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Counter-Response

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literary methods. Realizing that the French court's action rendered the book irreplaceable, we put it in our locked cage collection to await the eager *thesard*.

As for Fast's category of books containing "erroneous and dangerous information," here again a case can be made for retention and protection. Georges Simenon won a court case for defamation against his ex-wife's fictionalized memoir about him titled *Le Phallus d'or* (need I translate?). Here

too the book was withdrawn from the trade because the court found that it contained information harmful to its subject. And here again we acted to protect the interests of our present and future researchers by placing the contentious title under lock and key.

With books at least, we have signed no licensing agreement with publishers, vendors or aggrieved third parties. When we bought the book, it became ours to deal with as we see fit. We must place the interests of our users first, and if

others have a superior claim, they can make it in a separate action. We must make our best defense and not prejudge the matter in favor of those who are not our clients. And if some librarians are focused on vendor relations, they should remember that they have colleagues with a different perspective that should not be pre-empted.

As for possible forgeries and other hoaxes (a category left out of Fast's and Webster's literary moralizing), we're still examining the *Vinland Map*. ☛

Counter - Response

Recalling A Book

Here is Barry's and Judy's response to Jeffry Larson.

Jeffry Larson has broadened the debate on this subject and raised some issues we had not covered. Part of the pleasure of writing for (and reading) *Against the Grain* is that complicated subjects can be raised and analyzed from a number of different viewpoints.

We agree with Larson that collection management librarians should be included in the decision making process. There is, as Larson points out, a legitimate viewpoint that they represent, and they should be consulted. The decision to keep a plagiarized book for the purpose of primary research is valid, and the value of the book in that context should be considered.

While Larson views this decision from the value-to-the-collection standpoint, certainly a legitimate perspective, we continue to disagree that the decision should be made by the "appropriate selector." Plagiarism is a legal issue. It is, by extension, a business issue, and the decision therefore rests ultimately with the acquisitions librarian. He or she should consult the selector, the library administration, the legal authorities and other appropriate people, but the final decision should reside within the acquisitions librarian. In fact, Judy did just that by discussing the book with a respected faculty member and the legal authority on campus. Judy did not participate in a "cover up" by reporting that the situation was embarrassing; she merely added this remark as further evidence that the book was plagiarized.

We fail to see how a legal opinion for or against returning a book makes for extra work on the part of university staff attorneys. They get these kinds of questions all the time, and we doubt they give advice based upon how much extra work it will make for them. This does not seem like a smart way to keep one's job.

Larson calls Barry "excessively moralistic," a sure sign that he has never met him. In discussing Barry's viewpoint Larson seems to move from plagiarism to censorship. We should make it clear that the **Protocols of the Elders of Zion**, as offensive and untruthful as it may be, should enjoy the same protection as any other book. When Larson introduces two court cases he muddies the argument. In neither of these cases did the publisher voluntarily state that they made a mistake in publishing the books and that they wanted the books returned. In both these cases the publishers fought to keep the books alive. As librarians and booksellers we should always be on the side of the book, even when it is hurtful, dangerous or unpopular. But not when the publisher tells us it is plagiarized, because plagiarism destroys the intellectual playing field.

To clarify Barry's view: Libraries should keep the book in cases of suspected, but unproven plagiarism. Even if a court finds that a book is plagiarized and orders its removal from distribution, there seems no compelling reason to return the book. In this case, the publisher is trying to protect its decision to publish.

and although it lost in court it has not asked libraries to return it. When in doubt (and we can certainly doubt the courts, especially these days), keep the book.

If, however, the publisher says that they have subsequently found the book to be plagiarized and want it returned we should comply. In this case the publisher is exercising its right, retroactively, not to publish a book, and we should respect that right.

Larson makes a strong case for keeping a book, even when the publisher has recalled it. There may be situations where the need to have primary sources of plagiarism outweighs the desire to cooperate with the publisher in protecting intellectual property. That is why this case is so interesting to us, and Larson's contribution to the debate is welcomed.

Do we appear inconsistent? A foolish consistency is the hobgoblin of little minds. We made that up. Really. ☛

Library Profile

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circulation database. Now, the initial order record is simply edited as necessary by the Acquisitions and Cataloging staffs. In addition, the title records are in the public catalog within hours of order placement. We have embraced this new procedure with enthusiasm, and continue to search for similar opportunities with other materials vendors. ☛