

MIQDASH BETHEL COVENANT ASSEMBLY

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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. 19 of an Ongoing Series

THE NAMELESS OXEN

Studio Musicians, Session Players, and the Hired Guns

The Wrecking Crew · Hired Gun · Muscle Shoals · Liberty DeVitto

350–400 Hollywood session musicians who played every major pop hit of the 1960s — flat union fees, no royalties, uncredited, maintaining the commercial illusion that famous bands played their own instruments — hired gun touring musicians earning poverty wages, fired by email, disposable as toilet paper — Liberty DeVitto: 100 million records sold, required a lawsuit to receive what Billy Joel owed him — every artist in this series had unnamed musicians behind them, and those musicians are in this report

NOTE: This is a thematic report, not a biographical one. It documents a class of workers rather than a single named artist. The three-witness standard is applied through documentary evidence and primary testimony from the musicians themselves.

March 2026 · Kepha Arcemont, Elder and Founder

SECTION ONE — THE HIDDEN FOUNDATION: WHO THEY WERE

The Musicians Behind Every Record in This Series

Every report in this series has documented a named artist whose gift was exploited by the music industry. But behind every one of those named artists — behind Bessie Smith's recordings, behind Sam Cooke's *A Change Is Gonna Come*, behind James Brown's *Funky Drummer*, behind Sam & Dave's *Soul Man* — there were unnamed musicians. Session players. Hired guns. Studio workers who showed up, played the parts that made the recordings possible, and went home with a flat fee and no credit.

This report documents those workers as a class. The three primary documentary sources are *The Wrecking Crew* (2008, dir. Denny Tedesco) — the Hollywood session musicians who played virtually every major pop hit of the 1960s; *Hired Gun* (2016/2017, dir. Fran Strine) — touring and studio musicians in rock, metal, and pop from the 1970s to the present; and the documented case of Liberty DeVitto, Billy Joel's principal drummer for 30 years. The Muscle Shoals rhythm section is also entered into the record: the Swampers who played on *When a Man Loves a Woman*, *Brown Sugar*, *Respect*, and hundreds of other foundational American recordings, uncredited.

◆ *I am Kepha Arcemont, Elder and founder of Miqdash Bethel Covenant Assembly. I am also a recording artist. Kenny Aronoff plays on my recordings. Philip Bynoe plays on my recordings. Both appear in Hired Gun. The system this report documents is the system the musicians who played on my own recordings have navigated their entire careers. My covenant obligation to them is not abstract. This report is personal testimony as much as it is research.*

The Wrecking Crew bass player Carol Kaye said it plainly: "We all knew the scam that the record companies perpetrated." They knew. They played anyway, because the music was worth playing and the flat fees paid rent. But they knew. The covenant requires that what they knew be entered into the permanent record.

SECTION TWO — THE THREE DOCUMENTARY SOURCES

The Evidence: Three Bodies of Testimony

The Wrecking Crew — Hollywood, 1958–1975

Between approximately 1958 and 1975, a loose collective of 350–400 Los Angeles session musicians played the instruments on virtually every major American pop recording. They were known informally as the Wrecking Crew. Their members included drummer Hal Blaine, bassist and guitarist Carol Kaye, guitarist Tommy Tedesco, keyboardist Larry Knechtel, and dozens of others. They played behind the Beach Boys, the Byrds, the Monkees, Sonny & Cher, the Mamas & the Papas, Frank Sinatra, Nancy

Sinatra, Simon & Garfunkel, Elvis Presley, the Carpenters, the Righteous Brothers, Sam Cooke, and many others.

They worked on flat union fees. No royalties. No percentage of sales. No residuals. The guitar introduction on *Wichita Lineman*. The drum pattern on *Be My Baby*. The bass line on *Good Vibrations*. Tommy Tedesco's guitar on *These Boots Are Made for Walkin'*. Carol Kaye's bass on the entire *Pet Sounds* album. Uncredited. Flat fee. Session rate. They would have been millionaires if they had taken royalties instead. As one account documented: *"Every member of the Wrecking Crew would still be a millionaire now."* They were not offered that choice.

The commercial illusion was deliberate and systematically maintained. Record labels required that the public believe famous bands played their own instruments. When the Byrds recorded *Mr. Tambourine Man*, the Wrecking Crew played all the backing instruments. Columbia Records did not want the public to know. When the Monkees recorded their hit singles, session musicians played the parts. The fiction of band authenticity was commercially valuable. **The musicians who maintained that fiction received a flat fee and no credit.**

★ **PRIMARY TESTIMONY** — Carol Kaye, Wrecking Crew bassist: *We all knew the scam that the record companies perpetrated. I was making more money than the President of the United States! [in the peak session years] ... To tell you the truth, it was The Monkees that made me want to quit the business.*

Hired Gun — Touring and Studio Musicians, 1970s to Present

In 2016, director Fran Strine released *Hired Gun: Out of the Shadows, Into the Spotlight*, a documentary drawn from 300+ hours of interviews with 55 touring and studio musicians from rock, metal, and pop. The film documented the working conditions of the hired gun — musicians who tour and record behind established artists without tenure, benefits, credit, or royalty participation.

The documented conditions: **poverty wages** — Phil Buckman on touring with Filter: *"it was almost laughable what we got paid"* (\$400/week). **No royalties** for songs they contributed significantly to. **Disposable employment** — Hilary Duff fired her entire touring band via email. **No job security** — musicians hired, fired, and rehired on the same tour. Greg Upchurch came off tour and immediately took a house painting job to make ends meet, painting the residence of Matt Sorum of Guns N' Roses.

"A hired gun can back up some of the biggest artists in the business, tour the world, and establish a reputation as a hot-shot musician. But there are also considerable downsides — such as the pay, which can often be minuscule, and the fact that you can be as disposable as toilet paper." — **Documentary description, LA Weekly (2017)**

Liberty DeVitto and Billy Joel — The Primary Testimony Case

Liberty DeVitto was Billy Joel's drummer from 1975 to 2005. He performed on eleven albums including *The Stranger*, *52nd Street*, *Glass Houses*, and *Storm Front*. Together those albums sold over 100 million copies worldwide. He was dismissed in 2005 without explanation, learning he had been cut because he was not invited to Joel's

wedding. In 2009 he filed suit claiming over 10 years of unpaid royalties. The case was settled out of court in 2010.

DeVitto said in **Hired Gun**: "If Billy is the father of those songs, I'm at least the uncle." He told the press: "Everybody always assumes that you make a lot of money because you worked with Billy Joel. It didn't happen that way." Joel's lawyers attempted to have material edited out of **Hired Gun**. DeVitto said: "I told the truth of what really happened and what went on." **100 million records sold. Had to file a lawsuit to receive what was owed. Was working as a studio musician and teacher to support his family at the time of the suit.**

The Muscle Shoals Swampers

The Muscle Shoals rhythm section — known as the Swampers — played on some of the most commercially successful recordings in American music history: Percy Sledge's **When a Man Loves a Woman**, Aretha Franklin's **Respect** and **Chain of Fools**, the Rolling Stones' **Brown Sugar**, Paul Simon's **Kodachrome**, the Staple Singers' **I'll Take You There**, Wilson Pickett's **Land of 1000 Dances**. They played as session musicians for flat fees. Many of their contributions went uncredited for decades. The 2013 documentary **Muscle Shoals** gave them their first major public recognition.

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

Corroboration of the Record

WITNESS One: *The Wrecking Crew* documentary (2008, dir. Denny Tedesco; *American Heritage* magazine documentation; *Tape Op Magazine*): confirms flat union fee structure with no royalties; confirms systematic maintenance of the commercial illusion that famous bands played their own instruments; confirms Carol Kaye's testimony 'We all knew the scam that the record companies perpetrated'; confirms *Wrecking Crew* played the instrumental parts on *Beach Boys*, *Byrds*, *Monkees*, *Mamas & Papas*, *Simon & Garfunkel* and hundreds of other major recordings. Corroborated by the IMDB documentary record, and by Kaye's own published accounts.

WITNESS Two: *Hired Gun* documentary (2016/2017, dir. Fran Strine; *LA Weekly* review; *Tunedly* review; *BTL News* documentation): confirms poverty wages (Phil Buckman: 'almost laughable what we got paid' for Filter gig at \$400/week); confirms disposability (Hilary Duff fired entire band via email); confirms no royalties for significant contributions; confirms Greg Upchurch painting houses after tours; confirms Liberty DeVitto's account of being dismissed without explanation and having to sue for royalties. 300+ hours of interviews with 55 musicians. 92% audience score on *Rotten Tomatoes*.

WITNESS Three: Liberty DeVitto primary testimony: confirmed in *Fox News* interview, *Hired Gun* documentary, *Brooklyn Eagle* interview, and multiple wire service reports of the 2009 lawsuit and 2010 settlement. DeVitto's direct quote: 'Everybody always assumes that you make a lot of money because you worked with Billy Joel. It didn't happen that way.' Confirmed: 11 albums, 100 million copies sold, sued for unpaid royalties, settled out of court 2010, worked as studio musician and teacher to support

| family. Corroborated independently by Rolling Stone settlement coverage and Music News Net.

SECTION FOUR — THE COVENANT ANALYSIS

The Torah Charges — Applied to the Nameless Oxen

The Primary Charge: The Muzzled Ox — Devarim 25:4

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

This is the most direct Torah application in the series. The session musician treads the grain. The recording is produced. The commercial engine turns. The royalties flow — to the label, to the named artist, to the publisher, to the distributor. The ox that trod the grain receives a flat fee and a session rate and goes home. **The Wrecking Crew played on recordings that generated hundreds of millions of dollars in commercial revenue across decades. They received union scale. The Torah's command is specific and unconditional: the ox that treads the grain must eat from what it treads.** Flat fees are not the grain. Session rates are not the grain. The grain is the royalty stream that flows from the music indefinitely. ***Lo tachsom shor bedisho*** — you shall not muzzle the threshing ox. The muzzle was the work-for-hire agreement. The muzzle was the session contract. The muzzle was every flat fee ever paid for work whose commercial value would compound for decades.

The Levitical Model: Service Deserves Covenant Provision — Bemidbar 18:21

"To the Levites I have given every tithe in Israel for an inheritance, in return for their service that they do, their service in the tent of meeting."
— Bemidbar (Numbers) 18:21

The Levites served the covenant sound. They did not receive a one-time payment for a single act of service. They received a tithe — an ongoing provision calculated as a proportion of what the whole community produced — because their service was ongoing and essential to the community's covenant life. **The session musician's service is ongoing in precisely this sense: the music they recorded continues to serve the commercial community indefinitely.** Hal Blaine's drum patterns on ***Be My Baby*** are still being played on radio stations. Carol Kaye's bass lines are still on streaming platforms generating fractions of cents per stream. The Swampers' rhythm section on ***When a Man Loves a Woman*** is still in commercial circulation. **The Torah's model for those who serve the covenant sound is not a flat fee. It is an ongoing proportion of what their service produces.**

False Weights in the Credit Structure — Vayikra 19:35-36

"You shall do no wrong in judgment, in measures of length or weight or quantity. You shall have just balances, just weights, a just ephah, and a just hin."

— Vayikra (Leviticus) 19:35-36

The commercial illusion maintained by record labels — that famous bands played their own instruments, that the Monkees played on their own records, that the Byrds played on *Mr. Tambourine Man* — is a false weight in the credit structure. **The consumer who purchased a Monkees record believing the Monkees played it received a false measure.** The session musicians whose work produced that record received no credit and no royalties. The label received the commercial benefit of both the music and the false attribution. Carol Kaye: *"We all knew the scam."* The Torah names it: ***mishpat tzedek*** — just judgment — applies to every credit structure as fully as to every scale.

The Cycle: Named Artists Who Perpetuated the Wound

Several artists documented in earlier reports perpetuated the same extraction on the musicians behind them. James Brown's fine system (Report No. 13) paid musicians \$25–\$50 per show while Brown generated millions from their work. Billy Joel withheld royalties from Liberty DeVitto for over a decade. The series has documented the named artist as victim. This report documents the named artist as, in some cases, the next link in the chain of exploitation. **Shemot 23:9 applies:** you shall not oppress the stranger, for you know the heart of a stranger, having been strangers in Egypt. The named artist who knows what exploitation feels like is held to a higher standard regarding those who labor behind them, not a lower one.

SECTION FIVE — THE LIVING WITNESS: KEPHA ARCEMONT, 2026

A Blues Guitarist Reads the Record

Kenny Aronoff plays on my recordings. He appears in *Hired Gun*. He is one of the most recorded drummers in the history of American popular music — he has played on recordings by John Mellencamp, John Fogerty, Joe Cocker, the Rolling Stones, Meat Loaf, Smashing Pumpkins, Trace Adkins, and hundreds of other artists. He played the drum fill on John Mellencamp's *Jack and Diane* that is one of the most recognized drum moments in classic rock. Philip Bynoe plays on my recordings. He has toured with Steve Vai and recorded with artists across multiple genres. **The musicians who play on my recordings have navigated the hired gun system their entire careers.** This report is my covenant testimony about that system.

◆ *I am the Elder and founder of Miqdash Bethel Covenant Assembly. I am also a recording artist. The system this report documents is not abstract to me. Kenny Aronoff and Philip Bynoe are session musicians in the tradition of every musician documented in this report. Their work is essential. Their*

contribution is covenant-level. The Torah standard for how I relate to them as their recording artist is not the flat-fee work-for-hire model. It is the Bemidbar tithe model: a proportion of what their service produces, ongoing, as the covenant standard for those who serve the sound.

Carol Kaye said: "We all knew the scam." She knew it. She played anyway. She played the bass line on **Good Vibrations** and **Wichita Lineman** and hundreds of other recordings because the music was worth playing and the work kept her family fed. That is the covenant musician's dilemma in its most precise form: the gift is real, the calling is real, and the system that surrounds it extracts the grain while leaving the ox its flat fee. **The Torah names the system. The covenant demands something better.**

SECTION SIX — THE COVENANT VERDICT

Yahweh's Record on the Nameless Oxen

The covenant verdict in this report is the broadest in the series. It covers 350–400 Wrecking Crew musicians across a 17-year period. It covers every hired gun who has toured in the shadow of a famous name since the 1970s. It covers every session musician who played on a flat fee for work whose commercial value would compound indefinitely. **The scope of this indictment matches the scope of the system it indicts.**

COVENANT CHARGE: The music industry systematically paid session and touring musicians flat fees for work whose commercial value compounded indefinitely, withheld credit to maintain commercial illusions about who played on recordings, provided no royalties for songs they contributed significantly to, and structured employment as at-will with no tenure, no benefits, and no job security. Devarim 25:4 — the muzzled ox. Bemidbar 18:21 — the Levitical model of ongoing provision for those who serve the sound. Vayikra 19:35-36 — false weights in the credit structure. The judgment is entered for every flat fee ever paid for work whose royalty stream flows to this day.

"To the Levites I have given every tithe in Israel for an inheritance, in return for their service that they do, their service in the tent of meeting."

— Bemidbar (Numbers) 18:21

In return for their service. The Levites served the covenant sound and received an ongoing inheritance from what that service produced. The session musician serves the commercial sound and receives a flat fee. **Yahweh's model for those who serve the sound is the tithe, not the session rate.** Every musician who played on a flat fee for

work that is still generating commercial income deserves to know that the Torah saw their service and names its standard. The grain they trod was real. The muzzle was wrong. **Selah.**

SERIES NOTES

Final report in series: Report No. 20 — The Hip-Hop Era to 2026. The system documented across Reports 1–19 did not end in the 20th century. Streaming, 360 deals, digital royalties, and the modern label structure carry forward the same extraction. The series closes with the present moment.

Selah.

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