

be able to speak to the effectiveness of the services they provide.

*Information Literacy Instruction that Works* will be useful for new and veteran academic librarians in any post-secondary context. It capitalizes on the fact that librarians are not usually trained teachers, and provides quick-and-dirty advice on how to be an effective instructor. Step-by-step search strategies in supplied teaching exercises will be just as useful for a librarian who is new to a discipline, as for instruction planning. This book will also be useful for library school students who are interested in information literacy instruction, and for researchers looking for areas of study; each discipline-specific chapter highlights emerging information behavior and usability issues within that field.

The book contains lesson plans, suggested resources, and a detailed index. Supplemental materials found on CD with the first edition of *Information Literacy Instruction that Works* are available with this second edition as free web extras at [www.alaeditions.org/webextras](http://www.alaeditions.org/webextras).—Jennifer Hoyer, *Interference Archive*

**Robert Spoo.** *Without Copyrights: Piracy, Publishing, and the Public Domain*. New York: Oxford University Press, 2013. 384 p. Paper, \$35.00 (ISBN: 978-0-19-992787-6). LC 2012-040019.

Robert Spoo's latest offering, *Without Copyrights*, balances the legal and historical with a skillful narrative style. Those who were intrigued by Spoo's earlier chapter on Ezra Pound in Saint-Amour's *Modernism and Copyright* (2011) will be rewarded with more context and detail in this engaging work. His focus on United States copyright law and its effects on foreign authors adds to the coherence of his work. As in Carys Craig's *Copyright, Communication and Culture* (2011), we are prompted to rethink copyright. In their own respective examinations of copyright, both Craig and Spoo challenge us to remember the public good. Craig provides us with a framework for

re-imagining copyright while Spoo's account leaves us questioning its purpose.

Spoo's credentials as Chapman Distinguished Chair at the University of Tulsa College of Law are immediately apparent as he begins his work with a description of the early legal landscape and the state of the public domain. We learn that the first U.S. federal copyright act of 1790 allows no copyright protection for foreign texts, and that the 1891 Chace International Copyright Act enables foreign authors to claim copyright protection with the caveat of a prohibitive U.S. manufacturing requirement. Foreign texts remain largely unprotected.

In this copyright vacuum a system of self-regulation that Spoo refers to as "trade courtesy" emerges. There is "order without law" (36), as agreements between authors and printing firms for use of their uncopyrighted material in this system are often honored by other firms. Here Spoo argues that all the copyright actors are satisfied: the author receives voluntary payment, the public enjoys distribution, and printing firms make a profit. We are shown throughout the book how trade courtesy enforcement measures such as public shaming and the undercutting of the "pirates" (violators of courtesy rules) continue to remain effective in the 20th century.

The second chapter describes a subsequent round of significant changes to the copyright act in 1909 that provides authors with added time to comply with the US manufacturing clause. As with the 1891 act, Spoo reminds us that popular authors with unobjectionable material are favored. Those without a willing publisher are left with the untenable option of self-financing a U.S. print run at an exorbitant cost. In this chapter it would have been helpful to see empirical data depicting the magnitude of the effect of the manufacturing clause on foreign authors, so that the scale of the problem can be visualized. Spoo instead turns to vivid examples of alternative strategies by foreign authors to attempt to claim

their copyright. He remains successful in describing the plight of the author.

Spoo takes a methodological turn in his next chapter. We are reminded of Locke's theory of labor and what its rhetoric brings to bear on William Enfield's, Herbert Spencer's, and William Wordsworth's arguments for author rights. The bulk of the chapter is devoted to an analysis of Ezra Pound's statute, which is also grounded in Lockean labor theory. Pound suggests a perpetual copyright that finds a balance between the interest of authors and the public by suggesting liability rules to keep books in print. While Spoo does note that Pound's statute neglects to account for the extended level of fair use freedom enjoyed by authors in the 1900's, he does effectively adopt the spirit of Pound's statute as a yardstick throughout the book for comparison between laws of past and present.

Spoo makes use of his final chapters to illustrate with detailed examples the reach of trade courtesy. In the fourth chapter, Samuel Roth's attempts to print James Joyce's *Ulysses* are chronicled. We see that while Roth's unauthorized reprinting attempts are legally sanctioned, Joyce skillfully bands supporters together and effectively smears Roth with a moral campaign arguing the rights of the author. Spoo in this chapter characterizes the ineffectiveness of the law and the ability of the public domain to govern itself. He shows that trade courtesy can be appropriated by authors as well as printing houses.

A further strengthening of Spoo's argument in favor of the public domain appears in the fifth chapter. We are guided through James Joyce's failed attempt to extract financial damages from Samuel Roth. The battle of Bennett Cerf on behalf of Random House and Joyce to decriminalize *Ulysses* is also recounted. Spoo again shows the triumph of trade courtesy in that no other printers challenge Random House's agreement with Joyce, even though *Ulysses* is arguably in the public domain.

While no analysis of our current digital landscape is provided, Spoo's "Epilogue"

is nevertheless concerning. Current U.S. copyright law grants retrospective copyright protection to previously unsuccessful copyright applicants. Spoo claims that this has complicated the state of many modernist works, which have negatively affected groups (such as musicians) that had come to rely greatly on the public domain. We are also told of a 1999 European Union Council Directive that is allowing previously unpublished items with expired copyright to be copyrighted for 25 years by "any person who lawfully publishes or lawfully communicates the work" (270). Spoo highlights the shift of the U.S. courts from serving the interests of the public to a neo-Lockean author-centric focus. He draws our attention to the patchwork state of the public domain, which "impedes the global spread of creative works" (269).

The legal, historical, and philosophical framework of *Without Copyrights* will satisfy both legal and historian audiences, and the flowing narrative and use of memorable cases will reward any curious reader. The book is enhanced with historical photographs that add color and interest, and the avid researcher will be satisfied with the generous endnotes and detailed index. Readers will find that the book is structured helpfully, where adequate legal grounding is provided early in the book ensuring that the case studies to follow are meaningful. Spoo transcends the narrative: he provides his own interpretations of precedents and events with an eye on the greater public good. As such, the book will especially be of interest to library advocates questioning the current global copyright landscape.

While Spoo's work does not directly address academic book publishing or the digital realm, his observations of the past are applicable to the present. An example can be found in the commercialization potential of monographs that are freely available open access on the web. The public is still willing to pay for a print or electronic copy. In Spoo's described system of the past we see hope for the future.

In *Without Copyrights*, Robert Spoo shows the potential for flexibility in the earlier U.S. copyright system. We see the capacity for authors to be rewarded for their efforts, and we recognize their freedom to build on the work of their colleagues. Spoo's readers are compelled to reconsider and re-prioritize

the needs of the actors in the copyright network. In the end we are bound to witness and understand the effects of our modern reordering: in our attempts to strengthen copyrights we have eroded something much more precious, the global public domain.—*Andrea Kosovic, York University*