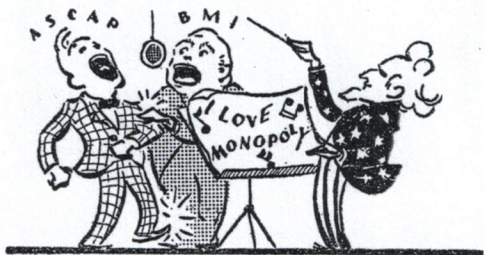


There's Monopoly in the Air

MUSIC has been called the universal language. So is monopoly. Since there cannot be more than one infinite, and since in our modern world all issues are determined by power, music must be relegated to something less than universality. Music has been made to lisp the dictates of privilege.

The re-writing of music's grammar is revealed in the present struggle for authorship between ASCAP and B. M. I. Each organization correctly asserts that the other is monopolistic in purpose; one contends that its motive is to protect the rights of writers and composers, the other that it aims to protect the music-loving public against paying too much for its pleasure. The fact is that both have good arguments for their respective cases, and both carefully conceal the name of the weapon which can clothe these arguments with authority.



Comes Trust-Buster Thurman Arnold with a revealing statement: "The Department (of Justice) is interested in seeing that neither ASCAP nor B. M. I. can get into a position that puts the public and the composers at their mercy. ASCAP has the strength and an organization already set up; but B. M. I. has the greater potential danger because it will have the exclusive performance rights over the radio."

So that's the crux of the monopoly situation: control of the radio. But who controls the radio? Obviously, those who have exclusive privilege to the air. In the language of economics, the air is nature's product, and that comes under the general term "land." Those who control the air can dictate the conditions and terms for its use; they can say what kind of music will be dispensed to the radio-listening public.

ASCAP can organize the makers of music, can dominate copyrights, orchestrations, musical libraries and all that; but the landowner has the final say as to what shall be heard by those who use his land. B. M. I. is the musical offspring of the broadcasting landowners; B. M. I. will win,

unless ASCAP agrees to the landowners' terms or becomes a landowner—through control of broadcasting stations—in its own right.

How did control of the air come into the hands of the broadcasting stations, the parents of B. M. I.? Through special privilege granted them by the State, the source of all monopoly privilege. Without the State-granted leases to the air, the language of music could not be curbed.

Competition of free broadcasting stations would provide the tunes we want to hear, and the competitive search for music would be the best "protection" for writers and composers.

The Freeman

A Monthly Critical Journal of Social and Economic Affairs

Published monthly by The Freeman Corporation, a non-profit corporation, at 30 East 29th Street, New York, N. Y. Officers and Directors: Lancaster M. Greene, Chairman; Anna George de Mille, President; Otto K. Dorn, Secretary-Treasurer; William H. Quasha, Counsel; Ezra Cohen, Francis Neilson, John C. Lincoln, Leonard T. Recker, Frank Chodorov. Entered as second class matter at the Post Office at New York, N. Y., under the Act of Congress of March 3, 1897. Single subscription, fifty cents a year; five or more, forty cents each. Title registered U. S. Patent Office.