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Manuscripts: The magazine cannot be responsible for the return of unsolicited manuscripts unless accompanied by addressed, stamped envelopes.

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Cover design by Louise Fili

Publisher, Arthur L. Carter

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The Nation (ISSN 0027-8378) is published weekly (except for the first week in January, and biweekly in July and August) by The Nation Company, Inc. © 1991 in the U.S.A. by The Nation Company, Inc., 72 Fifth Avenue, New York, NY 10011. (212) 242-8400. *Washington Bureau*: Suite 308, 110 Maryland Avenue N.E., Washington, DC 20002. (202) 546-2239. Second-class postage paid at New York, NY, and at additional mailing offices. International Telex: 667 155 NATION. Subscription orders, changes of address and all subscription inquiries: *The Nation*, P.O. Box 10763, Des Moines IA 50340-0763. *Subscription Price*: 1 year, \$44; 2 years, \$75. Add \$18 for surface mail postage outside U.S. Missed issues must be claimed within 60 days (120 days foreign) of publication date. **Please allow 4-6 weeks for receipt of your first issue and for all subscription transactions.** Back issues \$4 prepaid (\$5 foreign) from: *The Nation*, 72 Fifth Avenue, New York, NY 10011. *The Nation* is available on microfilm from: University Microfilms, 300 North Zeeb Road, Ann Arbor, MI 48106. POSTMASTER: Send address changes to *The Nation*, P.O. Box 10763, Des Moines IA 50340-0763. This issue went to press on May 23.

EDITORIALS.

Quoting History

Is Leon Friedman, who along with Floyd Abrams and the American Civil Liberties Union was counsel for this magazine in *Harper & Row v. Nation Enterprises*, reports below, Congress is on the brink of rectifying a serious copyright wrong. Eight years after *Harper & Row* sued *The Nation* for quoting without permission former President Gerald Ford's orthocoming memoirs, the mainstream publishers have finally come to understand what Friedman, PEN American Center, the Organization of American Historians and others who appeared as witnesses for or submitted amicus briefs on behalf of *The Nation* tried to tell them all along. Namely, that to harass a small, dissenting magazine for publishing an article that exposed the deal behind Ford's pardon of Richard Nixon, sing Ford's own facts and citing his own words, could lead

to broader intrusions on the work of journalists, biographers and historians at the cost of the free flow of ideas and the free range of investigative journalism.

At the time, the old boy network at the Association of American Publishers backed *Harper & Row's* request that the courts forbid any use, fair or otherwise, of prepublication material. Now even *HarperCollins* (*Harper & Row's* successor) has seen the error of its ways and supports with the A.A.P. the effort to get Congress to begin to repair the damage to free inquiry.

—The Editors

The historian's craft may have been saved by a compromise, recently announced by Senator Paul Simon, among writers, publishers and representatives of the computer industry to amend the fair-use provisions of the copyright law. What do the computer industry and copyright law have to do with the writing of history?