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Plagiarism and Originality (Alexander Lindey, 1952)

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initiated in the field, this treatise provides an effective point of departure for more advanced research by the nonexpert, but it is difficult to concur with the author of one of the forewords who advances the thought that this work will prove valuable to the tax law specialist. It appears that the analysis contained in this book is on far too elementary a level for this to be the case.

Using the pertinent sections of the Internal Revenue Code as an organizational scheme, the authors provide able discussion and explanation under each section. Excellent use is made of cross references, and leading cases are discussed where such mention contributes to an understanding of the particular section. In addition several of the more important regulations and rulings are analyzed under the appropriate topic. No attempt is made to discuss highly technical sections of the code or to present rarely occurring exceptions to other sections, thus leaving the volume free from material likely to confuse the neophyte. Accordingly an excellent text is provided for use in law school taxation courses.

The discussion is cogent and easily understandable; no reader perusing this book is likely to find it laborious reading. One brief criticism of format is regrettably necessary; failure to include running headings at the top of pages designating the particular topic under discussion increases the time necessary to locate desired material. Fortunately this small deficiency is more than compensated for by the many attractions this work presents to students and attorneys.

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Alexander Lindey has been practicing law in New York for twenty-five years. A leading specialist in the law of literary property — which involves him with books, magazines, plays, movies, art, music, radio and television, and the people in these fields — he has handled a large number of plagiarism matters. Mr. Lindey was one of the attorneys who successfully defended the celebrated plagiarism suit brought
against the play *Stage Door*. With Morris L. Ernst he is co-author of two popular works: *Hold Your Tongue*, dealing with libel and slander, and *The Censor Marches On*, dealing with problems of sex censorship. He is lecturer on the law of literary property at New York University and has written, besides major legal works, articles for The Saturday Review, Esquire, Publishers' Weekly, and other periodicals.

Plagiarism is the stealing of literary, musical, or artistic property. It enters into our lives more than we realize. It impinges on the things we say and do, the books we read, the movies and plays we go to see, the pictures we look at, the music we hear, the entertainment that flows into our homes via radio and television. In every medium of creative expression the borrowing of ideas—and the embodiment of ideas—has been going on since the birth of history.

*Plagiarism and Originality* represents the first attempt to survey the subject as an organic and living whole and to clarify where permissible borrowing ends and piracy begins. It examines and seeks to integrate the various aspects of plagiarism: historical, esthetic, psychological, ethical, legal, and practical. It analyzes originality, "inspiration," and the workings of the process which produces not only a *Hamlet* or a Michelangelo fresco but a popular song or a soap opera or a strip-cartoon. It explores such intriguing byways as unconscious plagiarism, self-plagiarism, parallel-hunting, and ghost-writing. It highlights little-known facts about the great minds of all times.

The work is indeed a comprehensive study of plagiarism and a noteworthy contribution to the field of copyright law and copyright infringement. It should prove entertaining and informative to the lawyer, the writer, the layman, and even to the unconscious or willful prospective plagiarist. Here is the first book to cover plagiarism in writing and the other arts—what it is and what can be done about it. It contains a wealth of fascinating information and quotations from the world's greatest writers and artists, from Homer to the present time. And, since any discussion of plagiarism is meaningless without reference to the legal consequences, the author has devoted quite a bit of space to the most representative, provocative, and significant court cases.

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