port on the Library of Congress, and four appendices. Hamilton has a bad case of index card syndrome.

Among the topics explored are authorship as a profession, the economics of book publishing, book reviewing, book marketing and sales, literary celebrity, American presidents as authors, stolen books, book dedications, etiquette, self-publishing, editing, and the universal library. Hamilton is at his best when dealing with subjects close to his professional specialization, such as the lack of ad revenue for book review pages in American newspapers, the self-publishing racket, and book tours, where he can draw on personal experience, insider knowledge, or original research.

The book's facetious tone undermines real discussion of any topic, but a couple of general themes emerge. One is the theme of historical continuity: Most authors have never made much money from books, books have always succeeded more through accident than merit, politicians have never (or rarely) been good writers, books have never (or rarely) been well edited, etc. The second theme is that things are getting progressively worse: Too many books are published, the publishing business has become too commercialized, fewer reviews are published, marketing is becoming more and more grotesque, etc. Although these two themes do not exactly contradict each other, there is dissonance between Hamilton's bemused tone and the fairly dire situations he reports.

Humor is a subjective thing. Some readers may find this book funny. For me, Hamilton's humor is bland and unoriginal. He has a weakness for cheap shots at hackneyed targets (Richard Nixon, Dan Quayle, Oprah Winfrey) and an irritating tendency to think that anything having to do with sex is funny. Despite his known sympathy for third-world countries, his compulsive pursuit of humor can lead to a tasteless remark such as this: "My favorite tin-pot revolutionaries come from Bolivia, which changes governments the way most people change underwear."

Inevitably, Hamilton commits errors of fact and interpretation in excerpting tidbits from secondary sources. Surely, it is a mistake to quote John Adams on George Washington's lack of education (Adams was jealous of Washington's popularity) and to include as an example of Washington's bad writing a personal letter written at the ripe old age of 17 and ridicule it for lacking punctuation. John Milton's daughters are described as "ungrateful," when in fact they had little to be grateful for. Authors writing anonymously for the Stratemeyer syndicate (Hardy Boys, Nancy Drew, Bobbsey Twins, Tom Swift) promised "not to divulge that they were the men behind the pen names assigned them." The Smithsonian article from which this section was taken names at least one woman, Lilian Garis, among said authors.

Thankfully, Hamilton does not try to make fun of librarians. They figure prominently in the chapter "Best Stolen Books," which offers a sensitive reading of librarians' ambivalent feelings about publicizing book theft. "The Universal Library" is a workmanlike chapter on the history, current operations, and problematic future of the Library of Congress. It gives a balanced overview of the information explosion, preservation problems, digital projects, and even personnel matters at LC.

Hamilton concludes a chapter on book reviewing, entitled "Inglorious Employment," with a challenge to reviewers. Bland reviewing, he laments, "contributes to reader malaise and the decline of reading and literary standards. It also makes the literary world a drearier and, paradoxically, less friendly place." Tempting as it might be to fashion a nonbland review of this inoffensive book, there is nothing to justify it. *Casanova* probably will pass fairly quickly into oblivion, like thousands of other books published every year.—*Jean M. Alexander, Carnegie Mellon University.*

Lessig, Lawrence. *Code and Other Laws of Cyberspace*. New York: Basic Bks., 1999. 297p. $30, cloth (ISBN 046503912X); $14, paper (ISBN 0465039138). LC 00-271772.

Lawrence Lessig's *Code and Other Laws of Cyberspace* is an intriguing analysis of the moral, legal, and political dilemmas posed by the vast reach the Internet has now attained into the daily lives of people around the globe. Well written, deftly argued, creative, and largely persuasive, Lessig's book examines developments in cyberspace as they pertain to certain values enshrined in our legal system, including intellectual freedom, privacy, sovereignty, and intellectual property rights. Its only weakness lies in the author's failure to examine the mystique of cyberspace and to acknowledge the central role played by government in the commercialization of the Internet.

Lessig, a constitutional lawyer and currently a professor at Harvard Law School, opens *Code* with personal reminiscences of the collapse of the Soviet Union and Eastern bloc nations, briefly describing the heady days of liberation and subsequent despondency brought on by economic and political instabilities. While on the University of Chicago faculty in the early 1990s, he studied democracies emerging from former Communist states and observed widespread antigovernment sentiment among the citizens of those countries. He likens their experience to that now posed by cyberspace.

At just about the time when this post-communist euphoria was waning—in the mid-1990's—there emerged in the West another "new society," to many just as exciting as the new societies promised in post-communist Europe. This was cyberspace…. As in post-communist Europe, first thoughts about cyberspace tied freedom to the disappearance of the state. But here the bond was even stronger … the claim now was that government *could not* regulate cyberspace, that cyberspace was essentially, and unavoidably, free.

While Lessig understood—and spent considerable time studying—the evolving political sentiments among people who actually had lived under dictatorial regimes and had "real space" reasons for romantically wishing away governments, he claims that he "never quite got" the idea that cyberspace was beyond the control of government. And, apparently, he never quite examined the various factors that shape people's thinking about cyberspace, such as advertising, computer industry hype, science fiction, a general awe of technology, or a longing for human contact. This is an important oversight for a writer who cries out for political engagement in shaping the future of cyberspace.

Lessig's concern is to protect within the realm of cyberspace many of our society's most highly valued rights. He argues that free speech, privacy, sovereignty, and intellectual property rights are currently under threat in cyberspace.

…we have every reason to believe that cyberspace, left to itself, will not fulfill the promise of freedom. Left to itself, cyberspace will become a perfect tool of control.

Government regulation, Lessig argues, is essential to protect values threatened by those who would invade our privacy, restrict free speech, violate intellectual property rights, and circumvent the sovereignty of political entities. He describes quite convincingly how such regulation is possible through a coupling of "code" and political will, code being the programming—the application, transport, network, and local data link protocols—that, along with hardware and the telecommunications infrastructure, constitutes the Internet. Lessig leads the reader through the difficult terrain of computer science and legal thought and leaves one with few doubts that the technology is capable of fulfilling its end of the task of protecting privacy, free speech, intellectual property, and sovereignty. Throughout *Code,* he urges people to engage in the process of choosing how cyberspace is regulated and what values that regulation

should be designed to protect. In this last regard, Lessig is very pessimistic that popular political will has the wherewithal to engage in this task.

Part 1 of *Code* sets the stage for Lessig's arguments. He uses a series of stories from cyberspace to illustrate the values he is concerned with protecting—sovereignty, free speech, and privacy—and introduces a concept central to part of his theory, that of latent ambiguity. In part 2, he describes how things regulate and are regulated. Part 3 is devoted to close exploration of how the four values central to Lessig's concerns could be protected by code. Part 4 concludes the book and offers a prognosis for the future. Lessig shines in parts 2 and 3 of the book describing lucidly and engagingly how regulation works and can be used to support important social values.

Using a "pathetic dot" (a jab at the dot.com phenomena?) to illustrate, he shows how life is regulated by four forces: norms, law, the market, and what he refers to as architecture. He then describes the benefits of utilizing code (the architecture of cyberspace) to regulate interactions over the Internet in such a way as to support the values now threatened. His illustration of code's use in protecting intellectual freedom, in the chapter headed "Free Speech," is especially interesting, and given the debates currently under way over filtering, his proposal of "zoned" access (versus filtered access) is particularly intriguing (and his lambasting of the Communications Decency Act quite amusing). The idea behind zoned cyberspace is that Internet users would be allowed to establish their own access profiles by means of an identification number that would either enable or disable access to certain sites, much as one's PIN number allows access to the cash machine. The other chapters on intellectual property, privacy, and sovereignty are equally interesting and challenging.

Unfortunately, Lessig's brilliance and generosity as a writer are marred by his failure to acknowledge, examine, and transcend the mystique that high technology holds over the popular imagination, a mystique that greatly influences people's thinking and ability to act in regard to cyberspace. This shortcoming is nicely illustrated by one argument he uses to support his notion of latent ambiguity.

As a constitutional lawyer, and as a citizen who values the checks and balances of our government and our constitutionally protected rights, Lessig is concerned that legislation proposed to regulate cyberspace not violate constitutional law. He describes a technique used by courts to render judgments on matters the founding fathers never dreamed of, much less considered, in writing and amending our Constitution. The technique, called translation, is described through two Supreme Court cases, *Olmstead v. United States* (1928) and *Katz v. United States* (1967), involving wiretapping. After familiarizing the reader with the technique, he then proceeds to offer one of his primary arguments for the important role that latent ambiguities play in the law of cyberspace.

Briefly, Lessig argues that latent ambiguities result from situations for which the Constitution offers no clear guidance and demands that a choice be made between two possible answers/decisions that might be in conflict. Describing a method proposed by Laurence Tribe that "sketches a method of reading the Constitution in cyberspace that aims to make the Constitution 'technologically neutral,'" Lessig utilizes an example provided by Tribe to both question the latter's theory and support his own concept of latent ambiguity. The example comes from a case concerning the Sixth Amendment and deals with a defendant's right in a criminal trial to be confronted by his accuser—a two-way encounter, or "confrontation." Lessig notes that, today, technology makes one-way confrontation possible:

> …the witness confronts the accused, but the accused need not confront the witness. The question then is whether the confrontation clause

requires one-way or two-way confrontation.

He then argues that "Given the technology of 1791," the founding fathers "did not have to decide between one-way and two-way confrontation; [and now] given the conflict of values at stake, it is not obvious how they would have decided it," "it" being a case in which the Supreme Court decided in *Maryland v. Craig* (1990) that one-way confrontation is constitutional. Lessig declares this situation to be an example of the sort of latent ambiguity inherent in legal decisions regarding cyberspace, ambiguities that demand a choice between two different outcomes. But, one wonders, certainly the founding fathers must have considered the possibility of (and decided against) one-way confrontations in the form of written accusations or screened or disguised accusers. These "technologies" existed in 1791 and may have even prompted the need for the Sixth Amendment. Simply because technologies of the past might be judged low tech by today's high-tech standards, one cannot afford to ignore the power they exercised or underestimate the consideration demanded by those seeking to codify values that in many ways transcend time and technology—high or low. This chauvinism of high tech toward low tech is an important element of the mystique the computer industry and its acolytes have built up around cyberspace, a mystique that might interfere with people's ability to understand and act on issues such as threats to democratic ideals posed by those corporations that currently configure and control the Internet.

Lessig contributes further to political inaction by failing to give more than passing mention of the Telecommunications Act of 1996 through which the government, for all intents and purposes, handed the Internet over to the private telecommunications industry. He gives loud warning about the "invisible hand" of commerce that will make choices about cyberspace with its own interests and profits foremost in mind. He proceeds to argue that people should appeal to government to regulate that hand *in the public interest*, but does not acknowledge the government's own complicity in giving that hand free reign in cyberspace. What gives? By rendering government complicity with corporations invisible (or by simply assuming government neutrality) in the developing saga of cyberspace, Lessig ends up doing more to disempower people than to activate them.

All that aside, *Code* is an important book and should be held in all academic and public libraries. It is a pleasure to read, offers considerable insight into this important topic, and provides a sound starting point for an important discussion.—*Elaine Harger, W. Haywood Burns School, New York, NY.*

Postbaccalaureate Futures: New Markets, Resources, Credentials. Eds. Kay J. Kohl and Jules B. LaPidus. Phoenix, Ariz.: Oryx Pr. and The American Council on Education, 2000. 276p. $41.50, alk. paper (ISBN 1-57356-360-9). LC 00-021939.

This volume of fourteen articles sandwiched between an introduction and conclusion provided by its editors presents the papers delivered in November 1998 at a meeting in Aspen, Colorado, sponsored by the Council of Graduate Schools and the University Continuing Education Association. The contributors to this effort are not the usual suspects. Most come from private industry, state and federal agencies, and regional and national higher education organizations. Indeed, only Myles Brand, president of Indiana University, and Donald N. Langenberg, chancellor of the University of Maryland System, could be said to represent the traditional academic enterprise in any meaningful way and both obviously are committed to the general thrust of the movement toward nontraditional postbaccalaureate education.

The term *postbaccalaureate,* in the context of these papers, refers to the growing number of educational programs offered by various agencies, including aca-