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To: Julie L. Sigall
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From: Stephen Collins

Comment:

I believe that "orphan works" are a problem. I'm not even sure if I have need of them, but generally speaking, it seems to me that the recent extreme extension of copyright laws makes many small pieces of church music just simply "street children". Some hymnals do a pretty good job of notifying copyright holders, others don't. Some hymnals "modernize" the texts - does that negate the copyright? Others modify the organ accompaniment, sometimes by just a few notes, in some cases putting their own copyright on them. I confess, I haven't studied the copyright law extensively, but it all seems very convoluted when it comes to - not so much making a profit off a "performance" - but simply extending the music available for a worship service on a Sunday morning, or in some cases major feast days during the week.

Some denominations have multiple publishing companies, each offering hymnals to congregations - competition within the same church. (The Catholic Church in the USA, my Church, is possibly the worst!) And then, with corporate take-overs and buy-outs, I've heard that many of the modern hymns, and some older ones which would now be in the Public Domain, are owned by Disney. (Maybe that's a rumor, I'm not sure.)

My point is that we church musicians, especially those who want to give the best there is to God, through the congregation's participation, really have our hands tied by much of the copyright law. Some contemporary composers are even giving away their music because they simply want it used - to the glory of God. But many of us are petrified with the prospect of heavy fines, etc., and will stick with the very small fraction of the literally thousands of hymns available which we are allowed under the cover of one hymnal only. If a composer does his/her work for the glory of God, and the use of His people, what business is it of Congress and Hollywood (ASCAP)?

Is there actually ANY separation of church and state in this country any more?