

involving a RICO defendant. The defendant must rely on court-appointed attorneys who will be pressured to accept the prosecutor's "plea bargain" as the reasonable thing to do.

The press has given widespread coverage to the notorious arrangement foisted on Drexel Burnham's Michael Milken (an illegal arrangement in which he agreed to pre-pay large fines in return for leniency toward his company during the trial period) and similar cases.

However sleazy Milken may be, RICO reduces law to a level every bit as thuggish as the criminal activity it allegedly deters. RICO is used as a bludgeon in the most routine court proceedings. The largest suit involves an allegation by the AAA (automobile club) that a group of attorneys and insurance agents was involved in a phony accident con game, and it involves millions of documents and has taken years of court time. The other end of the spectrum is a divorce proceeding where the husband claims that his family engaged in "racketeering activities" associated with investments he made in their businesses. These bizarre matters are at best the province of civil fraud statutes.

While there are numerous proposals for RICO reform in the Congress, they are oriented to the civil provisions only. As yet, no one has dared to challenge the tyrannical content of the criminal portions of the RICO law in Congress, and a thug-like comment made by former U.S. Attorney Joseph DiGenova, on ABC's "Nightline" program, tells why. DiGenova alleged that the entire \$150 billion bailout of the savings and loan industry was necessitated by "fraud" on the part of the S&L executives, and threatened that they would be prosecuted under RICO for their "crimes." This theme has since been echoed by all the major "watchdog" groups in the media. "Nightline" host Ted Koppel pointed out that the Congress wrote the rules governing the S&Ls and must share in the blame for the problem, so DiGenova's logic would make them conspirators also. To the apparent shock of Koppel, DiGenova snapped back, "That's right, and they will find out that they are not above the law."

### For further reading

"DoJ seizure of Teamsters 'smacks of totalitarianism,'" *EIR* Vol. 15 No. 28, July 15, 1988.

"When rule of bureaucracy replaces rule of law," Interview with Lennart Hane, *EIR*, Vol. 16, No. 2, Jan. 6, 1989.

Edwin Vieira: "Secret government moves to impose an oligarchical legal system in U.S.," *EIR* Vol. 16, No. 11, March 3, 1989.

## 'Verdi A' echoes in New York music world

On April 9, exactly one year after the famous conference organized by the Schiller Institute in Milan, Italy that launched a worldwide campaign to lower the tuning fork, New York City's Town Hall was the site of an operatic recital designed to promote what has become known as "Verdi's A." Singers from the Lubo Opera Company of New Jersey were joined by Adalisa Tabiadon, a young soprano from Italy and Pavarotti prizewinner, in singing a series of selections especially featuring the operas of Verdi and Beethoven at A-432, for an audience of over 1,000 people.

Since the April 9 concert, called "In Defense of the Human Singing Voice," reverberations of the tuning battle have continued to echo through the high-powered New York musical world, where many of the top stars of the Metropolitan Opera, past and present, have signed a petition circulated by the Schiller Institute in support of a law to mandate the "Verdi A" in Italy. So far, both of New York's mass circulation tabloids, *New York Post* and *Daily News*, have reported on the campaign, and Andrew Porter of the monthly *New Yorker* magazine gave the April concert a thoughtful review.

As the *Post* and Porter both report, the campaign was started by the controversial American political leader Lyndon LaRouche and his wife, Schiller Institute founder Helga Zepp-LaRouche.

### First time in decades

The three-hour concert of operatic arias and ensembles on April 9 marked the first time in several decades, perhaps in this century, that a professional operatic performance was held in New York at "Verdi's pitch."

The artists demonstrated how the natural beauty of the human singing voice is enhanced when the scientific tuning of Middle C-256 is used (this was the basis Verdi used to set his A tuning fork at 432 Hz). This, combined with the quality of the performances, drew a warm response from the extremely diverse audience of over 1,000, which ranged from music critics, opera and symphonic conductors, and professional singers and players, to members of local church choirs

and senior citizens' groups, many of whom had never heard a live operatic performance before.

Anthony Morss, the program's musical director, introduced the evening by explaining that in fact, there's "nothing new about this" campaign to lower the standard tuning pitch. He explained how, when the pitch had climbed in the 19th century, "international singers complained, composers protested, and international commissions were formed" to try to lower the pitch, as it was in Paris in 1859, when the pitch was standardized at A-435 for a brief time. "Now, it's happening again, and this time, we have to act," he said.

The singing began with a demonstration of the point, as baritone Miguel Andoor and tenor Dimiter Mihov sang the celebrated "friendship" duet, "Dio, che nell'alma infondere amor" from Verdi's opera *Don Carlos*, first at the high tuning of A-440, and then at Verdi's pitch of A-432. The program included arias and ensembles from Verdi's *Don Carlos*, *Un Ballo in Maschera*, *Il Trovatore*, *Luisa Miller*, and *La Forza del Destino*, and Beethoven's *Fidelio*, among other works.

On April 24, the *New York Post* ran the headline "Stars Favor One LaRouche Pitch" across the top of its page 6 gossip page—probably the most read page in the daily. The paper picked up coverage from the *Opera Fanatic*, actually a hysterical attempt to discredit the pitch campaign, to report:

"Because orchestras sound more 'brilliant' when they play at a higher pitch, conductors have been gradually escalating the pitch for years, to the dismay of the singers. But it took the Schiller Institute, headed by [Lyndon] LaRouche's wife, Helga, to marshal the stars into an international campaign, says the latest issue of *Opera Fanatic*." The *Post* goes on to cite the names of opera celebrities who have backed the Schiller Institute campaign.

### 'Principle not in dispute'

Andrew Porter, veteran music critic at the *New Yorker* and himself a Verdi scholar, reviewed the Town Hall concert in the May 1 issue of the magazine.

"Pitch is climbing again, from the A-440 internationally enjoined at an 1885 congress of Vienna and reaffirmed several times since. Many American orchestras play a little sharper than that, many European orchestras sharper still. Yet 440 was already high, it seems—the result of misunderstanding or manipulating evidence at the Vienna congress. French 'diapason normal,' A-435, promulgated in 1859, should have been the result. Verdi, an insistent advocate of low pitch (stipulated in licenses for performing *Aida*), would have liked A-432, but he wrote to Boito—Italy's delegate to the conference—that a compromise on 435 would be acceptable: the difference was negligible; the important thing was to defeat the proposals for an unacceptably high A-450 that some were championing.

"Pitch has never been fixed for long. In 1619, Praetorius called A-about 430 'this present-day pitch of ours' but acknowledged the existence of pitchings as much as three sem-

itones higher and three semitones lower. Tuning forks show that Praetorius's general pitch was again general in the late eighteenth and early nineteenth centuries. Then it began to climb. . . . Conductors wanting their bands to sound "brilliant" encouraged the rise. Singers, not able to screw up their vocal cords as a fiddler or piano tuner can the strings, protested. The Paris Opera company in 1822 got the pitch there lowered for a while (from 431.7 to 425.8). At Covent Garden, Adelina Patti's influence helped to get the house pitch, which had climbed toward A-450, lowered to 'diapason normal' for the 1880 season.

Today, singers are again up in arms. The Schiller Institute—part of the Lyndon LaRouche network of organizations—has launched a campaign for lowering operatic pitch not simply to A-440 but to Verdi's A-432, and has enlisted in support, among many others, Elly Ameling, Gabriel Bacquier, Fedora Barbieri, Carlo Bergonzi, Richard Bonyngue, Grace Bumbry, Montserrat Caballe, Piero Cappuccilli, Maria Chiara, Fiorenza Cossotto, Giuseppe Di Stefano, Placido Domingo, Dietrich Fischer-Dieskau, Mirella Freni, Gianandrea Gavazzeni, Marilyn Horne, Alfredo Kraus, Pilar Lorengar, Christa Ludwig, Sherrill Milnes, Leona Mitchell, Kurt Moll, Birgit Nilsson, Louis Quilico, Ruggero Raimondi, Joan Sutherland, and Renata Tebaldi. With such a cohort, victory could surely be won. All that the singers and conductors need do is insert a pitch clause in their contracts, such as Tebaldi (even though down to only A-440) used to have written into hers: any higher, and I won't sing, won't conduct.

"Some aspects of the institute's conservative agenda might surprise the author of *Die Räuber* and *Don Carlos*. Good ideas, however, can be shared by strange bedfellows, and at least in its campaign to lower pitch—to reduce strain and stridency, to replace 'automatic' brilliance by fullness, naturalness, and eloquence—the institute is likely to have musicians' support. The mathematical difference is small—less than a semitone—but singers claim that it makes a big difference: puts the breaks between registers and the 'passaggio' notes where the composers put them. However, a Town Hall recital this month presented by the institute did little to demonstrate the musical and vocal benefits of lowered pitch. There were two pianos onstage, one tuned to Verdi's A-432 and the other to A-440. At the start of the evening, a message from Miss Freni, commending A-432 as a preserver of vocal 'bellezza,' 'colore,' and 'facilita,' was read. But only one number—Verdi's Carlos-Posa duet, the first piece on the program—was sung at both pitches. . . .

"The principle, on the other hand, can hardly be in dispute. Alexander Ellis, in his famous 'On the History of Musical Pitch' (1880), castigated those who sought to enforce instrumental brilliance at the expense of singers—'as if the price of whole orchestras of instruments bore an appreciable ratio to the loss caused by the premature ruin of one great singer's voice.' "