

MEMORANDUM

To: Mary Ferrell, Bob Groden, Cyril Wecht, Harold Weisberg, Gary Shaw
From: Roger Feinman
Date: August 19, 1993

I gave Carroll & Graf permission to use a maximum of 1120 words from my manuscript, *Between the Signal and the Noise*, in Livingstone's book (He wanted to use about 3500). This amounts to significantly less material than the blanket permission that I have granted to the research community (i.e., 500 contiguous words up to a maximum of 2000). No consideration was either requested, offered or received for this permission.

I don't like what Livingstone is doing, and I am especially disappointed in the naïveté (and, in the case of one critic, rank pettiness and cruelty) on the part of Kent Carroll after having two extensive, lively and somewhat argumentative discussions with him. Nevertheless, while there is no right answer to the choice I made, several factors weighed more heavily in my mind than others:

First, if I were administering the copyright to Sylvia Meagher's *Accessories*, and Livingstone or anyone else came to me with a request for permission to quote, so long as the quotes were accurate and fair I would be hard pressed to deny that permission, regardless of whether or not I agreed with the author's views. In principle, then, there should be no distinction regarding administration of my own work.

Second, I feel that my manuscript contains a valid message. I have limited what Livingstone may use from my manuscript (Carroll is certainly free to use less or none, as he wishes), and the portions that I am allowing him to use effectively constitute an advertisement for my manuscript without giving the actual substance away. I consider that quite fortuitous.

Third, I note that when a diatribe containing personal attacks against me was being circulated in the research community and on publicly accessible computer networks, none of Livingstone's targets except for Harold Weisberg came to my defense, reproached or expressed any opprobrium toward the author. Now that I have issued my response, I have received numerous private commendations of my work from people who are apparently reluctant to share their positive reactions with others. We have a problem that is directly comparable to the fear with which many politicians regarded J. Edgar Hoover, another dossier-keeper. The fact that Livingstone is out to criticize several prominent researchers has afforded the one most deserving of scrutiny the opportunity to hide behind the others' apron strings and seek comfort in numbers. This is an unfortunate circumstance, but the individuals involved are mature adults who are well able to fend for themselves and decide whether they wish to present a unified front. If I should agree in one area with Livingstone, I can't say that I won't be courteous because I disagree with him on other matters, neither will I suppress my own views about one in deference to his other targets. That type of emotional "self-blackmail" is explicitly antithetical to what I wrote in my manuscript.

People will either understand and respect my decision or resent it. The important thing is that I had to act; what's done is done; and, in my humble opinion Livingstone's book will probably wind up on the remainder shelves before the end of the year.