

ANTITRUST IN POP CULTURE: A GUIDE FOR ANTITRUST GURUS

Institute for Consumer Antitrust Studies

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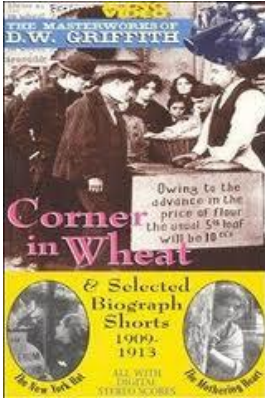
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INTRODUCTION

Antitrust is serious business. But it doesn't have to be. It is also the stuff of movies, theater, television, and a host of popular culture books, cartoons, and more. Even in these more technocratic times, there is plenty of popular entertainment that focuses on (or at least mentions) antitrust and its themes of free markets and the control of economic power and its abuse. In this pop culture guide for antitrust gurus, we sample some of the many ways that antitrust themes have worked their way into the broader culture. Some are serious, some more frivolous. All provide new ways to explore antitrust themes and help find that unique competition-themed items for yourself or the antitrust devotee in your life.

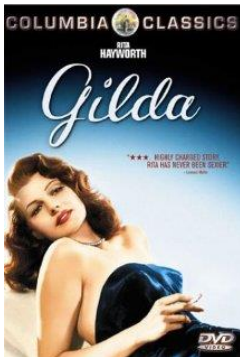
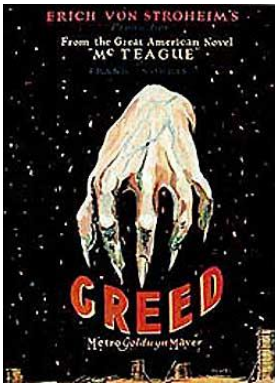
We welcome your suggestions for additional items we can include in future editions of the Guide. Please email all contributions to antitrust@luc.edu.

MOVIES



A Corner in Wheat (1909)[†] and *Greed* (1924)[†]

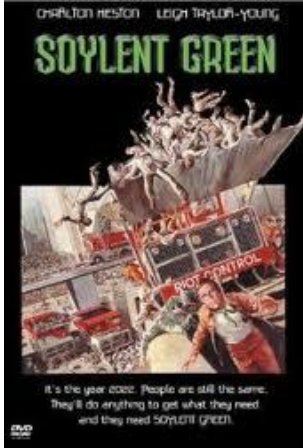
Frank Norris' novels also inspired two silent movies. The 1924 film, based on *McTeague*, was nearly 10 hours long when director Erich von Stroheim first displayed it to small group of attendees. MGM Studios cut 7+ hours before releasing it in theatres, much to von Stroheim's dismay. (The link above goes to 4-hour version that a task force managed to piece together). For those with less time to spare, *A Corner in Wheat* (in which a greedy businessman engineers a golden corner for himself by taking control of the world's wheat supply and impoverishes countless market dependents in the process) clocks in at 14:14.



Gilda (1946)

Romantic relationships are exposed against an Argentinean backdrop of illegal casinos and other illicit business operations. Johnny Farrell, Ballin Mundson and Gilda, played by Rita Hayworth, are involved in a love triangle. Mundson is also mixed up in unlawful business operations, including a tungsten cartel carried out by two Germans. The Germans operate the cartel without getting caught by putting everything in Mundson's name. While a U.S. government agent knows nothing of the cartel, the Argentine secret police are interested in the Germans. Mundson eventually murders one of them.

MOVIES



Soylent Green (1973)

A tale of Earth in despair in 2022. Natural food like fruits, vegetables and meat, among others, are now extinct. Earth is overpopulated and New York City has 40 million starving, poverty stricken people. The only way they survive is with water rations and eating a mysterious food called Soylent. A detective investigates the murder of the president of the Soylent company. The truth he uncovers is more disturbing than the Earth in turmoil when he learns the secret ingredient of Soylent Green.



Ghostbusters (1984)

Three odd-ball scientists get kicked out of their cushy positions at a university in New York City where they studied the occult. They decide to set up shop in an old firehouse and become Ghostbusters, trapping pesky ghosts, spirits, haunts, and poltergeists for money. The Ghostbusters are called on to save the Big Apple.

The below exchange occurs after the Ghostbusters captured a ghost. Dr. Peter Venkman (played by Bill Murray) then begins “negotiations” for the payment of their work:

Hotel Manager: You've seen it? What was it?

Dr. Ray Stantz: We've got it.
[Holds up the smoking ghost trap]

Dr. Ray Stantz: Sir, what we have here is what we call a non-repeating phantasm, or a class-5 free roaming vapor, real nasty one too.

Dr. Peter Venkman: Okay.
[Clears throat]

Dr. Peter Venkman: Let's talk serious, for the entrapment, we're gonna ask you for 4 big ones \$4,000 for that, but we are having a special this week on proton charging, and storage of the beast, so we are gonna ask for \$1,000 fortunate.

MOVIES

Hotel Manager: \$5,000 I don't care if you need so much, I won't pay it.

Dr. Peter Venkman: Oh, that's okay we can just put it right back in there.

Dr. Ray Stantz: We most certainly can, Dr. Venkman

Hotel Manager: [*Stops Ray*] No, no NO! Anything. [*Peter hands the manager a check*]

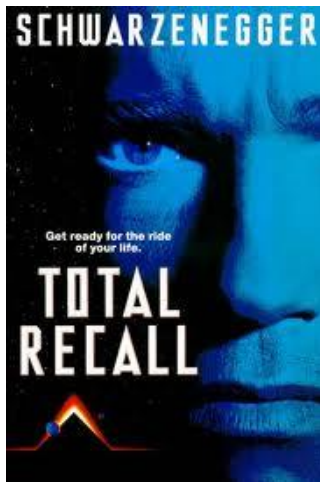
Dr. Ray Stantz: Thank you. We hope that we can help you again.



Spaceballs (1987)

King Roland (played by Dick Van Patten) of the planet Druidia is trying to arrange a marriage between his daughter Princess Vespa (played by Daphne Zuniga) to Prince Valium (played by Jim J. Bullock), but Vespa is kidnapped by the evil race of the Spaceballs. The Spaceballs ask Roland a tremendous ransom: all the air of Druidia. Planet Spaceball has a terrible pollution problem and there are issues with the air supply. The King decides to offer a generous amount of money to a space rogue, Lone Starr (played by Bill Pullman), to persuade him to save Vespa.

[This scene](#) depicts President Skroob of Planet Spaceball denying the trouble with the air supply, and using a can of “Perri-Air,” which appears to be a can of air.



Total Recall (1990)

Douglas Quaid (played by Arnold Schwarzenegger) is haunted by a recurring dream about a journey to Mars. He hopes to find out more about this dream and buys a holiday at “Rekall Inc.” where they sell implanted memories. But something goes wrong with the memory implantation and he remembers being a secret agent fighting against the evil Mars administrator Coahaagen.

The hyperlink displays a clip portraying Vilos Coahaagen (played by Ronny Cox), who decides not to provide air to people who desperately need it.

MOVIES



Demolition Man (1993)

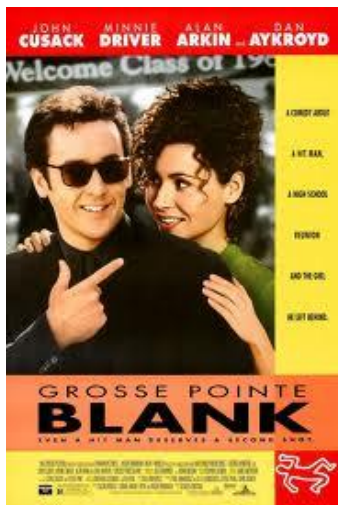
Frozen in 1996, Simon Phoenix (played by Wesley Snipes), a convicted killer, is "thawed" out for parole well into the 21st century. Released into a crime-free society, Simon Phoenix resumes his murderous rampage, and no one can stop him. John Spartan (played by Sylvester Stallone), the cop who captured Phoenix in 1996, has also been cryogenically frozen, this time for a crime he didn't commit. In desperation, the authorities turn to Spartan to help recapture Phoenix.

The movie features an exchange between Sylvester Stallone and Sandra Bullock (who plays "Lenina Huxley"), in which the two talk about Taco Bell:

Lenina Huxley: [T]aco Bell was the only restaurant to survive the Franchise Wars.

John Spartan: So?

Lenina Huxley: So, now all restaurants are Taco Bell.



Grosse Pointe Blank (1997)

Martin Blank (played by John Cusack) is a freelance hitman who starts to develop a conscience, which causes him to muff a couple of routine assignments. On the advice of his secretary and his psychiatrist, he attends his 10th year High School reunion in Grosse Pointe, Michigan, a Detroit suburb where he's also contracted to kill someone. Hot on his tail are a couple of over-enthusiastic federal agents, another assassin who wants to kill him, and Grocer (played by Dan Aykroyd), an assassin who wants him to join an "Assassin's Union."

The movie features an exchange between John Cusack and Dan Aykroyd that introduces the "Assassin's Union" as follows:

Mr. Grocer: Kid, I'm putting together a little concern, which would enable those of us in our, uh, rarified profession to avoid embarrassing overlaps.

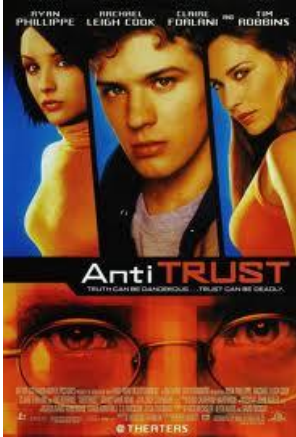
MOVIES

Martin Q. Blank: What, like a union?

Mr. Grocer: More like a club. You know, work less, make more.

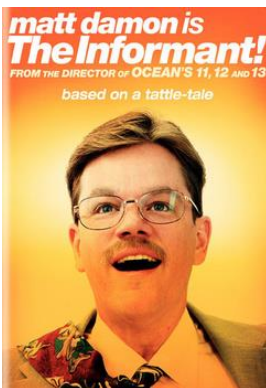
Martin Q. Blank: Wow, sounds like a great idea, but... thank you, no.

Click [here](#) to watch parts of the discussion about the “Assassin’s Union.”



Antitrust (2001)

In a world where unseen enemies can watch your every move, who can you trust? Handpicked by powerful C.E.O. Gary Winston to work on a project that will change the way the world communicates, Milo thinks he's found his dream job. But when his best friend, Teddy, is brutally murdered and clues lead to NURV's involvement, Milo becomes obsessed with uncovering the truth. With his cunning and beautiful girlfriend and a sexy programmer to help him, Milo races to beat Teddy's murderers at their own cyber game. But as they close in on him, he realizes he may be too late to learn the most important code of all: Keep your friends close. Keep your enemies closer. And know which are which before you're killed. (As the description indicates, this movie is geared more towards entertainment than education).



The Informant (2009)

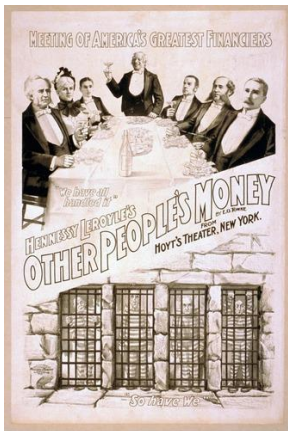
Starring Matt Damon as Mark Whitacre, vice president turned informant to the U.S. government. The government decides to go after an agri-business giant based on a price-fixing accusation, thanks to the evidence submitted by the star witness, Mark Whitacre. Whitacre worked at ADM for many years before unwillingly pressured into working as an informant against the illegal price-fixing activities of his company. Whitacre gradually adopts the idea that he's a true secret agent, but as his incessant lies keep piling up, his world begins crashing down around him.

THEATER



Tovarich (1963)

This 1963 Broadway musical about post-Russian Revolution Russian nobility in Paris is primarily known for the Tony winning performance of Vivien Leigh in her one Broadway musical appearance. However, on track eight of the soundtrack the cast gathers at a party to discuss dividing up world oil markets and treats us to a rendition of “A Small Cartel”.



Other People's Money (1989)

This play and later movie features the smarmy Larry the Liquidator who "finds companies worth more dead than alive, kills them and pockets the proceeds." Advocates and opponents of the market for corporate control will find much to discuss in this rare mainstream discussion of corporate takeovers.



Urinetown (2001)

Urinetown is the 2001 musical that takes a comic look at a world where all public bathrooms have been privatized and monopolized. If you don't pay the corporation, you can be sent to Urinetown, which may or may not be a metaphor. Uncommonly entertaining silliness and almost certainly the only musical indirectly considering questions of monopolization, state action, and the Noerr-Pennington doctrine.

DOCUMENTARIES



Fair Fight in the Marketplace (2006)

This 27 minute documentary does an outstanding job of presenting an entertaining, abridged history of antitrust law in America before effectively addressing whether the Sherman Act (enacted in 1890) and the policy that has been developed beneath it can be relevant in the technologically advanced and complex economy of today. Through the use of a delightful array of archival images, undercover FBI footage and expert testimony and commentary, *Fair Fight in the Marketplace* gives viewers powerful insight into the workings of antitrust law, and the tangible effects on the day-to-day lives of consumers.

NPR and Fox News commentator Mara Liasson, leads viewers through three recent case studies, Archer Daniels Midland, Mylan Pharmaceuticals, and Microsoft. The filmmakers do an excellent job of making the program entertaining by incorporating a plethora of historic comics and animated cartoons that cleverly illustrate how anxiety surrounding trusts and other monopolistic behavior has permeated America's public consciousness for 115 years. In addition to communicating the importance and relevance of antitrust law to individuals, the program delves into the ways these laws reflect and protect values, such as fairness and competition, that are integral to American culture.

The *Fair Fight* website (see link) also contains an education section, which has been created through funding from an antitrust settlement.



Louis Brandeis: The People's Attorney (2007)

In 1916, President Woodrow Wilson appointed Louis Brandeis to the U.S. Supreme Court. This documentary sheds light on this contested appointment and tells the story of Brandeis' success as a Massachusetts attorney in turn-of-the-century Boston.

DOCUMENTARIES



The Curious Case of Curt Flood (2011)

This HBO documentary portrays Curt Flood's antitrust challenge to baseball's reserve clause, which tied players to their teams until the teams traded or retired them. Baseball players could not market themselves to the highest bidders, and when Flood was traded by the St. Louis Cardinals to the Philadelphia Phillies in 1969, he refused to report to the Phillies. This began his legal journey that ended before the Supreme Court, and although Flood lost his case, he paved the way for modern free agency.



The Long Distance Warrior (2011)

PBS vividly portrays the man that took down AT&T, the world's largest telecommunications monopoly: Bill McGowan, the former CEO of MCI. This David and Goliath story details McGowan's personal biography along with the history of MCI, and McGowan's role in the historic antitrust case against AT&T. McGowan waged a legal battle and an advertising battle against MCI's competitor to help bring down the costs of long-distance phone calls and transform the telecom industry. Years before e-mail became a staple in business and personal communications, McGowan introduced the novel form of communication at MCI.

The documentary aired after AT&T announced its purchase of T-Mobile and is a timely cautionary tale of the consequences of a consolidated telecom industry.

TELEVISION



Little House on the Prairie Episode 520, "Barn Burner" (1979)

The townspeople contemplate boycotting the local grain elevator for failure to pay enough for grain. Themes of racial justice abound as the grain elevator operator refuses to discriminate between white and black farmers and the consequences that ensue.



King of the Hill, Season 10, Episode 10, "Hank Fixes Everything" (2006)

Buck hires the American Chopper team to help save Strickland Propane; however, they make things worse. Hank then tries to help by talking with the local propane stores; however, they begin price-fixing.

MUSIC



Antitrust Division

Alternative band from Canada. The band's myspace bio reads:

AntiTrust Division – We persevere without pretense. The digital revolution is building the foundation of an ever-growing return to the DIY ethic. The music “business” is slowly crumbling and rotting from within. The underground scenes will rise again. While the industry, bloated and complacent, pollutes us with mediocre sounds – bastardizing the human element of which the artists have founded themselves. The Archaic principles on which the music industry thrives on will be out-dated. Out of touch. Their greed has ruined and tainted everything they have come across. We have the power to change this. We are the creators. We have no hidden agendas. We are not experiments. We do not change to sell but to rebel. Progress or otherwise remain stagnant. The antiquated notions of the industry remain the same – without change. The old model is failing. This time around – everybody's going down.



Cartel

Pop-rock band from Georgia.

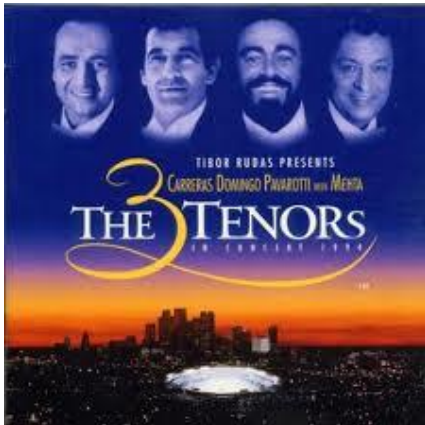
MUSIC



Pearl Jam

After Pearl Jam played two shows in Chicago, Illinois, it was outraged to discover that the ticket vendor Ticketmaster added a service charge to the tickets. At the same time, the U.S. Department of Justice was investigating Ticketmaster's practices; Justice asked the band to create a file of its experiences with Ticketmaster. Band members Gossard and Ament testified before a Congressional subcommittee in Washington, D.C.

In protest of Ticketmaster's service charge, Pearl Jam canceled its 1994 summer tour. Pearl Jam continued boycotting Ticketmaster, even after Justice dropped its case against the company.



The Three Tenors

The final recording by the three tenors and the joint venture that launched the FTC investigation and ultimately the agency's victory in the D.C. Circuit. See *Polygram Holding v. FTC*, 416 F. 3d 39 (D.C. Cir. 2005).

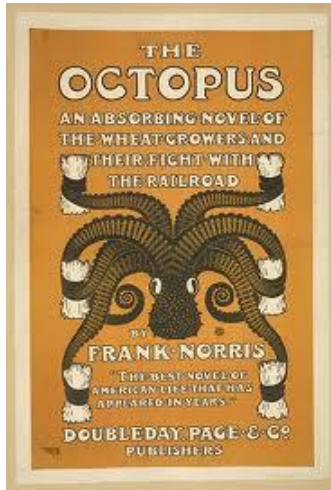
LITERATURE

Grisham, John, *The Street Lawyer* (1998); *The Summons* (2002)



John Grisham appears to have a personal interest in antitrust. For example, the main character in [The Street Lawyer](#) is an antitrust defense lawyer who converts to doing public interest work and becomes an advocate for the poor. In *The Summons*, antitrust law professor Ray Atlee is summoned home to Mississippi, by his ailing father, a prominent judge, to discuss his will. By the time Ray arrives, his father is dead; he discovers \$3 million he can't account for but doesn't mention this to his undependable brother.

Norris, Frank, [McTeague](#) (1899); [The Octopus](#) (1901); [The Pit](#) (1902); [A Deal in Wheat and other Stories of the Old and New West](#) (1903)



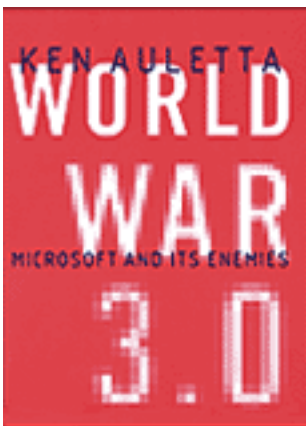
These works by Chicago native Frank Norris illustrate the theme of conflict between the rapid creation of wealth and the preservation of societal well being at a time when American industries were nascent. Norris wrote about booming businesses that manipulated the minds of fictional characters (and often destroyed their lives, literally or figuratively). Norris emphasizes personal struggles. However, his works reflect a time when the goals of antitrust were commonly intermingled with populist sentiment and a desire to protect the working class (e.g. by achieving equitable distribution of wealth) than they are today.

NON-FICTION



Arnold, Thurman, *The Folklore of Capitalism* (1937) & *The Bottlenecks of Business* (1940)

Thurman Arnold was one of the leaders in the “Legal Realism” movement and the head of the Antitrust Division at the Department of Justice during the New Deal. He later was appointed to the U.S. Court of Appeals by Franklin D. Roosevelt in 1943. *The Folklore of Capitalism* discusses common misnomers and the realities of American business and how it functions. The second book refers to the “bottlenecks” of business as characteristics that tend to obstruct the open circulation of goods, services, and capital.

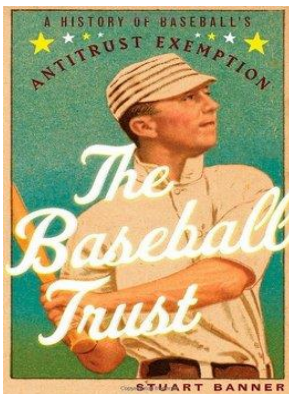


Auletta, Ken, *World War 3.0* (2000)

Auletta details the Microsoft trial in a narrative with sensational characters, with whom Auletta enjoyed behind-the-scenes access. For example, Auletta spent time with Judge Thomas Penfield Jackson, who reveals his thoughts on Bill Gates and the Microsoft witnesses. Auletta gained access to Judge Richard Posner, who worked as the court-appointed mediator. Auletta interviewed the government attorney, David Boies, and Microsoft attorney, William Neukom, for his tale of one of the most important cases in antitrust.

World War 3.0 depicts each side’s legal strategies and illustrates a more intimate human side of the people involved in the trial. Auletta uses the trial to show that it represents a “global information economy up for grabs.”

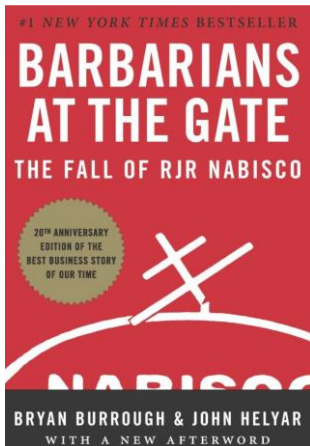
Banner, Stuart, *The Baseball Trust: A History of Baseball's Antitrust Exemption*



Legal historian Stuart Banner illuminates the series of court rulings that resulted in one of the most curious features of our legal system-baseball's exemption from antitrust law. A serious baseball fan, Banner provides a thoroughly entertaining history of the game as seen through the prism of an extraordinary series of courtroom battles, ranging from 1890 to the present. The book looks at such pivotal cases as the 1922 Supreme Court case which held that federal antitrust laws did not apply to baseball; the 1972 *Flood v. Kuhn* decision that declared that baseball is

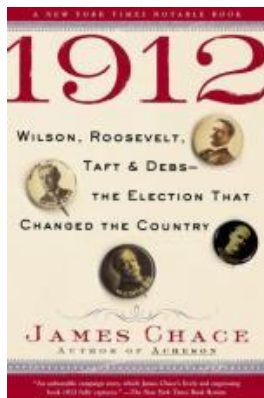
NON-FICTION

exempt even from state antitrust laws; and several cases from the 1950s, one involving boxing and the other football, that made clear that the exemption is only for baseball, not for sports in general. Banner reveals that for all the well-documented foibles of major league owners, baseball has consistently received and followed antitrust advice from leading lawyers, shrewd legal advice that eventually won for baseball a protected legal status enjoyed by no other industry in America.



Burrough, Bryan & John Helyar, *Barbarians at the Gate: The Fall of RJR Nabisco* (2003)

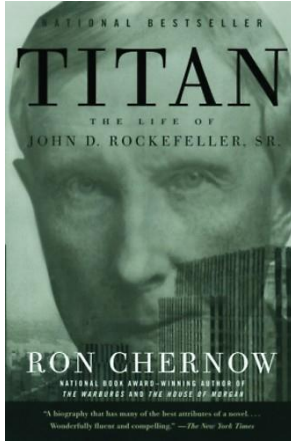
Not antitrust per se but the best non-fiction book about the hostile takeover wave of the 1980s and the colorful cast of characters on all sides of the deal. Also made into an excellent [HBO film](#).



Chace, James, *1912: Wilson, Roosevelt, Taft & Debs – The Election that Changed the Country* (2004)

This is the compelling story of the 1912 presidential election campaign, the first and only Presidential campaign that turned in large part on antitrust issues. Each of the four major candidates had strong views on the strengths and weaknesses of the 1911 Standard Oil decision and how best to move forward. Wilson's victory gave us both the Clayton Act and the Federal Trade Commission Act, and much of the modern contours of antitrust law and enforcement.

NON-FICTION



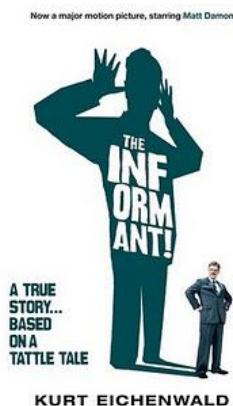
Chernow, Ron, *Titan: The Life of John D. Rockefeller, Sr.* (1998)

Chernow provides a human portrait of the man called “the Octopus” by muckrakers in *Titan: The Life of John D. Rockefeller, Sr.* Rockefeller, who created Standard Oil, became the world’s richest man and one of the most controversial businessmen in America’s history. His critics declared that Rockefeller built his wealth upon his unscrupulous tactics, including predatory pricing, corporate espionage, bribery of public officials and collusion with the railroads. Rockefeller dodged investigations for thirty years until Teddy Roosevelt and his “trustbusters” brought down Standard Oil.



The Edict of Diocletian on Maximum Prices (A.D. 303)[†]

A comprehensive price regulation scheme over commodities and services in the Roman Empire. This was part of a plan to control the value of currency – an idea that happens to be regular topic of discussion in the news today. Diocletian sought to stabilize an economy that was prone to high levels of inflation by injecting targeted amounts of currency into the market and using the edict to set maximum price levels. Thus, the purpose of the edict was to keep merchants from manipulating the market and altering the supposed equilibrium (e.g. by hoarding enough resources or otherwise gaining enough leverage over buyers to raise prices above expected levels). The edict was enforceable by death.



Eichenwald, Kurt, *The Informant: a True Story* (2001)

"The FBI was ready to take down America's most politically powerful corporation. But there was one thing they didn't count on."

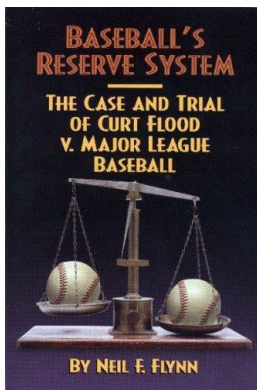
So reads the cover of this high-powered true crime story, an accurate teaser to a bizarre financial scandal with more plot twists than a John Grisham novel. In 1992, the FBI stumbled upon Mark Whitacre, a top executive at the Archer Daniels Midland corporation who was willing to act as a government witness to a vast international price-fixing conspiracy. ADM, which advertises itself as "The Supermarket to the World," processes grains and other farm staples into oils, flours, and fibers for products that fill America's shelves, from Jell-O pudding

NON-FICTION

to StarKist tuna. The company's chairman and chief executive, Dwayne Andreas, was so influential that he introduced Ronald Reagan to Mikhail Gorbachev, and it was his maneuvering that ensured that high fructose corn syrup would replace sugar in most foods.

There were two mottoes at ADM: "The competitors are our friends, and the customers are our enemies" and "We know when we're lying." With the help of Whitacre, the FBI made hundreds of tapes and videos of ADM executives making price-fixing deals with their corrivals from Japan, Korea, and Canada, all while drinking coffee and laughing about their crimes. The tapes should have cinched the case, but there was one problem: Their star witness was manipulative, deceitful, and unstable. Nothing was as it seemed, and the investigation into one of the most astounding white-collar crime cases in history had only just begun.

-See also, [The Informant](#) [movie] (2009).



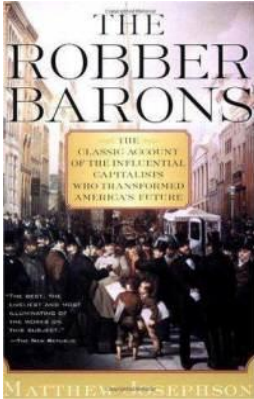
Flynn, Neil, *Baseball's Reserve System: the Case and Trial of Curt Flood v. Major League Baseball* (2006)

While scholars have produced countless legal analyses of the Supreme Court's decision in *Flood v. Kuhn*, 407 U.S. 258 (1972), this book is uniquely valuable due to its factual depth and its emphasis on the actual trial. It outlines the details underlying Curt Flood's famous lawsuit against MLB, in which the St. Louis Cardinals' star center fielder alleged that the league's reserve system (under which teams could agree to trade a player without his permission) constituted an illegal restraint of trade violating Section 1 of the Sherman Act. The author captures the historical and social significance of the Curt Flood case in the process.

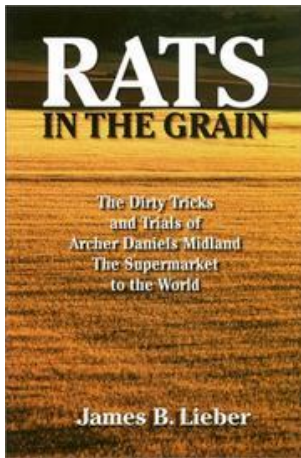
Josephson, Matthew, *The Robber Barons* (1962)

Matthew Josephson illuminates the story of industrial concentration in the United States, which is here pursued through the study of the major financial events and personalities between 1861 and 1901. This book also focuses on establishing the manner in which the country's natural resources and arteries of trade were preempted, its political institutions conquered, and its social philosophy turned into an economic one, by the

NON-FICTION

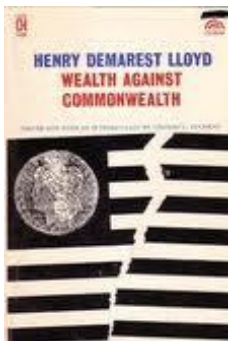


new barons. This is a classic study of the culture of American capitalism.



Lieber, James B., *Rats in the Grain: The Dirty Tricks of the Supermarket to the World, Archer Daniels Midland* (2000)

Archer Daniels Midland--popularly known as ADM, the "Supermarket to the World"--spends millions on ads during Sunday morning TV talk shows and on public radio to burnish its popular image. But behind the façade lies a vicious business eager to fix prices with its competitors and employ prostitutes in corporate espionage, according to James B. Lieber's muckraking account, *Rats in the Grain*. Lieber tells the story of why the FBI raided ADM's Illinois headquarters in 1995, as well as the events leading up to the raid and the trial that resulted. ADM was not an easy target. It was extremely well connected in Washington and was a leading recipient of federal largesse. In the end, ADM paid a criminal antitrust fine of \$100 million, and two top executives were sent to prison for collaborating with competitors. But the case was messy. The FBI's informant, Mark Whitacre—once believed to be in line to succeed the company president—twice tried to commit suicide following the FBI raid, and was eventually sentenced to nine years for his own fraud, money laundering, and tax evasion.



Lloyd, Henry Demarest, *Wealth Against Commonwealth* (1894)[†]

The most famous effort from “muckraking” journalist and Winnetka, Illinois native Henry Demarest Lloyd. An outspoken critic of monopolists, Lloyd championed the causes of miners and street car operators, among other workers groups. Lloyd joined the short-lived (albeit influential) Populist Party. He also supported socialist groups aiming to ensure a better standard of living for laborers.

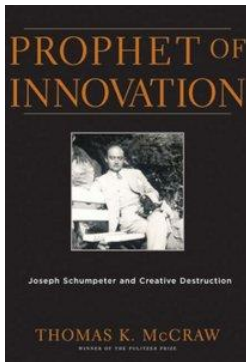
NON-FICTION

Mason, Christopher, *The Art of the Steal: Inside the Sotheby's-Christie's Auction House Scandal*



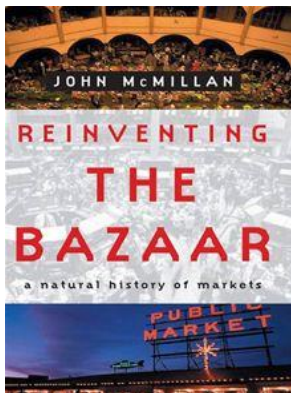
The Art of the Steal tells the story of several larger-than-life figures - the billionaire tycoon Alfred Taubman; the most powerful woman in the art world, Dede Brooks; and the wily British executive Christopher Davidge - who conspired to cheat their clients out of millions of dollars. It offers an unprecedented look inside this secretive, glamorous, gold-plated industry, describing just how Sotheby's and Christie's grew from clubby, aristocratic businesses into slick international corporations. And it shows how the groundwork for the most recent illegal activities was laid decades before the perpetrators were caught by federal prosecutors.

McGraw, Thomas K., *Prophet of Innovation: Joseph Schumpeter and Creative Destruction* (2007)



Joseph Schumpeter is described by John Kenneth Galbraith as "the most sophisticated conservative" of the twentieth century. Schumpeter believed that nearly all businesses become victims of their competitors' innovation and fail. Schumpeter thought that to survive, businesses must think strategically and be entrepreneurial. This biography details Schumpeter's economic beliefs and his personal relationships.

McMillan, John, *Reinventing the Bazaar: A Natural History of Markets* (2002)



From the stock market to eBay, markets are a visible and important part of our society. John McMillan takes readers on a tour of the world's markets and shows us that markets are powerful tools to improve living standards.

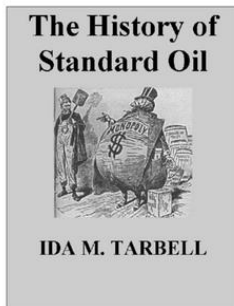
NON-FICTION



Page, William H. and John E. Lopatka, *The Microsoft Case: Antitrust, High Technology, and Consumer Welfare* (2007)

In 1998, the United States Department of Justice and state antitrust agencies charged that Microsoft was monopolizing the market for personal computer operating systems. More than ten years later, the case is still the defining antitrust litigation of our era. William H. Page and John E. Lopatka's *The Microsoft Case* contributes to the debate over the future of antitrust policy by examining the implications of the litigation from the perspective of consumer welfare.

The authors trace the development of the case from its conceptual origins through the trial and the key decisions on both liability and remedies. They argue that, at critical points, the legal system failed consumers by overrating government's ability to influence outcomes in a dynamic market. This ambitious book is essential reading for business, law, and economics scholars as well as anyone else interested in the ways that technology, economics, and antitrust law have interacted in the digital age.



Tarbell, Ida M., *The History of the Standard Oil Company* (1904)

Ida Tarbell, one of the original muckrakers, was able to help expose the Standard Oil Company monopoly that had hampered her father's efforts in the oil industry in Pennsylvania. Standard Oil founder John D. Rockefeller, irked by her stinging expose, dubbed her "Miss Tarbarrel."

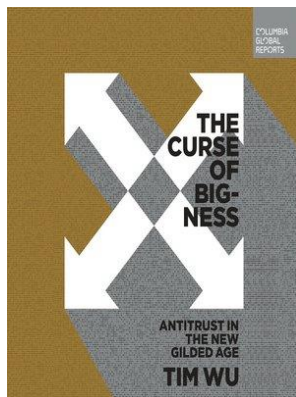


NON-FICTION



Waller, Spencer Weber. [*Thurman Arnold: A Biography*](#) (2005)

Thurman Arnold was one of the giants of 20th century antitrust. In this biography, Spencer Weber Waller details Arnold's life from his birth in Laramie, Wyoming and his roots influence on to his later life as an academic at Yale Law School. Arnold attracted the attention of Franklin D. Roosevelt, who appointed him as the head of the Department of Justice's Antitrust Division. Arnold established Arnold, Fortas & Porter in Washington, D.C. Arnold shaped American law in important ways and Waller honors his legacy with a vibrant narrative.



Columbia University Law Professor Tim Wu's modern take on Louis Brandeis discusses how a more concentrated economy harms consumers, labor, competition, and democracy itself.

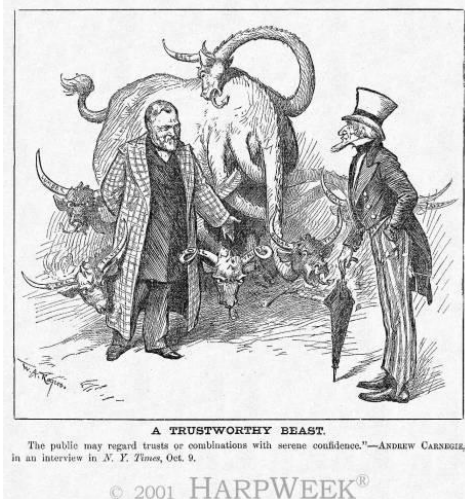
CARTOONS



"Ohio"
Source: Harper's Weekly
Date: January 26, 1884
Cartoonist: Charles G. Bush



"The Modern Buccaneers"
Source: Harper's Weekly
Date: February 25, 1888
Cartoonist: William Allen Rogers







"A Trustworthy Beast"
Source: Harper's Weekly
Date: October 20, 1888
Cartoonist: William Allen Rogers



"Hunting the Octopus"
Topic: The Antitrust Issue
Source: Harper's Weekly
Date: October 6, 1900, p. 929
Cartoonist: William Allen Rogers

CARTOONS

	
<p style="text-align: center;">“I'm Afraid That Ice Has Killed It” Topic: The Antitrust Issue Source: Harper's Weekly Date: October 20, 1900, p. 1000 Cartoonist: William Allen Rogers</p>	<p style="text-align: center;">“Blind-Man's Bluff” Topic: The Antitrust Issue Source: Harper's Weekly Date: October 27, 1900, p. 1001 Cartoonist: William Allen Rogers</p>
	
<p style="text-align: center;">“A Sudden Awakening” Source: Harper's Weekly Date: June 22, 1901 Cartoonist: William Allen Rogers</p>	<p style="text-align: center;">“To the Finish” Source: Harper's Weekly Date: November 25, 1905 Cartoonist: William Allen Rogers</p>

These are just a few of the cartoons from Harper's Weekly dealing with antitrust-related themes. More are available in the Harper's Weekly archives at

<http://www.harpweek.com/09cartoon/BrowseByTheme.asp>

More generally, there is a vast collection of political cartoons dealing with antitrust theme from the 1890s through the 1920s. Many can be found through Google Images at:

<http://www.fulltable.com/CCC/trusts01.htm>

<http://www.theodore-roosevelt.com/toonsbytopicantitrust.html>

<http://www.cartoonstock.com/directory/a/antitrust.asp>

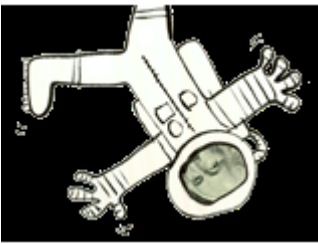
PODCASTS



Goliath: How Monopolies Came to Be

A podcast from BBC Radio4 where Will Hutton considers the ironies and tensions central to modern monopolies, tracing the hoistory of monopolies and public attitudes towards them.

[Goliath: How Monopolies Came to Be](#)



NPR's Planet Monopoly frequently features podcasts relating to antitrust themes in a fun accessible manner. In 2019 alone, Planet Money features a three part podcast on the [past present and future of antitrust policy](#) as well as an episode called [The Phoebus Cartel](#) about the international lightbulb cartel of the 1920s that agreed to decrease quality and throttle innovation to increase sales of inferior shorter lived technology.

†: accessible free of copyright online. The full version (or something close to it) can be found be following the link.

www.imdb.com (The Internet Movie Database) was consulted for a number of descriptions of the movies listed in this Guide.