His partner Tomi Rae Hynie claimed to be his surviving wife, triggering 14 years of litigation. The South Carolina Supreme Court ruled in 2020 that Hynie had never been legally married to Brown — she had been married to another man when she wed Brown in 2001. In 2021 the estate was sold for approximately \$90 million to music acquisition firm Primary Wave. The charitable trust began moving toward implementation. Sixteen years after his death.

Brown's will left his adult children his possessions and stage costumes, plus \$2 million restricted to his grandchildren's education. **The scholarship children received nothing for 16 years.** A man born shoeless in Barnwell, South Carolina, tried to leave his life's earnings to children who were also born without what they needed. The system took 16 years to process that wish.

SECTION FOUR — THE THREE WITNESSES (DEVARIM 19:15)

Corroboration of the Record

WITNESS One: *American Songwriter* ("The Story Behind James Brown's Infamous \$5 Fines"): confirms \$5 per infraction fine system; confirms comparison to 'slap from an overseer'; confirms musicians hired, fired, quit, and rehired on same tour. *Guitar World* (Bass Player Magazine interview): confirms Fred Thomas testimony — 'He fined me 50

bucks and fired me, even though I didn't mess up.' Paste Magazine oral history: confirms band drummer testimony that \$25–\$50 fines were assessed per violation.

WITNESS Two: *Rolling Stone / Variety / AP: confirms James Brown estate settled after 15-year battle 2021; confirms body remained in cold storage two months; confirms more than a dozen lawsuits; confirms no scholarship money reached children during dispute; confirms South Carolina Supreme Court 2020 ruling that Hynie was never legally married to Brown. Smithsonian Magazine: confirms \$90M Primary Wave sale. Hollywood Reporter: confirms estate litigation detail.*

WITNESS Three: *MusicRadar (Rolling Stone interview, Bootsy Collins): confirms fine system from musician's perspective and Collins's partial defense of it as motivational. Entered as required counter-testimony under Devarim 19:15 full-truth standard.*

SECTION FIVE — THE COVENANT ANALYSIS

The Torah Charges — Applied to James Brown: Both Accounts

Charge One — Against Brown's Treatment of His Musicians: Devarim 25:4

"You shall not muzzle an ox while it is treading out the grain."
— Devarim (Deuteronomy) 25:4

The musicians who created Funky Drummer, Cold Sweat, Sex Machine — these were the oxen treading the grain that built Brown's commercial empire. **Their wages were \$25 per show, reducible by hand signal.** They wore uniforms they did not own, required back if they left. The grain they trod generated Brown's millions. ***Lo tachsom shor bedisho*** — you shall not muzzle the threshing ox. The excellence of the music is not a defense against this charge. The Torah applies regardless of the quality of the product.

Charge Two — Against Brown's Treatment of His Musicians: Vayikra 19:13

"You shall not oppress your neighbor or rob him. The wages of a hired worker shall not remain with you all night until the morning."
— Vayikra (Leviticus) 19:13

The fine system reduced wages after the labor was performed. The amount receivable was uncertain until the performance concluded. Fred Thomas was fined \$50 and fired for an infraction he said he had not committed. **A system specifically designed as a moving target is, in the covenant framework, a mechanism for oppressing the hired worker.** American Songwriter confirmed: 'Trying to please him was aiming at a moving target, apparently by design.' The Torah requires wages paid in full at the appointed time. A moving target is the antithesis of that standard.

Charge Three — Against the System That Held Brown's Estate: Bemidbar 27:8–9

"If a man dies and has no son, then you shall transfer his inheritance to his daughter. And if he has no daughter, then you shall give his inheritance to his brothers."

— Bemidbar (Numbers) 27:8-9

Brown had children. He had grandchildren. He had a specific charitable intent. He had a will. None of it was sufficient to ensure timely implementation. **Not one scholarship dollar reached a poor child in South Carolina for 16 years.** The covenant law of inheritance exists to prevent exactly this. The rightful recipients were named. The will was clear. The legal system's 16-year inability to implement it is a failure of the inheritance framework the Torah establishes. The covenant charges the system that held the implementation.

The Covenant Reflection: The Cycle

James Brown was born in the poverty of Barnwell, South Carolina. He experienced the overseer system as a child — in the cotton economy, in Augusta's streets. He built a career. He became the Godfather of Soul. He made millions. And he replicated the overseer's disciplinary logic on the musicians who made those millions with him. The covenant does not excuse this by appealing to his origins. **The man who was himself the ox is not thereby permitted to muzzle the next ox.** Shemot 23:9 commands: ***you shall not oppress the stranger, for you know the heart of a stranger, having been strangers in the land of Egypt.*** The one who knows oppression is held to a **higher** standard, not a lower one, regarding those beneath them.

SECTION SIX — THE LIVING WITNESS: KEPHA ARCEMONT, 2026

A Blues Guitarist Reads the Record

Funky Drummer. Clyde Stubblefield played that drum break. It is the most sampled drum break in history. It appears in hundreds of hip-hop songs. Clyde Stubblefield spent much of his later life in financial difficulty. **The most sampled drummer in history.** **Poverty wages. This is the covenant indictment.** The same extraction pattern documented throughout this series extended, through Brown's band, into the foundation of hip-hop.

◆ *I hold a covenant standard for my own musicians: pay what the work is worth. Always. Not charity — covenant standard. The fine system produced extraordinary music. It produced it from men who were paid \$25 per show, wore uniforms they didn't own, and could be fired and rehired on the same tour. I acknowledge what Brown built. I also acknowledge what it cost the people who built it with him.*

He wanted to leave his estate for poor children. ***I Feel Good Trust*** — scholarships for underprivileged Black children in South Carolina and Georgia. The man who shined shoes in Augusta. The body spent two months in cold storage. The children waited 16 years. **His charitable intent for the poorest people in his home state was captured for 16 years by the legal machinery that processes the estates of the famous. The Kohelet verdict: no profit for the laborer whose estate is taken by the system.**

SECTION SEVEN — THE COVENANT VERDICT

Yahweh's Record on James Brown — Both Sides of the Ledger

Two separate and non-canceling accounts. Both are in the record.

COVENANT CHARGE ONE — AGAINST BROWN'S TREATMENT OF HIS MUSICIANS: James Brown paid poverty wages, operated an arbitrary fine system that reduced those wages during performances through hand signals, required musicians to wear uniforms they did not own, and hired, fired, and rehired musicians on the same tour as instruments of control. Devarim 25:4 — the muzzled ox. Vayikra 19:13 — wages withheld and arbitrarily reduced. The judgment is entered.

COVENANT CHARGE TWO — AGAINST THE SYSTEM THAT HELD HIS ESTATE: James Brown's 2000 will directed his estate toward scholarships for underprivileged children in South Carolina and Georgia. His body sat in cold storage for two months. The estate was not settled for 16 years. Not one scholarship dollar reached a child during those 16 years. The charitable intent of a man born in poverty for children born in poverty was blocked by legal machinery for 16 years. Bemidbar 27:8–9 — transfer the inheritance to the rightful recipients without delay. The judgment is entered.

"But let justice roll down like waters, and righteousness like an ever-flowing stream."

— Amos (Amos) 5:24

Let justice roll down like waters. Funky Drummer is still being sampled. The beat is still rolling. The covenant record holds the full accounting: what Brown paid his musicians, what he intended for poor children, what the legal system did with that intention. The flood continues. The accounting is complete. ***Selah.***

SERIES NOTES

Next in series: Report No. 14 — Curtis Mayfield (1942–1999). Paralyzed when a stage lighting rig collapsed on him at 48. Continued to record by lying on his back in the studio. His catalog battles continued through his death and beyond.

Series roster: Reports 1–13 complete. Reports 14–16 pending: Curtis Mayfield, Sam Moore, and the hip-hop era to 2026.

Selah.

*Miqdash Bethel Covenant Assembly · Pearl River, Louisiana · March 2026
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