

Futility of copyright in the Internet era

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For the last 30 or so years, Uganda's performing arts industry has been griping

about the lack of a copyright law or the lack of government enforcement of such an existing law.

Passed by Parliament last month, Clause 9 requires broadcasters and businesses to pay royalties whenever music is played commercially.

Revenue sharing: A new model for caller ringback tones where artistes earn 60 percent, telecom companies 31 percent, and aggregators 8.5 percent.

Infringement can now lead to fines exceeding 5,000 currency points or up to 10 years in prison. Does it matter? To answer this, we need to take a look at the broad picture.

As of 2026, there are about 11 million registered music artistes on the streaming service Spotify. However, about 80 percent of these musicians have fewer than 50 monthly listeners, and most have only a single song release.

Of the 11 million, around one million are the more committed artistes, with a consistent release schedule and a growing local audience of listeners or streamers.

Of the one million, about 100,000 musicians in 2025 were reaching a level of significant discovery, meaning they were beginning to appear in algorithmic playlists and local charts.

In other words, whether we think of the global music industry as comprising 11 million artistes in total, including one-song musicians, or one million of the committed and consistent type, this is a huge number.

Digital recording technology, since the late 1990s and the arrival of the Internet into the mainstream in the early 2000s, has led to an explosion in both musicians and the number of songs recorded each year.

For those of us old enough to have lived in Uganda through the 1970s to early 1990s period, there is still lingering trauma over the extreme scarcity of those grim years.

To us, the arrival of the Internet was a long-overdue development, when we remembered the number of postal letters that got lost or the length of time it took for an air mail letter to arrive in Europe or the United States.

However, what started as a relief in the late 1990s, with the new communication called email and Internet cafes, has now, 26 years later, turned into its own bitter experience.

All extremes come to the same

thing: Extreme scarcity is as much of a problem as extreme abundance.

Extreme scarcity, such as what we experienced in Uganda during the years between 1973 and 1993, is good for the few producers and importers, but bad for consumers.

Extreme abundance, as seen today in the Internet and digital economy, as well as in basic merchandise from China, is great for consumers but terrible for producers and businesses.

This crisis of abundance now plagues the music industry. Digital production and Internet distribution have seen an explosion in the number of Ugandan musicians.

Where, in the 1970s to 1990s, the total number of Ugandan musicians and bands could fit in a bus, today, in 2026, there are 4,400 registered members of the Uganda Performing Rights Society. If we include the Uganda National Musicians Federation, which oversees a vast network of regional associations (central, West Nile, Greater Luweero), some of whom might not yet be in the UPRS database, the total number of organised musical artistes in Uganda is more than 6,000.

Many of us know the crisis facing the broadcast industry, with more than 200 FM radio stations in Uganda as of this year, with not enough advertising revenue to go around.

Now, imagine what it must be like to have 6,000 musical artistes in an economy like Uganda's.

This is the same problem that tens of thousands of social media content creators also face, from podcasters to influencers and photographers – too much supply chasing too few paying consumers.

The economy of superabundance is plunging whole industries and sectors into an existential crisis, including print newspapers.

Unlike 30 or 40 years ago, when newspapers and, to a degree, musicians, competed primarily with local rivals, today the media competes both with rivals at a local level and with every other newspaper and musician around the world, thanks to the Internet's level playing field.

The enforcement of copyright, then, is of little help to musicians. Their most urgent need, especially for those not among the top 10, is to be discovered by audiences.

If the law is strictly enforced with prison terms a real possibility, they will simply stop playing songs by major artistes and play only those by new artistes who, at this stage, need exposure more than anything else.

All said, economics and technology are the underlying logic behind supply and demand, and supply and demand determine the value of copyright.