

Public Lending Right: The American Author's Viewpoint

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AMERICAN AUTHORS ARE JUST beginning to hear about public lending right (PLR). But, for the most part, they seem to like what they hear.

Completely confident generalizations about the American writer's attitude toward PLR are impossible, if only because the attitude is too unformed. At this point, PLR has attracted understanding and support among only a relatively small group of authors active in major East Coast professional organizations.

Nonetheless, interest in PLR is building. Several major writers' publications have carried at least brief comments on the right within the past year, and the general climate of opinion among authors eventually may stimulate a full-fledged American PLR campaign. But for now, the prevailing opinion is one of first impression, an opinion that the executive secretary of one writers' organization describes as basically positive ("a little bit of palm-rubbing") mixed with skepticism ("it'll never happen in my lifetime").¹

Grace Weinstein occupies one of the better vantage points to survey the American writer's opinion from her position as president of the Council of Writer's Organizations, an umbrella group embracing a number of leading writers' associations. She confirms that few authors are conversant with PLR: "I was surprised when I brought it up at one of our meetings that it had to be defined for a lot of people. I've been hearing about it for a number of years and I think it would be a wonderful thing."²

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Weinstein, who also serves as board president for the American Society of Journalists and Authors (ASJA), finds her own enthusiasm for PLR mirrored in the reactions of fellow writers hearing about the scheme for the first time. The most common preliminary reaction, she says, is "Hey, that's great."³ Other writers share Weinstein's impression that American authors would eagerly embrace a PLR plan on this side of the Atlantic. Murray Teigh Bloom, an ASJA committee chairman, nonfiction book writer, and author of hundreds of magazine articles, says, "Everyone sees it as all pluses and no minuses."⁴ This observation echoes Australian travel writer Colin Simpson's conclusion that among those on the producing side of the Australian book industry, attitudes toward PLR are "utterly predictable." Simpson, who helped lead the successful Australian campaign for PLR, says the obvious conclusion is "that our authors think PLR is of immeasurable benefit, that publishers are all for it, and that literary agents...look to their authors to let them collect authors PLR and charge commission on it."⁵

If Simpson's assessment applies equally to American book producers—and the observations of insiders like Weinstein and Bloom suggest that it does—then the spreading word on PLR seems likely to ignite an "utterly predictable" American campaign for PLR along the fiery pattern set by British writers. But the prospects for such unified PLR support among American authors are not nearly that certain. A variety of factors sets U.S. writers apart from their Australian and European counterparts, and suggests that the road to an American PLR scheme will be a rocky one—if it can be traveled at all.

A basic barrier is that American authors are not as organized or professionally minded as many of their cousins elsewhere. Bruce Bliven, Jr., the well-known juvenile and adult nonfiction book writer and *New Yorker* staff writer, says, "American authors are pretty passive and pretty disorganized." He adds that he hasn't even found the unanimity of support encountered by Weinstein and Bloom, concluding that outside of the tight group of professionally active authors, support for PLR is divided. "I've found about a half-and-half split," he says. "An awful lot of people instantly think it would be a bad idea. It somehow sounds all wrong to them. I think there's an awful long way to go before there's even author support for the idea."⁶ Murray Teigh Bloom, despite his warmth for PLR, concedes that even among supporters, the scheme is not a major professional concern: "It's just not a front-burner item. Nobody is beating a loud tom-tom over it."⁷

The group most likely to make an issue of PLR is the Authors Guild, Inc., a New York-based writers' organization that has taken the

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lead in exploring American PLR possibilities. The Authors League, a related organization, supported the first and only American PLR legislation ever before Congress, a 1973 bill which quietly died in committee. The Authors Guild *Bulletin*, that circulates among a membership of 5000 professionally-minded writers, has given PLR the most extensive recent coverage of any writers' publication, and is a principal source for what little that American authors know about the scheme. Rob Cather, the Guild's assistant director, has been studying PLR as a preliminary to a possible Guild campaign for American PLR legislation. Cather agrees that consciousness-raising among authors is an essential first step to any further development. He says: "I think most authors are scarcely aware of it. I'd never heard of it myself until...the Guild asked me to do some research into it, and I was astonished. Consulates and cultural offices at embassies had never even heard of it; librarians had no listing of it, even in their catalogs, and it was very hard to find people who even knew what you were talking about."⁸

However, the Guild has seen to it that far more writers, especially those in the New York metropolitan area where its membership is concentrated, at least know what PLR is and how it basically works. In December 1979 Jan Gehlin, a Swedish author and PLR supporter, told Guild Council members about his country's system. Two months later the Guild invited Lord Willis, an activist veteran of the British PLR campaign, to talk about PLR at a well-attended New York meeting; his remarks were printed in the Guild *Bulletin*. The audience included not only Guild members, but representatives of other writers' organizations (such as Mystery Writers of America), who presumably are spreading the word among their colleagues. Moreover, the Guild Council, which has taken an active interest in PLR, includes such well-known and influential American authors as E.L. Doctorow, John Hersey, Frederic Pohl, Barbara Tuchman, and Isaac Bashevis Singer.

Robert Caro, the Guild president and author of *The Power Broker*, remains extremely circumspect about the possible direction the Guild will move on PLR: "What we've been doing so far is listening. It's a little early in the day to know exactly what we're going to do." The Guild's direction on PLR depends at least in part on the results of a major survey of authors' incomes that was due to be completed by the Guild Foundation, an organizationally separate group, in fall 1980. Caro says that no current, reliable figures on the subject exist—"I wouldn't base any book I wrote on the kind of information that is now available on the economic condition of writers in America"—and that some hard facts on the finances of writing in this country must precede any major attempt to change the system.⁹

Despite the lack of statistical data, American authors are already remarkably consistent in their opinion that the serious writer's financial outlook is bleak, growing bleaker, and sadly in need of new income sources. That attitude may do more to spur an active campaign for American PLR than any other factor. Bliven states: "Almost all the writers I come into contact with at the *New Yorker*, and who are putting books together...just take book publishing as a hobby. The number of people who make any money out of writing books is so small that a serious writer hardly thinks there's any serious chance of making any money out of book publishing."¹⁰ Cather of the Authors Guild heartily agrees: "You can get on the best-seller list now and still not have enough to pay the bills. I think there's a great deal of frustration that comes with that."¹¹

Bliven, Cather and others close to the professional writing world agree that the public perception of book writing as a lucrative profession is seriously distorted. Bliven adds: "The attention is so focused on the big television mini-series rights and the very few extraordinarily successful books. But those are so rare. I've only really met one person who had that kind of lightning hit him, and I've been sitting here in the middle of writers all my life."¹² Cather thinks that overcoming public misconceptions would be one of the first priorities for a PLR public relations campaign. He believes the Guild Foundation study of authors' incomes will be a step in that direction: "I think when the public sees how little the typical author makes, it will have quite an impact."¹³

In the meantime, the impression among writers that their financial lot is in need of repair accounts for much of the initial enthusiasm for a PLR scheme. Peter Pautz, executive secretary of Science Fiction Writers of America, quips: "Obviously, I'm in favor of anything that puts money into writers' pockets. Well...almost anything."¹⁴

An added impetus for a PLR drive in this country stems from the widespread belief that the author's lot is growing worse. Active professionals tuned in to changes in the book industry view growing corporate control as a deadly threat to serious book writing. Their chief concern is that corporate ownership will act as a literary Gresham's Law, driving out quality books in favor of mass-appeal paperbacks. Grace Weinstein states: "Publishing has changed a great deal in the past few years, or even in the past two years. The conglomerates are taking over and it's very difficult now to even sell to a publisher the so-called middle-range books, the good useful books that might have gotten a \$10-15,000 advance ten or twenty years ago. Today they're just not interested in that. It's the potboiler stuff or the big novel they know they can sell in

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quantity."¹⁵ Richard Lingeman, a book editor, magazine contributor and assistant managing editor of *The Nation*, says the success of a few best sellers may actually harm the health of the whole industry. "The block-busters siphon money away from the smaller paperback sales," he explains. He also worries about the vertical integration that has combined paperback and hardcover publishing operations and dried up separate bidding for paperback rights.¹⁶

Nonetheless, not all American writers would be likely supporters of a PLR campaign. PLR has little appeal to writers who aim at the mass market and who enjoy few library sales. The science fiction writers, riding the crest of a sales wave that rises far above the rest of the fiction market, are one such group. Norman Spinrad, president of Science Fiction Writers of America and a successful science fiction novelist who has published with Doubleday, Avon and others, notes with satisfaction that royalties in his field are way up in the past half-dozen years, and that "something like half" of the fiction now published is science fiction. He also notes that the paperback author has a "built-in inflation edge" because royalties rise as book prices rise. Spinrad's blunt assessment is that much of the grumbling about writers' incomes stems from: "all kinds of people writing things that nobody wants to *read*. These are the people who are starving, the kind of people who are forever living off grants. They are all poverty-stricken." Spinrad underscores the kinds of differences among writers that might cripple any authors' campaign for PLR when he wryly adds, "The same people have a snotty attitude toward science fiction."¹⁷

One answer to Spinrad is that PLR could free writers from dependence on government grants as a source of alternative financial support. Simpson, the Australian PLR activist, endorses the scheme precisely because of its foundation in the public's reading tastes, determined by what is checked out of libraries. In his crusty fashion, Simpson uses that rationale to dismiss the argument presented by librarians opposed to the Australian PLR plan, i.e., "that governments should give authors more literary grants; then they wouldn't need PLR." He says: "Do I have to spell out...how dim-witted and short-sighted that 'alternative' is? Most books don't and are not intended to qualify as 'literature.' Grants are payments that have no long-term effect in making authorship a way of earning a living."¹⁸

Several American authors agree that government grants have not been effective in supporting the literary arts and look to PLR as a more effective alternative. Cather says writers have gotten a fair shake from neither government nor the private foundations: "There just isn't any

money for literature. It's for the dance, opera, theater, what have you...."¹⁹ Elizabeth Janeway, a prominent feminist, novelist, nonfiction book author, and member of the Authors Guild Council, says literature has been shortchanged in comparison with the other arts because writers, who often are isolated from institutionalized arts organizations, aren't plugged in to the usual channels of government or foundation support. "Part of the problem," she says, "is that government doesn't know how to maintain writers because we're individuals. It's easy enough to get a grant for a museum or a symphony, but not for writers. I conceive of PLR as a way the government could make funds available to authors, using the libraries as channels." Janeway also sees PLR as a way of defusing one of the biggest fears about schemes for government support of writers—that he who pays the fiddler calls the tune. She explains: "If you funnel money to individual writers by way of libraries, you're putting that institution in between the government and the individual. That way it isn't up to the government. What would go to writers would be by choice of the public." She adds that PLR provides a needed protection for government as well, because individual grants to possibly controversial writers make government agencies vulnerable to public criticism: "Somebody can always come after them. Senator Proxmire will give his Golden Fleece Award...."²⁰

Writers active in professional organizations don't see the threat of government control as any real impediment to a successful American PLR plan, often citing positive reports on freedom from government influence among their counterparts in European countries with working PLR programs. They also point to experience with existing U.S. government support channels for literature as a positive sign. Cather says the National Endowment for the Humanities "seems to have done a pretty good job" on that score, and Nora Sayre, a Guild Council member, claims her own NEH grant was "splendidly stringless."²¹

Nonetheless, the mere linkage of government with writers' incomes may be an important psychological hurdle that must be cleared before PLR wins widespread American acceptance, even among authors. Bliven says that fear of government involvement is "part of the hot-stove reaction" he sometimes receives when introducing acquaintances to PLR.²² Caro says his group must be assured that PLR can be administered "with no threat to First Amendment freedoms" before any decision is made to move ahead on a PLR campaign.²³

One rebuttal to Bliven's "hot-stove reaction" is the argument that PLR might in fact enhance First Amendment goals by protecting outlets for a diversity of serious literary viewpoints. Janeway, for one,

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says the threat of conglomerate publishing control is so grave that something like a PLR scheme is necessary to preserve the market for serious, thoughtful books that don't necessarily enjoy huge sales. That is a market that libraries traditionally have provided, and that could be buttressed by an appropriate PLR plan. She states: "The number of authors who have to trim their sails by submitting to editorial control is increasing. The number of authors who can make their living by writing as they please, and by being published by a free-thinking publishing house, is now a minority. It would be nice to have some free-lance authors around who are free to express their opinions."²⁴

American authors who see such broad possibilities in PLR naturally reject the argument that the right would represent a radical, and dangerous, departure from traditional property rights. For example, a British librarian's handbook contends that PLR "brings into law a new concept in respect of public ownership, by inferring that the community has a continuing obligation to the originator of the articles it owns."²⁵ Janeway responds tersely that she doesn't "see any point in that. It's all a matter of definition. There are no sacred economic laws." Continuing royalty obligations are already a part of the American economic system. "You get royalties from oil wells," she notes.²⁶ Herbert Mitgang, novelist and nonfiction book author and *New York Times* writer, who has written on PLR for his newspaper, compares the PLR royalty provisions with the rerun fees paid on television programs.²⁷ Simpson is so irked by the notion that traditional property rights somehow stand in the way of PLR that he responds, with a good deal of hyperbole, that "the author and the publisher are the only producers whose works do not have to be bought, but can be taken home and used for nothing."²⁸

Simpson's rough-and-tumble rhetoric reflects the fire kindled by the PLR campaign both in Australia and Britain, where the main battle line fell between organized authors and various associations of librarians. Simpson still resents what he calls "unscrupulous" tactics by Australian librarians in opposition to PLR;²⁹ and some of the exchanges between British writers and librarians reflected none of that nation's traditional public reserve. The PLR issue has pitted librarians against authors in other countries as well. Swedish authors demonstrated for higher PLR rates by withdrawing every Swedish book from the nation's libraries.

Much of the caution with which Caro and the Authors Guild are approaching PLR stems from the fear that the concept could produce the same kind of writer-librarian animosity it has generated elsewhere,

particularly in Britain. Although Mitgang has written in the *New York Times* that “the proposal is expected to arouse strong opposition from librarians,”³⁰ Caro and others hope to avoid confrontation by developing an American PLR plan with the concerns of librarians in mind. Caro says the Guild’s main concern, along with making sure that government funding does not lead to government control, is that “funds for public lending right be obtained without cutting into already inadequate sources of income for the libraries of the United States.”³¹

Several American authors express bewilderment with the writer-librarian conflict PLR has produced elsewhere, and suggest that it stems from an unfounded fear that PLR somehow will cut into library funding. Mitgang says it is precisely this fear that is “the big intellectual stumbling block,” and adds, “The idea, of course, is that the money is supposed to be *federal* aid to writers, not *library* aid to writers.”³² Bliven, who says he is “terribly puzzled” by the animosity PLR aroused in Britain, says the British experience just doesn’t jibe with the warmth he has encountered in dealing with librarians, and the attitude toward libraries he has encountered among American authors: “I can’t ever remember any acquaintance of mine speak of the library as anything other than an asset, a sort of court of last resort. He can always think to himself that even if his book hasn’t done very well, it at least will be available in the library.”³³ Janeway concurs heartily, noting that librarians and authors should be natural allies. “We have many common interests,” she says; “We oppose censorship. We stand together on all kinds of things.” Still, Janeway echoes a common authors’ theme when she says that librarians “aren’t realistic” about the financial needs of authors, that they don’t adequately realize: “that the books have to come from somewhere. They have to come from people who need to eat.”³⁴

The notion that librarians unthinkingly exploit authors could be the core of authors’ British-style bitterness toward the library system if a full-scale PLR campaign produced strong library opposition. At present, however, few American authors appear to have given much thought to the library as a source of lost income. Bliven says, “I’ve never met a writer who had any idea what his own library borrowing amounted to,” but he concedes that “if somebody discovered he was the world’s most successful author—in library terms—and didn’t have any money, he might be pretty sore.”³⁵

Even if the typical author doesn’t carry lending-rate statistics around in his head, he does have a sense of the library market that—if nourished by widespread pro-PLR propaganda—could be the seed of a sense of exploitation. Peter Pautz, of Science Fiction Writers of America,

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has been following with concern a trend away from library purchase of expensive hardcover editions and toward cheaper paperbacks.³⁶ And the old author's lament, often illustrated by Jane Austen's observation that "People are more ready to borrow and praise than to buy," is not unknown among American writers.³⁷ Cather observes that his middle-income neighbors do a great deal of library borrowing: "Those people could afford to buy books, but they don't. And I think they would agree that it isn't quite fair."³⁸ And Janeway sounds like a latter-day Jane Austen when she refers to the campaign for a new copyright statute and remembers the arguments for library copyright exemptions: "I was told over and over again how useful it was to have my name get known. It's dandy to have my name get known, but I like to be paid for it. People are always willing to promote books, but how about the poor starving author? The librarians seem to think you put books on the shelves and they breed. They don't breed. We write them."³⁹

The comments by Cather and Janeway hint at the moral dimension that seems to enter the discussion whenever authors get worked up about PLR. The recurring theme is that authors who back PLR are asking only for their due: if they produce useful products, they deserve to be paid for them. The quest for simple justice sometimes seems to override the hard financial practicalities. Brigid Brophy, the British novelist and biographer and the prime mover in the British PLR campaign, played the theme when she said: "It's more a matter of morale than money. If nothing else, it shows that the government is actually *caring* slightly for the people who help fill the libraries with their raw material."⁴⁰ The moral dimension makes PLR far more appealing than other schemes for supplementing authors' incomes, such as government grants. The fact that PLR payments derive from actual use (by library patrons who have checked out a book because they want to read it) is terribly important to authors. Janeway has said that she considers it crucial to supplement authors' incomes "in some kind of *legitimate* way." Does she mean money that is earned, rather than some kind of government handout? "My God, yes!" she replies.⁴¹

That strength of feeling, along with the widespread perception that serious American authors face a glum financial future, suggests that the idea of PLR may have far more appeal here than it has manifested so far. American authors are particularly vulnerable to feelings of isolation and to a psychological lack of worth, because of both their physical isolation in a large country and their lack of financial recognition. American authors may have untapped feelings of moral outrage that could surpass those already articulated by their more organized and

closely knit European cousins. Bliven remembers teaching at an Indiana writers' workshop where "there were a lot of people who seemed to have come out of a sheer sense of loneliness."⁴²

Because PLR is a form of recognition, it can figure in the author's viewpoint as a salve for that kind of loneliness. Subscribers to *Coda*, a newsletter published by Poets & Writers, Inc., recently heard about European PLR in a cover article entitled, "Poets in Other Countries—Is the Grass Greener?" The article opened with the question, "Are writers more valued, more accepted, seen as necessary to the social fabric in Europe, or South America, or elsewhere in the world?" The answer once again tapped the vein of moral ore so often found superimposed on the PLR discussion. "Many American writers would answer yes, resoundingly. The feelings of isolation, superfluousness, absurdity,...set U.S. writers at bitter odds with our country's pervasive work ethic."⁴³ As British novelist Eva Figues put it, "Due payment for work done and services rendered is not only a practical necessity but a form of psychological feedback which we need to make us feel wanted and necessary to society."⁴⁴ The great appeal of PLR, adds Grace Weinstein of ASJA, is that "it would bring the public's attention to the fact that this is a product that has an owner, a creator."⁴⁵

The specific form an American PLR plan might take is, however, still an open question. The idea is too new for a majority of American writers to have formed opinions on most of the hard specifics that must be decided before coming up with a concrete proposal. On the touchy question of just who would be eligible to share in PLR royalties, for example, Janeway frankly admits, "I haven't the slightest idea at this point."⁴⁶ Bliven has given some preliminary thought to that question and tentatively suggests that publishers should share in PLR royalties, as they do in Australia: "I see public lending right as encouraging good books. So I would want everybody to have a part of it."⁴⁷ Mitgang thinks that maybe authors would receive the primary royalty, and that a cut for publishers and literary agents would be a matter for contract negotiation.⁴⁸ Cather notes that Swedish authors are talking about extending the right to photographers, illustrators and the like, and suggests that "logic points in that direction." However, his attitude is still unformed, and he quickly observes that "the world is seldom logical."⁴⁹

One idea American authors familiar with PLR do seem to accept consistently is that an American plan will include a ceiling on PLR royalties similar to that found in European systems. When the Authors Guild Council voted to undertake a study of PLR, the Guild *Bulletin* story on the action cited the need for a limitation on payments so that a

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few best-selling authors wouldn't be the main beneficiaries.⁵⁰ Almost every author who gets down to talking about PLR specifics feels obliged to mention something about making sure "the rich don't get richer."

American authors are far less certain about whether a PLR plan here would include some central fund for support of writers based on need or merit, rather than just on lending rates or library purchases. No great objection to the idea has surfaced, but several writers see distribution problems in the United States that don't face authors in the Scandinavian countries, where writers' welfare funds have been a part of PLR since the beginning. Weinstein comments, "I don't quite know who would administer such a fund here,"⁵¹ and Spinrad points out that this country lacks any all-embracing writers' union or central writers' organization which would simplify distribution of such a fund. He does suggest this need could be recognized in a PLR system that produced more (in percentage terms) for writers who sold less—a "decreasing progressive royalty structure" that returned royalties earned by the most-borrowed authors back into the lower end of the royalty structure.⁵²

Knowledgeable authors are more in agreement when they discuss ways in which lending rates should be determined. With a mind to securing the cooperation of librarians, they point to the need for some kind of automated sampling system that would keep the administrative load to a minimum. Bliven recalls a friend's outrage when he told her about PLR. Her exact words, he said, were: "Don't you realize the trouble librarians are in already?" Her main concern, other than the possible impact on library budgets, was "the idea that the librarians would have to stop everything and spend their time counting books."⁵³ Janeway explains the fear is groundless—"it's all done by sampling"—and adds: "Certainly the librarian shouldn't have to carry the load for that."⁵⁴ Cather says, "There seem to be modern electronic gadgets that would make it quite simple," although he admits that "we haven't gotten into the nuts and bolts of that part of it yet."⁵⁵

The solicitude that authors near the center of the recent American interest in PLR show for the interests of librarians suggests that a large part of their efforts will be devoted to winning librarian support before launching a political campaign for the scheme. Mitgang fears that the same kind of rift that developed between authors and librarians in Britain may develop here, unless early efforts to cultivate awareness are directed at librarians as well as authors; "I think the librarians are going to have to be educated as well," he says.⁵⁶ Bliven agrees: "If it's going to happen in the United States, the librarians will have to understand it first of all. Maybe authors will have to understand it later on."⁵⁷

Given the limited degree of understanding among American writers at this point, it is at least certain that no sudden, militant author agitation for PLR will break out in the near future. Bliven is not even sure the American writer ever will be willing to commit to a PLR campaign with the fervor of groups like the British Writers Action Workshop: "Writers are egocentric and they're constantly trying to get more time to write. It would be very strange if they suddenly wanted to become political activists."⁵⁸

Even Caro, who heads an organization that encompasses some of the most socially involved American writers, isn't planning for any sudden mobilization. His caution about PLR grows out of a belief that bringing it to life here will involve a far-reaching commitment: "If American writers decide to do it, it will have to be one of the great causes that we take up en masse. We'll all have to be in it. And it still won't be easy to get."⁵⁹ Sayre, noting the twenty-eight years the British PLR campaign consumed, says, "It looks as though we're planning for our old age."⁶⁰

PLR unquestionably faces obstacles that may well keep it from American shores for a good long time. A sampling of American authors indicates that they are well aware of those obstacles. But these authors also harbor an attraction to PLR that may blossom into the kind of support the concept has found among writers elsewhere and, for some at least, that gives PLR a ring of historical inevitability. As Robert Caro puts it, "The overwhelming fact about public lending right is that, number one, it is a movement that is covering, slowly but steadily, the entire world."⁶¹

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