

sorship, paperback books, and textbook censorship. Added in this section in the fourth edition are "Government Papers, the CIA, Official Materials," and "Censorship in 'A Good Cause.'"

Appendix 2 covers statements on freedom of the press from John Milton's *Areopagitica*, from Thomas Jefferson's writings, from John Stuart Mill's *On Liberty*, from amendments to the Constitution of the United States, from the Library Bill of Rights, from Eisenhower's letter on intellectual freedom, and from the Freedom to Read Statement.

Appendix 3 contains "Excerpts from Important Court Decisions." Appendix 4 is an added feature and includes excerpts from the 1970 U.S. government document, "The Report of the Commission on Obscenity and Pornography." Appendix 5 is a selection of federal statutes and customs and postal regulations relating to matters of censorship. The "Selected Readings and References" at the end of the volume will serve as guides to further reading and study for persons who wish to do additional study in the field of intellectual freedom and censorship.

The informative, witty, and challenging essay written by Attorney Charles Rembar, which appears after the preface in this edition of *Banned Books*, gives an entertaining picture of censorship and law in America. This lawyer who successfully defended Lawrence's *Lady Chatterley's Lover*, Cleland's *Fanny Hill*, and Miller's *Tropic of Cancer* describes (among other topics) landmark obscenity cases and discusses the safeguards of the first amendment.

Banned Books is a valuable source of information for educators, librarians, students, writers, publishers, and for all people who are interested in preserving our First Amendment freedoms.—*Martha Boaz, University of Southern California, Los Angeles.*

The Copyright Dilemma. Proceedings of a Conference Held at Indiana University, April 14–15, 1977. Edited by Herbert S. White. Chicago: American Library Assn., 1978. 199p. \$8.50. LC 78-5929. ISBN 0-8389-0262-6.

This conference had as its focus problems of implementation and provisions of the new copyright law. As editor White points out in

the preface, it was hoped that the conference would provide the environment for ". . . the development of a solution through intensive debate[,] and compromise could indeed result in a rational outcome The proceedings that follow indicate quite clearly that this assumption was highly premature." For those who have participated in or followed the copyright saga and have been aware of the tensions between librarians and copyright proprietors in recent years, that statement comes as no surprise.

The conference planners put together a panel of distinguished representatives for the various viewpoints, providing a balanced program of representatives from government, publishers, authors, information services, as well as various types of library interests. The conference began with a historical overview of copyright legislation, presented by Professor Maurice Holland of the Indiana University School of Law.

Government representatives included Thomas Brennan, chief counsel of the Senate Subcommittee on Patents, Trademarks, and Copyright; Jon Baumgarten, general counsel of the Copyright Office at the Library of Congress; and Robert Frase, assistant executive director of the Commission on New Technological Uses of Copyrighted Works (CONTU). Also participating was Lee Burchinal, director of the National Science Foundation's Division of Science Information.

Representatives of the copyright proprietor community included Irwin Karp, counsel for the Authors League of America; Bella Linden, senior partner in the law firm of Linden and Deutsch, which has as its clients a number of major American publishers; William Koch, director of publications for the American Institute of Physics; and Paul Zurkowski, president of the Information Industry Association.

Representing the library community were Robert Wedgeworth, executive director of the American Library Association; Richard de Gennaro, former president of the Association of Research Libraries and director of the University of Pennsylvania Library; Efen Gonzalez, past president and member of the copyright committee of the Special Libraries Association; and Alphonse Trezza, executive director of the National Commis-

sion on Libraries and Information Science (NCLIS). In addition, a stimulating and provocative after-dinner talk on the subject "Intellectual Property and Intellectual Freedom" was given by Robert O'Neill, vice-president of Indiana University and senior official of the Bloomington campus.

The format consisted of formal presentations by each speaker, discussion and interchange among presenters, and interaction with members of the audience. The volume faithfully records all, which makes for interesting reading, if not always explicit clarification by presenters of questions raised by conference attendees. Without doubt, the proceedings make a worthwhile contribution to an understanding of the various and diverse conflicting viewpoints and, equally important, point to the continuing difficulties in resolving them.

Having attended the conference, I was pleasantly surprised to find a reading of the proceedings to be as timely now as in April of 1977, with many of the unanswered questions still unanswered, and most of the adherents to a specific point of view still adhering, tenaciously. Of particular interest to librarians are the comments of the representatives of library interests, which are solid and well articulated. This volume is one of the better efforts in the plethora of publications purporting to explicate this complex subject.—Nancy H. Marshall, University of Wisconsin—Madison.

Seltzer, Leon E. *Exemptions and Fair Use in Copyright: The Exclusive Rights Tensions in the 1976 Copyright Act*. Cambridge, Mass.: Harvard Univ. Pr., 1978. 199p. \$17.50. LC 77-13676. ISBN 0-674-27335-4.

The contents of this book first appeared in the April and June 1977 issues of the *Bulletin of the Copyright Society of the U.S.A.* Seltzer's work is a major contribution to the copyright literature, and the publication of the text, with the addition of appropriate appendixes, in hardbound book form is welcome.

As director of Stanford University Press and a member of the California bar, Seltzer's perspective on copyright is one deserving of attention from academic librarians. Seltzer is concerned not with the heated

and narrow arguments among librarians, publishers, and authors that have surrounded the emergence of the Copyright Act of 1976, but rather with analyzing the constitutional and theoretical foundations of copyright and with formulating an intellectually sound framework for "the continuing public policy debate on the proper limits of copyright protection."

Although the Constitution gives Congress the power to grant an author the "exclusive right" to the use of his or her work, the purpose of that right is to benefit society, and the right, which is intended to function as an economic incentive, is modified by two restrictions. One is that of *exemptions* from copyright control made by Congress to accommodate competing interests. The other is the reading public's implied right to use copyrighted materials in certain ways without permission, a right that has come to be known as "fair use."

It is the tensions generated by this scheme that are the focus of Seltzer's book. Seltzer examines the possible impact of the 1976 Copyright Act on the workings of copyright in the U.S., especially on the areas of exempted use and fair use, and concludes that the new law does nothing to resolve the old problems in these areas and has furthermore introduced troublesome new problems.

The first chapter is a lucid, solid, gracefully written presentation of the meaning of the constitutional copyright clause. Seltzer includes a particularly helpful diagrammatic portrayal of the different concepts involved in the copyright scheme, their economic position, and how they overlap. Later sections of the book thoughtfully and knowledgeably examine the library photocopying question, in the context of the concepts Seltzer has developed.

Seltzer's cogent, original thinking and careful writing shed light in an area suffused mostly by heat in the past few years. *Exemptions and Fair Use in Copyright* is strongly recommended for academic libraries and librarians. Although readers unfamiliar with legal concepts and terminology may find parts of this volume somewhat difficult reading, it is well worth the intellectual effort.—Madeleine Cohen Oakley, Cornell University, Ithaca, New York.