

with stable housing are subject to far fewer gender segregated facilities on a daily basis than poor or homeless people,” and that while all transgender people “must contend with bathrooms or locker rooms that are gender segregated, those of us with homes and jobs may even be able to avoid those a good deal of the time. . .” (p.227). Thus, for the transgender poor, every trip to the bathroom renders them potential targets for abuse.

¶11 The aforementioned passages merely scratch the surface of the depth of analysis included in *Transgender Rights*. Other essays discuss employment discrimination; the inclusion of the transgender movement within the broader lesbian, gay, and bisexual movement; outdated medical models that pathologize gender self-determination; transgender marriage; and the connection of the intersex movement to the transgender movement.

¶12 The editors of this collection are scholars and advocates for trans people; Paisley Currah is a political science professor at Brooklyn College and the executive director of the Center for Lesbian and Gay Studies at the CUNY Graduate Center, Richard M. Juang serves as cochair of the advisory board of the National Center for Transgender Equality, and Shannon Minter Price is legal director of the National Center for Lesbian Rights. The contributors have similarly impressive resumes as scholars and advocates.

¶13 As each essay cites to a wealth of valuable resources, librarians whose institutions collect lesbian, gay, bisexual, and transgender (LGBT) and/or human rights materials will find in the footnotes a wonderful collection development aid. Sure to be considered a classic, *Transgender Rights* should be included in the collections of general academic and public libraries, academic and county law libraries, court libraries, and law firm libraries whose firms work with the LGBT community or specialize in family law, employment litigation, or disability law.

Demers, Joanna. *Steal This Music: How Intellectual Property Law Affects Musical Creativity*. Athens, Ga.: University of Georgia Press, 2006. 178p. \$19.95, paper.

Reviewed by Jennifer L. Behrens

¶14 During the last decade’s legal furor over Napster and other file-sharing services, reams of published debate focused frequently on economic concerns. Would rampant music piracy siphon enough profits to put the major labels out of business? And just how many downloads of “Enter Sandman”² would it take to send Metallica to the poorhouse? But the more intriguing discussions of music and intellectual property (IP) law have taken a different approach, namely, predicting the eventual effects of aggressive IP policing upon the creative output of artists. Legal action has been taken over three notes of a flute (p.94), copyrighted silence (p.6), and the performance of folk songs at Girl Scout camps (p.116). The hip-hop

2. METALLICA, *Enter Sandman*, on METALLICA (Elektra 1991).

genre, formerly a free-for-all of sampling prior artists' works, now must contend with obscenely disproportionate licensing fees. The pervasive fear of pricey lawsuits has inhibited even the most mainstream popular artists—Madonna's label cut a song from a recent disc due to insufficient documentation of a supposedly "pre-cleared" sample (p.126). Many influential scholars in the field have lamented such litigious absurdities, arguing that they stifle the stylistic appropriation and risk taking that has always been essential to the evolution of music.

¶15 Joanna Demers, a professor of music history and literature at the University of Southern California's Thornton School of Music, now enters the debate with *Steal This Music*, her first monograph. While acknowledging that "the same laws that restrict a pirate's ability to bootleg DVDs and CDs are also inhibiting artists and musicians from creating new material" (p.13), Demers argues that the current IP regime likewise *encourages* artists, by forcing them to develop creative ways to circumvent the restrictions. For example, artists increasingly turn to the music of Third World countries as an affordable alternative to sampling domestic songs. This particular workaround has enhanced the diversity of American music (while also, naturally, spawning its own legal questions of attribution and exploitation).

¶16 Demers begins with a whirlwind tour of the evolution of IP rights in Europe and the United States, remarkably distilling four centuries of legal theory into just thirty pages. Unfortunately, the remaining chapters lack this conciseness and often meander through lengthy dissections of particular songs. These tangents can be entertaining to read, as in the case of a Bollywood singer with a particular knack for manipulating American IP laws to his advantage (p.101–03), but they are oddly organized and often distract from the author's central point. While each of the slim book's four chapters would have made a fine free-standing article in a source like the *Journal of Popular Music Studies*, pieced together as a book, the text never quite seems to gel.

¶17 But this reader's reaction may simply be the result of bad timing: Demers largely shares her thesis with Kembrew McLeod in his far superior *Freedom of Expression: Overzealous Copyright Bozos and Other Enemies of Creativity*,³ which was published less than one year earlier. McLeod, a professor of communication studies at the University of Iowa, is considered a seminal voice in these debates, and his works take an irreverent but more sharply focused look at similar issues. Unsurprisingly, then, Demers's book has largely been overlooked by reviewers as well as by libraries (OCLC holdings of McLeod's recent title outnumber hers by nearly two to one). Perhaps the comparison is not entirely fair, since Demers is actually *reinterpreting* McLeod's dire perception of a general chilling effect on musical creativity. In addition, Demers frequently acknowledges her debt of influence to McLeod, as well as to other IP heavy hitters like Lawrence Lessig,

3. KEMBREW McLEOD, *FREEDOM OF EXPRESSION: OVERZEALOUS COPYRIGHT BOZOS AND OTHER ENEMIES OF CREATIVITY* (2005).

Siva Vaidhyathan, and Rosemary Coombe (who provides the book's foreword). Certainly to readers already familiar with the works of these authors, *Steal This Music* will not say very much that is new. But those who are just beginning to delve into these issues will find Demers's work to be an engaging (if haphazard) introduction to the central arguments, and a likely "gateway drug" to her more established contemporaries. *Steal This Music: How Intellectual Property Law Affects Musical Creativity* is recommended for academic libraries that place a collection priority on copyright and entertainment law materials.

Feinman, Jay M. *Law 101: Everything You Need to Know About the American Legal System*. 2nd ed. New York: Oxford University Press, 2006. 363p. \$28.

Reviewed by Jessica Wimer

¶18 In writing *Law 101: Everything You Need to Know About the American Legal System*, author Jay Feinman, a professor at Rutgers Law School, endeavors to provide an understandable overview of the American legal system for those with no legal background. By explaining the "basics of the law"—the rules, principles, and arguments made by lawyers and judges—Feinman hopes to enable the average person to better understand and develop informed opinions about legal issues discussed in the newspaper or on the evening news. Thus, *Law 101* focuses on the principles of law applied by *judges* and understood by *lawyers* when facing a legal matter. It does not purport nor attempt to provide an overall explanation of legal process or structure, such as the structure of the federal court system, the role administrative agencies play in creating rules and regulations, or the legislative process.

¶19 *Law 101*'s organization is based on the typical first-year law school curriculum. Sections cover the following topics: constitutional law, civil procedure, tort law, contract law, property law, criminal law, and criminal procedure. With the exception of constitutional law, which is covered in two chapters, the basics of each topic are condensed into one chapter. Information presented in each chapter is skillfully pulled together in the final concluding chapter, which challenges readers to apply the concepts presented in *Law 101* to current legal situations and test whether their understanding of the law has changed.

¶20 The frequent use of the question and answer format allows *Law 101* to logically and easily navigate through otherwise dense material. Most chapters begin with a general description of the topic followed by a question such as, "What is constitutional law?" or "What is civil procedure?" Following each answer is the next logical question, "Why do we need constitutional law?" or "Why do we need civil litigation and civil procedure?" The answers introduce additional key points related to each topic, often using highlights from current cases that illustrate how courts may deal with particular issues.

¶21 While *Law 101* will definitely appeal to some readers, three areas cause me concern. First, despite its concise writing style and interesting examples, *Law*