Perspective
Writing about Reading (continued)

If you have yet to read the first portion of this essay (in *Cites & Insights* 11:4, April 2011), you should read that first—it's less snarky and probably a lot more useful than most of this segment, which descends more deeply into universalist nonsense.

How Ebooks *Will* Change Reading and Writing

Some of the items discussed here may not really belong, and some may be admirable—but you're going to see a higher percentage of what I might charitably call meretricious nonsense. In any case, here's a whole bunch of determinism for your reading pleasure—if you still read, that is. (An audiobook version is not yet available, but I have never disabled the text-to-speech functions of PDF or, for that matter, your PC's operating system. Would this all seem more amusing if "read" to you by, for example, a young Scottish woman? Make it so.)

A New Page
This essay, which appeared August 3, 2009 and is by Nicholson Baker, is entitled "Kindle and the future of reading" as a browser title. The tease: "Can the Kindle really improve on the book?" This is a *New Yorker* article, not a blog post, and at 6,000 words, make no mistake: It's the kind of essay that makes me almost want to subscribe to the *New Yorker*. But it's also Nicholson Baker, who has a talent for mixing reasonable speculation and ~~batshit~~somewhat extreme notions.

He ordered a Kindle 2. "How could I not?...I was being steered."

> Everybody was saying that the new Kindle was terribly important—that it was an alpenhorn blast of post-Gutenbergian revalorization.

There it is: *Everybody*. Nicholson cites two sources, both asserting that writing will never be the same, one that "Printed books...are going to join newspapers and magazines on the road to obsolescence." Nicholson also quotes from Amazon user reviews and accepts rumored sales figures. So, you know, Baker *had* to buy the thing. Amazon made him do it.

He leads us through the unpacking process in a literary fashion—"the plug...was extremely well designed, in the best post-Apple style. It was a very, very good plug." OK, I'm jealous: I'll never get anybody to pay me $1 a word or better for deathless prose like that. Then comes the anticlimax, again in Baker's style:

> The problem was not that the screen was in black-and-white; if it had really been black-and-white, that would have been fine. The problem was that the screen was gray. And it wasn't just gray; it was a greenish, sickly gray. A postmortem gray. The resizable typeface, Monotype Caecilia, appeared as a darker gray. Dark gray on paler greenish gray was the palette of the Amazon Kindle.

Inside This Issue

> This was what they were calling e-paper? This four-by-five window onto an overcast afternoon? Where was paper white, or paper cream? Forget RGB or CMYK. Where were sharp black letters laid out like lacquered chopsticks on a clean tablecloth?

Baker wasn't enchanted.

> And yet, you know, many people loved it. To be fair to the Kindle, I had to make it through at least one whole book. Jeff Bezos calls this "long form" reading. I had some success one morning when I Kindled my way deep into "The Complete Idiot's Guide to Writing Erotic Romance," by Alison Kent...

Maybe I should stop there. I attempted to read Baker's essay online. That may be a mistake. I also tried to give Baker the benefit of the doubt, taking him seriously. That may also be a mistake. I trust

he was being paid by the word, since in this essay he is one wordy son-of-a... Ah, but who am I to complain of someone else's wordiness?

Baker seems to fall for Amazon silliness. He has a rambling story about the development of e-ink and associated devices. He goes through form factors on the Kindle and the Kindle 2. He uses "un-ergonomicism," which shows more courage (or something) than I'd be willing to display. He moans about the Kindle DX's effect on e-delivered newspapers. "It diminishes and undercuts them—it kills their joy. It turns them into earnest but dispensable blogs." And apparently he thinks iPods are great and better reading devices than Kindles (I may have read that wrong; my eyes were glazing over).

In the end, he does manage to read a page-turner novel on the Kindle. And, hey presto, there's the end of the essay. Thoughts delivered on "the future of reading"? None that I could find, or maybe they're buried in Baker's prose. I've quoted roughly 170 words out of some 6,000. You may find the whole essay wonderful. You may even find that it offers some worthwhile notions on the future of reading. Me? Not so much.

Books will survive, but not on paper

No namby-pamby equivocation here. Susan Hayes says it flat out in this September 4, 2009 piece at *The Australian*. After all, she sat down with "US digital guru Bob Stein" to discuss the future of the book—Stein calls books "user-driven media," which tells me more than I need to know—and they both agree that "the paper book, as we know it, will gradually disappear from our shelves over the next 10 years." Just watch them fade away...

Now that these two great minds have established a universal truth, she can tell Australian publishers they must be ready. Everything's going digital and the transition is harder for small publishing houses: "Setting a manuscript in user-friendly digital format is not simply a matter of pressing a few buttons." Really? Once a manuscript has been turned into a designed book? There's more about author contracts and self-publishing, some of it possibly valuable, but given the *wholly unsupported* absolutism in the title and first paragraph, I'm hard-pressed to pay much attention. It's fair to say some commenters aren't convinced she's made a coherent case. One was at the session Hayes apparently refers to and says, "It left me thoroughly unconvinced."

Oh, and Bob Stein? She probably means Robert Stein, founder of The Voyager Company and the Institute for the Future of the Book—and I regard his credentials as a surefire prophet on publishing's future about as seriously as I do Nicholson Baker or, say, Nicholas Negroponte.

Rebooting the Book (One Apple iPad Tablet at a Time)

Here's Mark Sigal writing on September 22, 2009 at *O'Reilly Radar*. He sees stagnant book sales, the sad state of Borders (even in 2009) and "a world devoid of bookstores." He quotes approvingly two authors who claim the primary function of a book is to "fulfill its promise as a transmitter/inspirer of ideas, art, thoughts, story, entertainment." From all this, he arrives at the notion that the iPad—not tablet computers in general, not ereaders, but *the iPad*—"could be a best-of-breed solution" for what he seems to see as the real functions of books.

Why? You'll have to read that directly. A lot has to do with Apple being The Perfect Company that Everybody Loves and Can Do No Wrong. Here's a great sentence:

> Flashing forward to the present, I see Apple coming up with tools that allow prosumers, long-tail media, and publishing houses to create world-class e-books that take advantage of the native capabilities of the iPhone Platform.

Prosumers. Long-tail media. World-class something, to be sure. I find the article embarrassing as I reread it, even down to the final paragraph:

> Do people even read anymore? With Apple's iPad Tablet device, my sense is that they will.

The Book That Contains All Books

Another one where the page title, "Why the International Kindle Will Change The Book As We Know It," is different than the essay title—this time by Stephen Marche at *The Wall Street Journal* on October 17, 2009. The tease: "The globally available Kindle could mark as big a shift for reading as the print press and the codex"

Marche's second sentence (after announcing the global availability of the Kindle 2) is:

> The only other events as important to the history of the book are the birth of print and the shift from the scroll to bound pages.

Marche offers his informed comments on those two earlier developments and the pundits of the time who railed about them. And, of course, makes the point that *all technological change is*

inevitable. Marche owns too many books and seems thrilled with his assurance that print books are, at best, obsolescent. He has a *proper literary name* for the ereader: "transbook, by which I mean that it is the book which can contain all books."

Marche says it's obvious where the "transbook" is headed: "It will eventually provide access to all text that is non-copyright, and to the purchase of every book in or out of 'print.'" "A single object will contain the contents of all the world's libraries. It's just a matter of when that will happen." Oh, and it's a matter of "what the book wants to be."

> It wants to be a vast abridgment of the universe that you can hold in your hand. It wants to be the transbook.

Well, damn, I'm convinced. Since the book *wants* to be the transbook (which, 16 months later, is now the universally preferred name for ebook devices), the discussion's over.

Stupid Ideas Are Still Stupid Even When Amazon Does Them

Yes, this *Whatever* post by John Scalzi from October 28, 2009 appears in this section—*not* because I think Scalzi's an extremist, absolutist or nonsensical. It's because Scalzi nailed this in one: An Amazon patent for a system to *change each copy* of a downloaded ebook—the *text* in the ebook—to watermark it.

> The patent suggests that "the modification to an excerpt performed by the synonym substitution mechanism may not significantly alter the meaning of the excerpt to a human reader," which sounds just like the something that someone who doesn't actually *write in human languages* for a living might suggest. Perhaps we should suggest we should go into this software engineer's code and swap some of the code around. Oh, sure, it might not *significantly alter* the meaning of the code. But then let's run it and see where it gets us.

As Scalzi points out, this isn't a new idea—a former SFWA VP, one I've long since stopped quoting, made the same silly proposal years before. When he did so, he was bemused when SFWA members pointed out that "actively corrupting their texts was not really a smart idea." It was a dumb idea then; it's a dumb idea now—although it does give us more insight into the attitude Amazon has about that unimportant *content* within the echunks it wants to sell us. (As usual with *Whatever*, there are many, many comments, some

well worth reading. "Address me as Ishmael" is one of those comments, and it's hard to argue with that. Or, for lovers of more basic prose, comment #23: "It was a poorly shaded, and slightly overcast evening.")

Writing in a canyon

I'm possibly even more bemused by absolutist thinking from librarians than I am from pundits and gurus, and here's Michelle Boule at *A Wandering Eyre* on February 17, 2010, and the very first paragraph:

> It seems like often when I am talking to my friend, Jason Griffey, we end up talking about the print format and how it is going to die. **Notice I did not say if**. I think we always circle back to this because usually one or both of us are in the middle of some kind of writing project or other and we are frustrated with the process or the medium. Both, usually. [Emphasis added.]

There it is: Not if, but how—apparently Jason Griffey and Michelle Boule have some omniscience the rest of us lack. She backs off a bit, although in a somewhat demeaning manner:

> I do think print books will be with us for a long time to come but I believe their purpose will be collection and vanity printing, not for reading and certainly not for most research.

Why? I'm trying to dig that out of the rest of the post (which is mostly about Boule writing a book). She's used to immediate feedback in online venues and she doesn't get that from a book. She finds writing in the absence of "the wisdom of the crowd" boring and unsatisfying.

> You might argue that I am just accustomed to social media, I have ADD instead of writer's block, or that I need instant gratification. Perhaps you are right, but I am not the only crazy person who feels this way and it is one of the reasons why print books are going to go away. And it will happen sooner than we think.

Boule may not be the only writer who feels that way, but claiming it's a reason books will disappear "sooner than we think" is a remarkable universalism: "I don't like writing books. Therefore nobody's going to write books." Ah, but there's another reason [copied without modification]:

> Most books it is out of date as soon as the first sentence is typed, let alone edited, typeset, printed, delivered, and actually read by a consumer. Add to that equation a book that involves a discussion of technology and you are in serious trouble.

And the other side, another universalism: As I am, so the world is:

> As a consumer, I believe the print industry is just not a sustainable model in its current iteration.

Which presumably means no other iteration could be sustainable? The evidence for that lack of sustainability is, well…hmm. Print book sales aren't rising as rapidly as they were in the early 21st century, although they're still at near-record levels.

The book is apparently about "the wisdom of crowds"—and Boule believes "The wisdom of crowds is changing the individual." I won't comment on that, since I believe we've always learned from others—and I learn a lot more from other *individual people* than I do from mass "wisdom." (In comments, it turns out Boule's reason for believing that *fiction* print books—which aren't part of this "wisdom of the crowd and instant obsolescence" loop—will disappear is because *hardcover books* are currently "prohibitively expensive for many" at $30+tax. Which may be why most books sold aren't hardcover and why many of us use communal sources—public libraries—for most of our hardcover books.)

Books in the age of the iPad

This threnody for print comes from Craig Mod (craigmod.com), dated March 2010. He opens: "Print is dying. Digital is surging. Everyone is confused. GOOD RIDDANCE." He's thrilled by the idea that mass-market paperbacks are going away. Some of the wonders we get from the death of (most) print books because, you know, *everybody owns an iPad or soon will*:

> You already know the potential gains: edgier, riskier books in digital form, born from a lower barrier-to-entry to publish. New modes of storytelling. Less environmental impact. A rise in importance of editors. And, yes—paradoxically—a marked increase in the quality of things that *do* get printed.

Really? Editors will be more important when anybody can publish their own ebooks? That's remarkable. But that's just the start of what's a fairly interesting essay on future possibilities, once you filter out Mod's attitudes. (He throws in a wholly unwarranted slap at Danielle Steele along the way, but never mind.)

The gist of Mod's argument is, I believe, that print books should be reserved for books where the layout—the "form"—is vital to the content. Along the way, we get inevitability:

> One inevitable property of the quality argument is that technology is closing the gap (through advancements in screens and batteries) and because of additional features (note taking, bookmarking, searching), will inevitably surpass the comfort level of reading on paper.

Oh, but wait: He *was* saying that you should only print books where the form is vital to the content, but the iPad changes even that. Not that you should replicate the form of a book. After all, flipping pages "feels *boring and forced*" (his emphasis) already on the iPhone and will feel even more so on the iPad—to all of us, because Mod is everyman. Mod expects that there will be new forms of storytelling because everybody owns an iPad. Maybe; new media *should* yield even more forms of content. Then he tries to establish what few books might still be allowed physical form. It's a manifesto of sorts. You can read it in the original. I'm not buying it.

The Carr Cluster

Arranging the sources in this section chronologically results in a cluster of five items from April and June 2010 either *by* Nicholas Carr or *about* Carr's writing (the *Atlantic Monthly* 2008 "Is Google Making Us Stupid?" and the more recent book *The Shallows*). I think it makes sense to look at all of them—and more pieces from later in 2010—together. My feelings about Carr are complex. He's sometimes a good writer but sometimes a really sloppy thinker, *very* fond of the "As I am, so is everyone" trope—or, just maybe, good at milking extreme ideas for the income-producing articles and high-selling books that can come from them. But he's also sometimes pretty good at pointing out the absurdities of other folks.

The pieces under consideration here are, in chronological order, "The post-book book" (Carr's *Rough Type*, April 1, 2010), "Burying the book" (*Rough Type*, June 3, 2010), "The internet ate my brain" (*The Boston Globe*, byline Wes Stephenson, June 6, 2010), "nick carr & the species of reading" (Matthew Battles, *library ad infinitum,* June 24, 2010), "shallows: dusty voices & the plastic fantastic" (*library ad infinitum*, June 28, 2010), "The medium is the…squirrel!" (*Rough Type*, August 22, 2010) and "Interactive storytelling: an oxymoron" (*Rough Type,* December 8, 2010).

"The post-book book" appeared on April 1, and maybe that's significant—or maybe not. Carr says

"the model of book reading (and hence book writing) the iPad promotes seems fated, in time, to become the dominant one." To Carr, this model is "an app, a multihypermediated experience to click through rather than a simple sequence of pages to read through." And, sigh, he quotes Steve Jobs' infamous "People don't read anymore" statement—then quotes the CEO of Penguin Books who sees "all sorts of cool stuff" that, he says, Penguin anticipates adding to *everything they do*—audio, video, streaming.

> He foresees sprinkling movie clips among Jane Austen's paragraphs in future editions of "Pride and Prejudice." No need to conjure up a picture of Lizzie Bennet in your own mind; there's Keira Knightley stomping through the grounds of Netherfield, cute as a mouse button.

My first response is "Holy crap." My second is to wonder how much more you'd have to pay for a version of the novel that allows you to create your own mental pictures instead of some movie director's version. Carr refers to *The Shallows* and his assertion that "When a printed book is transferred to an electronic device connected to the Internet, it turns into something very like a Web site." He quotes some other pundit on books being merely delivery systems for text with the medium having no significance, and counters that "history shows" each change in medium has resulted in a change in reading and writing habits (which might or might not be true). The finish:

> Jobs is no dummy. As a text delivery system, the iPad is perfectly suited to readers who don't read anymore.

Great snark but, in my opinion, considerably wide of the mark. One commenter takes the whole idea seriously and wonders what happens to imagination when reading novels and just where the multimedia-fluent authors are to be found. I certainly resemble this commentary (by Eric London):

> I think it is difficult enough to develop the word-smithing skills to produce a novel, at least, one others want to buy and read,. But now I must learn Gimp and video cameras and CGI and sound editing? Wouldn't these 'books' be something more like a film than a novel? Perhaps closer to graphic novels, but with more moving parts. Seems to me it would require more creators than a lone fiction writer. If so, wouldn't the funding be closer to the Hollywood or game models?

London also asks why, if the "iPad novel" is such a natural thing, there aren't more of them already out there. Hyperfiction's been tried for many, many years. It's mostly failed.

Carr touts *The Shallows* in the June 3 "Burying the book"—pointing to NPRs feature of an excerpt from the book and how, you know, *this time for sure*: Even though pundits have been proclaiming the Death of the Book for two centuries, *this time it's real*. "The continued existence of the codex, though it may provide some cheer to bibliophiles, doesn't change the fact that books and book reading, at least as we've defined those things in the past, are in their cultural twilight." Why? The usual stuff: We devote "ever less time to reading printed words" and when "we" (all of us!) read, it's "in the busy shadow of the Internet." Sit down and read a magazine, newspaper or book without a browser open alongside? What kind of Luddite are you? The NPR excerpt is *long*—and, frankly, mostly convinces me I won't be running out to buy *The Shallows*. It's fair to say that commenters at NPR's site are not uniformly kind to Carr's thesis. I like this one, from Bo Sson:

> What a blatantly self serving article! An author that has a problem with the new medium. Like all things in life, personal choice is just that. Nothing more. Information is absorbed in different ways by each individual. One would think that with the ability to have hand held devices that can deliver instant information would be a boon, but for the royalties of the printed word.

Although there are certainly those who basically said "Hey, who has time to sit and read a book these days?" All of us, if we choose to. None of us, if we choose not to.

Stephenson's piece in the *Boston Globe* points to the supposed neuroscience evidence for Carr's claims that our brains are being *irrecoverably changed* by the internet and Carr's seeming assertion that, to quote the Borg, resistance is futile. The thing is, the same malleability of the adult brain works the other way: If you choose to focus, you maintain and regain the *ability* to focus.

> Carr sells short our ability to choose our fate. In the face of the digital onslaught, I can curl up in a fetal position and let my mind waste away, or I can stand and fight. The fact is, I can still decide how—and how much—to use digital media. Perhaps I'll belong to an ever smaller slice of society that moderates our use. Or perhaps more will join in the resistance. I don't know, but I wanted to see Carr grapple with these questions.

Books and the Internet, literary culture and digital culture have coexisted for many years. It may be that an engaged intellectual life will now require a sort of hybrid existence—and a hybrid mind that can adapt and survive by the choices one makes. It may require a new kind of self-discipline, a willed and practiced ability to focus, in a purposeful and almost meditative sense — to step away from the network and seek stillness, immersion.

Indeed. But, you know, that wouldn't make for a provocative best-selling book. It would be too close to the complexities and choices of real life.

Battle's first essay ("nick carr & the species of reading") takes on the "golden age" view of the last five centuries of reading portrayed in Carr's book as being wrong on most counts, especially when Carr credits Gutenberg as a critical turning point. Battle says Gutenberg was trying to corner the (existing) market in Bibles; that moveable type is *not* what made book reading a popular pursuit (you could just as easily say increased book reading encouraged the rise of inexpensive printing); and, primarily, that "there is no unitary mind at work in history," either in the past or present.

> [I]f the modern mind truly is the direct descendant of Gutenberg's invention, then so is the Internet. And like the host of cultural innovations that partook of the possibilities of the press—humanism, the Reformation, rationalism, the modern novel—critics fear its disruptive powers. In retrospect, we mistake those innovations for the charted course of history; to our counterparts in their respective eras, they looked like the Internet does to Carr: exciting but disruptive, soothing but dangerous, seductive but corrosive.

Battle is bothered by Carr's "simplistic definition of reading"—that is, deep or literary reading as the only reading that matters.

> [H]e writes as if these are all that reading has been (ever since Gutenberg, anyway), as if the kind of reading he ascribes to the Web—quick and fitful, easily distracted—is a new and disruptive spirit. But dipping and skimming have been modes available to readers for ages. Carr makes one kind of reading—literary reading, in a word—into the only kind that matters. But these and other modes of reading have long coexisted, feeding one another, needing one another. By setting them in conflict, Carr produces a false dichotomy, pitting the kind of reading many of us find richest and most rewarding (draped with laurels and robes as it is) against the quicksilver mode (which, we must admit, is vital and necessary).

There it is, applying my own biases: Carr assumes a single past and single future, a single mode of reading, creating a false dichotomy. It has *always* been the case that deep reading accompanied shallow reading. I spend more time reading magazine articles (somewhere in the middle) and internet stuff (mostly on the shallow side, but not entirely) than I do reading books, and I don't sense a dichotomy. Unlike Nicholas Negroponte (see later), I don't find it difficult or impossible to read long-form narrative, but that's not the only form of text I read or find worthwhile.

Battle's next post (in a longer series—you may want to read the whole series) goes further into Carr's I-am-everyman transformation from deep reader to one unable to edit on the page. Battle's discussion here is charming but needs to be read in the original. He notes that books aren't always "quiet counselors" (there's no more a single model for The Book than there is for The Blog or The Written Word). There's an interesting take on Carr's claim that neuroplasticity is making us shallow (all of us, and it's a one-way journey?):

> The susceptibility to transformation that Carr discusses in *The Shallows* is real. It's our native endowment—what the brain evolved to do. It is the vogue among scientists to call it neuroplasticity; before that, it was called learning.

Ya' think?

Carr's little post on August 22, 2010 is mostly a quote from Nicholas Negroponte's latest nonsense, not only telling us that print books are dead but now also that long-form reading is dead. The direct quotation:

> I love the iPad, but my ability to read any long-form narrative has more or less disappeared, as I am constantly tempted to check e-mail, look up words or click through.

I'll buy that. Negroponte has an attention problem, and maybe people should stop listening to him. My sense is, though that Carr is quoting him *approvingly* as a high-profile example of what's happening to All Of Us (that is, Nicholas Carr). One comment is particularly interesting: Tom Panelas points out that Negroponte earlier reported that he was dyslexic and never much liked reading—so now he predicts that "the thing he never liked is going away." As Panelas says, "How convenient."

Finally for this cluster, although it's less directly related to Carr's book, he takes on Craig Mod in

a December post—specifically, Mod's claim that "e-storytelling" will *and should* be substantively different. Quoting Mod:

> The biggest change is not in the form stories take but in the writing process. Digital media changes books by changing the nature of authorship. Stories no longer have to arrive fully actualised ... [Ultimately,] authorship becomes a collaboration between writers and readers. Readers can edit and update stories, either passively in comments on blogs or actively via wiki-style interfaces.

As Carr notes, that's not new—there was enormous enthusiasm among literary theorists in the 1980s and 1990s for hypertext fiction and other multimedia storytelling, and even the "death of the author" concept (where the author's simply one participant in the storytelling). Didn't much happen then, for the same reason it's unlikely to happen *much* in the future:

> Digital tools for collaborative writing date back twenty or thirty years. And yet interactive storytelling has never taken off. The hypertext novel in particular turned out to be a total flop. When we read stories, we still read ones written by authors. The reason for the failure of interactive storytelling has nothing to do with technology and everything to do with stories. Interactive storytelling hasn't become popular—and will never become popular—because it produces crappy stories that no one wants to read. That's not just a result of the writing-by-committee problem... The act of reading a story, it turns out, is very different from, and ultimately incompatible with, the act of writing a story. The state of the story-reader is not a state of passivity, as is often, and sillily, suggested, but it is a state of repose. To enter a story, to achieve the kind of immersion that produces enjoyment and emotional engagement, a reader has to give up not only control but the desire to impose control. Readership and authorship are different, if mutually necessary, states: yin and yang. As soon as the reader begins to fiddle with the narrative—to take an authorial role—the spell of the story is broken. The story ceases to be a story and becomes a contraption.

As a universal truth, that's as silly as most other universal truths: Of course there will be *some* successful interactive and multimedia stories. Maybe the final sentence is appropriate:

> An encyclopedia article can be "good enough"; a story has to be good.

I wonder why this Nicholas Carr seems so removed from the other Nicholas Carr, but such is life. (One comment of many is truly strange: "True art is never about story telling, and science...isn't story telling at all." Really? Boy, does that narrow "true art.")

the end of writing

Although this little post by "caleb" at a blog I can only render as control-f appeared on August 7, 2010, I'm inclined to believe it was intended for four months and six days earlier:

> Eventually, the intellectual and technological elite, which includes me, and you also, is going to have the same arguments about writing as we are now having about reading.
>
> People will shift away from keyboards to produce written words. We'll speak into microphones, at first clumsily and eventually efficiently with our own individual shorthands. Words commonly mistransformed by software will enter formal and spoken language. Academic papers will be written about it, this time not without irony.
>
> There will be backlash. Writing is a lost art, we will say. Anyone can put text on a screen, but real writing is done with fingers pressing on keys, with keys pressing back on fingers in kind but ultimately yielding. Our new writing, in contrast, yields to the computers representing it.
>
> Then we will stop writing altogether.

It's conceivable that Caleb is serious, but I choose to believe otherwise.

The Future Of Reading

I know, I know: This is shooting fish in a barrel—it's on a *Wired* blog (by Jonah Lehrer on September 8, 2010), so the perspective is predictable: Not only "I am the world" but "It's inevitable" and "there's only One Way." The first paragraph—which, oddly, takes almost precisely the opposite tack from Craig Mod:

> I think it's pretty clear that the future of books is digital. I'm sure we'll always have deckle-edge hardcovers and mass market paperbacks, but I imagine the physical version of books will soon assume a cultural place analogous to that of FM radio. Although the radio is always there (and isn't that nice?), I really only use it when I'm stuck in a rental car and forgot my auxilliary input cord. The rest of the time I'm relying on shuffle and podcasts.

The future—period. Oh, and the only use for FM radio *today* is rental cars. Lehrer claims "I love books deeply," but it's the kind of love we might be able to do without. He recognizes "the astonishing potential of digital texts and e-readers"—and how does that potential spell doom for print books? Because there can only be one kind of book?

Clearly, for Lehrer this is the case: "My problem is that consumer technology moves in a single direction." Oh, there's more—the heart of the post is cognitive "science" claiming we'd understand text better if it was harder to read. As I read this, it appears that Lehrer is saying the Kindle offers *higher-quality* text than print books, which makes me wonder.

Publishers take note: the iPad is altering the very concept of a 'book'

Here's a case—John Naughton on December 19, 2010 in *The Guardian*—where with just a small change or addition to the text, I'd applaud rather than criticizing. Change "altering" to "expanding" and I'd say that, while we've been getting expanded varieties of books for years, tablets *might* yield even more expansion of possibilities. But an expanded range does not negate traditional forms, and there's not a word in this column that suggests otherwise.

Naughton talks about *The Economist* as a fine magazine and a form of "appointment reading," how he finds it easier and more pleasant to read the iPad version (and basically ignores the print version) and how much he likes one book-as-app that he purchased on his iPad. All of which is fine, until he generalizes—after saying most print publishers have been lulled into a "false sense of security" that the Kindle is just another way of presenting text.

> If that's really what publishers are thinking, then they're in for some nasty surprises. The concept of a "book" will change under the pressure of iPad-type devices, just as concepts of what constitutes a magazine or a newspaper are already changing. This doesn't mean that paper publications will go away. But it does mean that print publishers who wish to thrive in the new environment will not just have to learn new tricks but will also have to tool up. In particular, they will have to add serious in-house technological competencies to their publishing skills.

If Naughton really means *the* concept of a book, I regard that as nonsense, without a shred of evidence. If he means *a* concept or *several* concepts, he's probably right—but, just as magazines and newspapers aren't vanishing overnight because of iPads, linear text in narrative form isn't likely to go away as a major form of book just because other forms are becoming more plausible. The comments are interesting, including notes that there have been *four decades* of experiments with new book forms, mostly unsuccessful—which doesn't mean

new forms on tablets will also fail, but does suggest that there's nothing here that would spell certain massive change in existing forms. (There are also bone-stupid comments from both extremes, including "anyone using ipad and kindle for reading are not book readers...they are fashion/gadget freaks," the kind of comment that strikes me as even more idiotic than it is ungrammatical.)

Ads in ebooks

Two related items here: Joe Grobelny's "Ads in ebooks and why silence matters," posted August 22, 2010 at *all these birds with teeth*, and switch11's "What happens when there's advertising in books?" posted January 16, 2011 at *Kindle Review*.

Grobelny's post begins, interestingly enough, citing a *faketv* post from August 18, 2010 that seems to refute Nicholas Carr's thesis. This person took a beach vacation, two weeks with "minimum internet," and found that *in only two weeks*, "My attention span grew back, from about 10 seconds to several hours. I could read half a novel at a time, without the itch to look at something new." (Their peripheral vision also improved, they learned to enjoy ignoring email for long stretches and they now regard Twitter as "an insufferable commotion.") Wow—so maybe brain elasticity works both ways—we can go from the shallows to the deep if we decide to?

Grobelny calls the novel "the sacred retreat of those who are regaining their abilities to focus on one task" and says that, thanks to ebooks, "content providers" are likely to "try and leverage every tiny bit of space to try and sell you something." A different Carr—Paul this time—worries that we'll find product placement within books. I suspect there's been *some* product placement for years, and that's not really Grobelny's primary concern:

> What concerns me the most about both ads in ebooks and product placement advertising in print and other forms is the impact it has on our attention. While it can just be a quick semiotic love-note from the author to the reader, it can also be a lovely mental jumping off point that would lead somebody into a little internet-link-clicky jaunt. So much for avoiding the "new tab" syndrome that haunts us. While it could just be inevitable, and the advertisers might win a place in our novels, it would still bug a lot of people. Namely those who still would like a small part of their lives to be free of the interests of commerce, or at

least a place where they can derive pleasure from doing one thing at a time.

Good points—and I'm hoping (and guessing) that hyperlinked ads in ebooks will be no more inevitable than are interspersed ads throughout print books (some mass-market paperbacks have had ads for years, but not integrated into the text itself). The "silence" part? That comes in the last paragraph, where Grobelny—a librarian—was talking with others about noise levels in part of the library and the need for *some* silent spaces. The final sentences:

> If you are quiet, and you listen instead of talking, it gives others the chance to have a voice, and it allows you to hear them. That is what Carr is worried about, and what libraries provide.

"Silence" in this case may mean the absence of internet interruptions, other media, advertising and regular noise; it's the optimal situation for truly deep reading (which is not what most reading is or needs to be), and I don't see it going away entirely.

With switch11, who believes all books will be ebooks in the very near future, it's not a matter of *if* but *when* there are ads "in books." The first two paragraphs:

> The first question – *Is there any way to avoid advertising in books*?
>
> The Answer: Not really.

Why? Because publishers are desperate, because Google needs to offer something different, because "most online companies have begun to feel advertising is the answer to everything." That means—wait for it—"*It's inevitable* that some company will deliver books subsidized by advertising. There's little we can do about it."

Then, with all doubt wiped away by The Magic Inevitable, switch11 turns to the question of what happens with advertising in books—and whether books with advertising will "take over." The rest of the post considers various scenarios, all of which appear to be posited on the fixed notion that all books will be ebooks real soon now—and switch11 concludes that "The most effective ads will start being included in all books." Not some books, not just ebooks, but *all books*.

As it happens, switch11's view of advertising itself is as bizarre as their view of future books: they claim people "shy away" from ads when they know they're advertising. That is pure nonsense: At least in print magazines and newspapers, well-made ads

are attractive additions, not nuisance interruptions. Even in TV, there are people who watch the Super Bowl as much for the ads (which are clearly identified as ads) as for the football.

The rest of the post is so dystopian and bizarre you'll have to read it for yourself. I can't bring myself to fisk it.

Undergraduates and E-Books: A Marriage Made With a Shotgun

At this point, it's nice to have a big dose of common sense and uncommonly good writing, as in this January 19, 2011 *library babel fish* column by Barbara Fister at *Inside Higher Ed*. She notes the big increase in ebook sales and includes this wonderful paragraph:

> We also can tell from comments posted to virtually any news story about e-books that people feel passionately about them, both pro and con. For some, this is not just a wave of the future, but a tsunami of progress; for others, it is a catastrophe. For many on both sides, it seems inevitable: we will have e-books, and nothing but e-books, like it or not. I see this as being rather like the fuss kicked up when mass market paperbacks were first introduced to the market and many predicted the End of Publishing as We Know It. In fact, it became just another option, one that profoundly affected the marketing and distribution of books, but didn't put an end to what we had before, and I suspect that will be the case with e-books.

Gee, Barbara, so ebooks might be *another kind of book*, not The End of Publishing as We Know It? That kind of thinking will get you nowhere on the pundit circuit.

It's also not the point of the story, which begins with a survey relating receptiveness to ebooks to age. Sixty percent of readers over age 60 weren't tempted by ebooks—and 58% of readers under 30 also had no interest in ebooks. "Of that group, price wasn't the biggest issue. They just prefer the experience of a printed book." (Greatest interest was among readers in their 30s and 40s.)

How can that be? Isn't this the digital generation, the kids who never read print books in the first place and despise dead trees?

Fister teaches as well as being a librarian, novelist and columnist. She had her students conduct a "wholly unscientific survey" of other students, 176 of them. A minority of those had bought or read ebooks—and of those *who had done so*, print

was preferred to ebooks ten to one. (The others preferred print by similarly huge ratios.)

> This is, of course, just a self-reported prejudice among a convenience sample, not an indicator of actual behavior. Students are sentimental about books, but maybe they'll grow out of it. As another librarian pointed out to me, it's not particularly useful information for academic libraries as we decide what to acquire. Neither of these surveys addresses students' preferences when doing research, and many students resist using books altogether when writing papers if articles and Websites will do the job. Printed books are long and complex, and worst of all, you have to leave your computer to go find them on the shelves…

There's more here, some of it a trifle depressing—but one key is that, while academic libraries may find it necessary to favor digital over print, it's *not* because students prefer ebooks. Different situations and uses favor different media and methods. And, well, go back to the last few sentences of the paragraph quoted earlier.

All Singing! All Dancing!

That some folks would rather watch movies than read books is not news. That some folks believe all books *should,* in effect, be movies isn't news either. That some folks have the audacity to suggest all books *will* be multimedia spectaculars: that's news of a sort. Here's a little more material I could write off as silly season stuff.

Books that sing and dance

That's Doug Johnson at *The Blue Skunk Blog* on November 16, 2008. Johnson's a school librarian, and maybe this applies primarily to kids and children's books. He attended a panel on digital books for children, one in which commercial reps showed digitized books made available on a subscription basis, with many of them "taught to sing and dance through clever programming and design, creating materials that are meant to be 'played' more than read."

> These products have much to recommend them and great potential. Such collections may well give more children greater access to more quality literature. Books that are more interactive in nature may well attract and engage reluctant readers. Stories that read themselves aloud may well be a boon to struggling readers. This is a market (as much or more targeted to the classroom/reading teacher as the school librarian) that will mature and expand. Get used to it.

He focuses on two questions. The first is, basically, "who needs libraries and librarians?"—and Johnson appears to be one of those who believes school (and, unfortunately, public) libraries as physical collections are *and should be* doomed. The second:

> **Does experiencing literature in highly interactive, multimedia formats actually lead to more reading?** Or does it simply create a desire for more multimedia experiences? If the print book is vanilla ice cream, the electronic book that sings and dances is the whole hot fudge sundae with cherry and whipped cream. Who's going to want the plain vanilla anymore?

Johnson then makes the logical leap to "a postliterate society." I'm not buying it—not because *some* books won't become multimedia but because we've had the answer to that last question for years. There have been highly attractive multimedia books (Dorling-Kindersley's CD-ROMs and many other forms) for more than a decade. They haven't doomed plain text any more than movies have. (One comment notes that multimedia books probably aren't the way to encourage reluctant readers—whereas, you know, *reading to your child and with the child* seems to work. Oddly enough, Johnson says "it doesn't have to be either or" when it comes to online stories and personal reading—but seems unwilling to make the same assumption as regards online multimedia books and print books.)

Digital Independence Takes A Step Closer…
Bill Hill runs a blog called *The Future of Reading.* This appeared October 19, 2009, and it's clear right off the bat that Hill has a single-minded view of *the* future. Not *a* future, not *part of* the future, but *the* future:

> There's no question now that if reading does have a future—and it must—then that future is digital.

There's no question: Isn't that easy? Because *Bill Hill says so,* and since he helped develop ClearType, he should know. He wrote a "Digital Declaration of Independence" because that's so clear and, I guess, inevitable:

> We hold this truth to be self-evident: That every human has an equal and unalienable right to the means to create, distribute and consume information to realize their full potential for Life, Liberty and the Pursuit of Happiness—regardless of the country they live in, their gender, beliefs, racial origin, language or any impairments they may have.

That's strong stuff. Not only do you have the right to create, you have *the same right to distribute* as

any other person or corporation. How is that going to happen? You got me—and, in fact, this post really isn't about books and reading at all. It's about that inalienable right of every human being to *high speed access to the Internet*. Supposedly, Finland has made broadband a legal right. Will it be free? Will the gummint provide computers as well? Really? Well, since we now have universal access to and affordability of health care, quality education, clean air and healthy food, I guess this is the next step toward utopia.

Forget E-Books: The Future of the Book Is Far More Interesting

That's Adam Penenberg on December 25, 2009 at *Fast Company*—and I wish I could say he's having some fun with his readers. Unfortunately, I don't think that's the case. I think he believes this stuff.

> Take a long hard look at a book, any book. Pull a favorite off a shelf, dust off the top--maybe it's the Bible, the Koran, a novel by Jane Austen or Leo Tolstoy.... Now say your goodbyes, because there will soon be a day that you may view such analog contrivances as museum pieces, bought and sold on eBay as collectibles, or tossed into landfills.

What replaces the book? Not the e-book, "which is, at best, a stopgap measure." Nope. "We are on the verge of re-imagining the book and transforming it something far beyond mere words."

You got it. "Mere text on a screen...won't be enough." The neobook will have "authors acting more like directors and production companies than straight wordsmiths" as we replace "stagnant words on a page" with video, photos, hyperlinks, social networks...

There's more here, and it's a bizarre vision, with nonfiction authors creating "the proverbial last word on a subject, a one-stop shop for all the information surrounding a particular subject matter." Isn't that what we all want? *The one true source* of information, and the hell with narrative.

It's not just nonfiction:

> A novelist could create whole new realities, a pastiche of video and audio and words and images that could rain down on the user, offering metaphors for artistic expressions. Or they could warp into videogame-like worlds where readers become characters and through the expression of their own free will alter the story to fit. They could come with music soundtracks or be directed or produced by renowned documentarians. They could be collaborations or one-woman projects.

Ah, but then, as Penenberg possibly realizes that most of us are saying "What a load of..." he cautions us that he's *not* predicting the end of immersive reading (even though he's predicted the end of books and mere text), he's seeing "a future in which immersive reading coexists with other literary, visual and auditory modes of expression." Not because there would be text-only books *and* other forms—you know, like music recordings, movies, TV, other futuristic possibilities like that—but because *you could ignore* all the other stuff that would be in every book.

> And ask yourself: Which would you rather have, the hardcover book of today or this rich, multimedia treatment of the same title? Suddenly mere words on a page may feel a bit lifeless. And remember that today's youth are tomorrow's book buyers, and they have been brought up on a steady diet of entertainment on demand, with text, photos, and video all available at the click of a mouse. I'm skeptical that simple text will cut it for them.

I was wondering when Today's Youth would appear. There they are, and they're all smart enough not to stand for boring old text. The last line? "And besides, it's inevitable." Maybe Penenberg is getting paid for a bad joke. Or maybe he's deluded.

The idea that *some* "future books" will have multimedia elements is as new as the 1980s, and certain to be true in the future. The idea that *all* books will or should be these vast arrays of nested content might have one consequence some folks would consider favorable: It would reduce the number of new books, probably by more than 99%, since each book would require the resources of an indie movie at the very least. Don't have a production team and a $million or so to put this all together? Then, sorry, but you're not going to be an author. (One of the comments, from an author of 13 novels, says none of those books would ever have seen the light of day in this singular future.)

If you want to make a movie, make a movie. If you want to make a hyperlinked website or publication, make a website or a title CD-ROM. Just don't tell us every book needs to be a movie or hyperlinked website: That's nonsense, and it's dystopian nonsense at that.

As books go beyond printed page to multisensory experience, what about reading?

Whoops. Here the assumption is right there in the title—not "if," not "when some," but *as* books...

The author, Monica Hesse on December 28, 2009 in the *Washington Post*, starts out commenting on a (shudder) Vook, a video/book hybrid from Simon & Schuster.

> Interspersed throughout the text are videos and links that supplement the narrative. In one chapter, the Greek ambassador receives a mysterious DVD, and readers must click on an embedded video to learn what's on it.

That's right—the future is here! Only, according to Hesse, it's *wrong*: The mental image she formed of one character is dashed by the "accompanying video" showing an entirely different image.

Hesse seems convinced there will "certainly be more of" these multimedia books, and apparently Vooks are done on the cheap ("thousands of dollars, not even tens of thousands of dollars" for each project, which must yield some really first-rate video!) And, sigh, we have good old Bob Stein telling us that "the dominant mode" will be "multimodal and multilayered"—yep, there it is, traditional novels and nonfiction books are dead.

There's more here, including descriptions of other Vooks and hybrid books. They don't do much for me, but that's just me:

> If readers visit every hyperlink, watch every video and play every game, it is possible for the experience of consuming a single book to become limitless—a literal neverending story. It's also possible for the user to never read more than a few chapters in sequence, before excitedly scampering over to the next activity.

Maybe it's not book become movie; maybe it's book become videogame? In any case, Hesse seems to think these are great for "modern life" with their "instant gratification."

> What they don't feel like, at least in certain examples, is reading.

Because they're not. Instead of immersion into a fictional world, creating your own mental images, it's all right there—no imagination required or allowed. And, *of course,* those digital natives who don't like books anyway are the natural market. So what if Vooks don't free you to use your imagination? Who has time for imagination?

Towards A World of Smaller Books

This comes from Henry (Henry Farrell, I assume) on February 9, 2010 at *Crooked Timber*—and in part it's an interesting set of suggestions for ways "ebooks" can increase possibilities. Except that, in

niche markets at least, much of this is already happening even with print books.

Henry thinks most of the non-academic non-fiction books he reads, those he does not find "a complete waste of time," are padded: At least twice as long as they should be.

> They make an interesting point, and then they make it again, and again, padding it out with some quasi-relevant examples, and tacking on a conclusion about What It All Means which the author clearly doesn't believe herself.

That's clearly true for some nonfiction books I've read and just as clearly false for some others. In some areas (best-selling Big Business Books, for example), the padding is more extreme. There's a reason two different companies peddle 24-page synopses of Big Business Books, and I'm guessing those synopses contain all that's actually useful in the BBBs. He thinks this is especially true for books that spring from articles written for *The Atlantic* or similar magazines, but assumes that these overlong books are there because of print economics: Publishers assume readers will only pay "book prices" for thick books.

> All this may be changing as we move towards an electronic book publishing system. The economics of electronic text production are not the same as the economics of book production (as best as I understand either), and there aren't the same pressures towards standardization of length. I suspect that people who would feel cheated if they paid 'book' price for a long essay (say around 20,000 words or so) will feel less so if they buy an electronic version. Ideally, we will end up in a world where people won't feel obliged to pad out what are really essays to book length in order to get published and compensated.

If we set aside "as we move towards an electronic book publishing system" or substitute "as electronic publishing becomes a feasible alternative," then—given that Henry admits to not understanding the economics—he *might* be right. But would people who grumble about paying $20 for a 40,000-word book be any less upset about paying $9.99 for the same-length ebook? I don't know. (I should note that the library book I'm reading at the moment, Steve Martin's *The Shopgirl*, is a novella and stated as such on the cover—"too short" to be a book, but it sure does *look* like a book.)

I'd *like* to see some of the results he suggests: A lot more essay-length e-publications, possibly an

explosion of very short "books," a decrease in books of "standard length" (he uses 60,000 to 90,000 words) and rough stability for *long* books, which cost a lot to write and edit. I'll choose not to comment on his note about future print books becoming more expensive and more beautiful because "their main value will be as display items rather than use items," but otherwise this is an expansionary perspective that I rather like.

Except, except. Trade paperbacks in the 30,000-40,000 word area (novellas and nonfiction equivalents) aren't unusual. In library publishing, as one example, they're becoming the norm for some publishers. For that matter, even shorter books aren't *that* uncommon. It's also true that previous attempts to make e-essays financially viable haven't worked that well, but maybe the future will be different. I'd like to think so.

Some comments take this farther. One commenter finds that substantive book *reviews* frequently substitute for the books themselves; another notes that some self-help books reveal very little beyond the title. One person fears "an exciting world of epublished 20K-word books" would *preclude* those 80K-word books that need to be that long. There are a lot of other comments; they may reward your reading. That includes at least one who strongly disagrees with the concept that most or all books will be "e" in the future:

> I think it somewhat narrow-minded, to use the politest word I can think of in this context, for the post to assume that everyone shares the same preferences and that everyone would rather read all the time on a screen rather than a page. I cannot believe I am alone in taking strong exception to this assumption.

Henry says he doesn't see where the person's getting this from, that he implied nothing of the sort. I got the same implication. Which is the only thing that keeps me from being wholly enthusiastic about the post, since the concept of "appropriate length" is one I find attractive. There is, to be sure, one issue that's mentioned by several commenters: It's harder to write short than it is to write long.

Writing about Writing

Let's end this journey with a few items focused more directly on the writing side of the equation. If these seem a little miscellaneous, you're not missing anything.

Charitable Writing

Iris Jastram posted this on March 17, 2009 at *Pegasus Librarian*. She starts with a phrase I have trouble with: charitable reading, which she defines as "read what people write and assume that those people meant well and that they are not stupid." I've probably been accused of uncharitable reading as much as anybody, perhaps because I assume people *mean to say what they write* and that they are not stupid—that they have in fact written what they meant to say. The way it seems to get interpreted, for certain writers, charitable reading seems to suggest you're supposed to *look past what the person actually wrote* and come up with the most favorable possible version of what they might have *intended* to write. To me, that carries the implication that the writer is, if not stupid, at best semiliterate—that they're incapable of expressing a thought clearly. I'm unwilling to make that assumption, which I regard as highly uncharitable.

But that's not what the post is really about. Jastram offers a new term, charitable writing—and it's an interesting one. Here's her definition:

> Assume that your audience is not stupid, that they mean well, that they are probably trying to do the best they can or think carefully or otherwise conduct themselves well, and that they wouldn't be reading and interacting with you if they didn't want to.

She finds herself unsubscribing from blogs and feeds that might have potentially useful content but present it in a condescending tone.

> Somehow that tone of writing screams "*I'm pretty sure I'm smarter than you!*" so loudly that it drowns out the calm murmur of the authors' interesting ideas. This tone forces to me to work far harder at Charitable Reading than feels fair. It eventually wears me out. And so I unsubscribe and trust that others will point me toward the truly important posts.

Jastram regards charitable reading as hard and charitable writing as even harder. I think she's on to something. I think about science writing—or, rather, attempts to write about science for nonscientists. There's Isaac Asimov, among other things a brilliant popularizer. There's the magnificent 90-year-old science editor at the San Francisco *Chronicle*, David Perlman. Both writers assume intelligence on the part of their readers, clarify without talking down and explain complex subjects without dumbing them down or getting them wrong. There are others—but there aren't a *lot* of others.

In technology, it's worse: Writers who Know Better than You Do but will Patiently Explain the Truth are legion.

It's about respecting your audience. It's also about recognizing that other people aren't you, that you really are not the model for the universe. It's tough to do.

Free as in "Me"

The article cited here is by Merlin Mann. It appears on his website, *43 Folders.* It is dated April 10, 2009. I do not claim to have written this article; nor am I attaching any ads to it or suppressing Mann's byline.

In some ways, it's not really about writing. It is about ethics and the freedom of a writer to decide whether it's OK for somebody else to reuse their material *en masse*—especially without attribution. I know my answer to that last question: In the absence of a CC0 or Public Domain license, it's plagiarism, unethical and just plain wrong.

Mann calls the article "This unbelievably long article"—but it's only 3,250 words, which is on the long side for a blog post (albeit shorter than the average *In the Library with the Lead Pipe* post) but fairly typical for an article. And boy, is it readable, blunt and worth reading. What does make it longer, to be sure: He tells you to read seven other posts and tweets (unfortunately, not all the links work) before continuing—all related, apparently, to a Dow Jones-owned website that started "featuring" material from other websites *without permission* and with accompanying ads, in a manner that made the material appear to be contributions directly to the site.

And that's as far as I'm going to go. **Go read the article**—by Merlin Mann, on his website. I don't really have more to say.

Why New Novelists Are Kinda Old, or, Hey, Publishing is Slow

John Scalzi offered this essay on June 24, 2009 at *Whatever*. He starts with an email he received:

> Whenever I hear about a "new" novelist, they turn out to be in their 30s. Why is that? It seems like you hear about new musicians and actors and other creative people in when they are in their 20s.

He offers some reasons—setting aside "the mechanics of why it pays to be young in the music and acting industries." As always with Scalzi, you should read the whole post, but here are the key points, with very little of his elaboration (my notes in parens):

1. Writing an entire novel is something most people have to work up to. (Lots of people abandon early novels for good reason and learn the craft through short stories first...and that's probably fine.)

2. Most people's first novels well and truly suck. (He says you'll find that most "debut novelists" wrote two, three, or four novels before finally writing one worth publishing. "Debut novels are almost never first novels; they're just the first novels you see.")

3. The physical act of writing a novel takes a long time. (It's not just banging out the words; it's developing plot, character, dialogue, etc., and quite possibly research—meanwhile taking time for your day job and life. So those three or four "practice novels" will likely take years.)

4. Selling a novel takes a long time. (Agents will open the door to more publishers, but first you have to find an agent—and if you submit without an agent, you can anticipate a *long* wait even from publishers who will work with "slush piles." Baen Books estimates nine to twelve months.)

5. Publishing a novel often takes a long time. (He describes all the steps involved, some of which have very little to do with one particular book and lots to do with the publisher's overall schedule.)

Scalzi offers himself as an example—noting that he's lucky, as his "debut novel" is only the second novel he wrote. He started "learning to write well enough to write a novel" in 1969, and wrote his first novel-length manuscript in 1997. He wrote his debut novel in 2001; the contract was signed in 2003; it was published in 2005—and, by the way, it was good enough to win the John W. Campbell Award for Best New Writer in 2006, by which time Scalzi was 37. He says 37 is pretty much the average age of Campbell winners over the last 35 years. (One commenter looked at the nine of ten most recent winners who have birth years listed. With one exception, Cory Doctorow at 29, *everyone* was between 35 and 40 when they won.)

There are exceptions—there are *always* exceptions—and, of course, there's self-publishing.

But for the folks who do it the old-fashioned way—and, currently, the way that still affords them the best chance for notoriety and a chance at a long-term career as a novelist—the combination of writing skill development and the mechanics of contemporary publishing conspires to drive the age of most debut novelists into the thirties. It doesn't seem likely to change anytime soon.

Great stuff if you plan to be a young novelist or a novelist of any sort—but then, you're reading *Whatever* already. Aren't you?

I didn't read through all 173 comments—that would be a *long* read. Given that it's the *Whatever* audience, I have no doubt it would be worthwhile.

How the Internet Changed Writing in the 2000s
That's Kevin Kelleher on January 3, 2010 at *gigaom*, and you have to wonder about a blog post that starts by summarizing a 45-page passage in *Ulysses*—a "famous" passage that those of us who are educated are doubtless familiar with.

I'll read charitably and assume Kelleher isn't just showing off his erudition, even though the introduction adds almost nothing to a remarkably lightweight discussion of how Kelleher believes the internet has changed writing. He says writing itself *has transformed*, no small feat, in "a dramatic and subtle way."

It has something to do with all the casual writing people do in the internet. Kelleher asserts "all of that practice is making online writing better." Really? He admits to YouTube comments as a counterexample; I'd add Yahoo! comments, IMDB reviews, Flickr comments, many blogs, most tweets... His proof of his assertion? "Many of the thoughtful people I know are producing some great stuff on the web." OK.

What he *really* applauds is that the "open structure" of the internet "pressures us to write in a way that's at once more concise and flexible"—and points to Jakob Nielsen's argument that web writing should map Nielsen's concept of web reading, which basically means bullet lists, highlighted keywords, short and simple paragraphs and brevity. In other words, writing meant to be scanned, not actually read—which, to Kelleher, seems to be a good thing. Oh, and "people are mastering more kinds of writing" because of IM, blog comments, Twitter. Mastering? Really?

Kelleher undermines his own "transformed" assertion when he says "The informal writing we do on the web doesn't supplant formal writing, it complements and influences it—and is influenced in return." In other words (ahem), the internet encourages *additional* ways of writing: Not transformation but extension.

I don't see a transformation in traditional modes of writing. I do see new media and methods complementing, not supplanting—as Kelleher says. Influencing? That's hard to say. The same writers who tweet away at 140 characters or less seem fully capable of churning out 6,000-word articles and blowing them up into 60,000-word books if there's a market. The comments are interesting—and one takes issue with Kelleher's statement that "The best way to learn good writing is to write a lot." This person has been told, correctly I believe, that the best writers *read* a lot. (This commenter thinks most writing on the web is making people into *worse* writers. I'm not sure I buy that either.) I'm tempted to quote one comment in full because it's such a (probably unintentional) lovely summary of what the web does to *some* writers:

Thank you for posting this excellent article. I plan to tweet it so others can read this. I like to use bullet points and lists to call attention to important sections of Web copy. They are visually appealing and make it easy to quickly find pertinent information.

Let's hope that's not the endpoint of web-influenced writing. (There's another comment praising the post and discussing how web forms have "progressed" this person's writing. I wonder whether it's another example of what the web can do to writers...but that's snarky, and Kelleher informs us that a little snark goes a long way.)

Conclusion

Conclusions? The same ones I began with:

➢ We're adding *new ways* of reading (and maybe writing), which may encourage different *additional* ways of publishing—more essays, hyperlinked and multimedia stuff when that works, and so on, and so on.
➢ These new ways complement existing ways of writing and reading. There's no credible evidence to suggest that they *supplant* existing ways—just as there's no credible evidence to suggest that ebooks will sweep print books off the face of the earth.
➢ Gurus will continue to make generational generalizations that are not only unsupport-

ed by facts but in direct contradiction to facts, to assume that everybody else is the same as they are, and to get big bucks for little thinking with pat slogans.

Thanks for reading, if you got this far. This sprawling essay is roughly half the length of a "typical" book, whatever that might be: something over 32,000 words between the two parts.

The Zeitgeist
26 is Not the Issue

If that number—26—doesn't speak to you, you haven't been involved in a multipart conversation that began February 24, 2011, may have reached its peak in mid-March 2011, and is likely to go on for years to come.

The rest of you will think HarperCollins or maybe #hcod. You may think a lot of other things as well, informed partly by where you are in the library community. Even filtering more actively than usual, I started out with close to 100 source documents (blog posts and others), an astonishing number for what was largely a three-week wonder.

Before going through the facts, a range of library reactions, calls for boycotts and manifestoes, non-library reactions and some related items on libraries and ebooks, I'll start with a few observations, some predating this brouhaha but made more vivid by recent events:

➢ Public libraries are neither underfunded academic libraries nor "slow" academic libraries. They serve fundamentally different purposes and communities.
➢ There are good reasons most public library *users* think of books first when they think of libraries, and librarians who wish to flee from that image continue to act in what I regard as a suicidal manner. (That's only my opinion, to be sure.)
➢ Those who have never worked in public libraries or who haven't worked in such libraries in years maybe shouldn't dictate what's best for such libraries or assume they know better than current public librarians. Public librarians should be deeply skeptical of advice from such sources, and from pundits in general, when it seems to conflict with experience on the ground and the needs and wants of your own community.

➢ "Deals with the devil," henceforth DWTD, are so named for good reason.
➢ All DRM is not the same. Some DRM—that used on DVDs and Blu-Ray Discs, for example—restricts fair use rights but has no effect on First Sale rights, the basis for library circulation.
➢ "Big Media" are not all media. These huge companies tend to be profit-driven, blockbuster-oriented product-pushers with little real interest in the content within those products. In the book field, there are the Big Six and everybody else—and "everybody else" may be far more important to the future of books (print and e) than the biggies.

Nothing in this essay or anything else I write should be taken as saying that I know what public libraries should do or that I know better than public librarians. I'm noting what's been said, offering my comments and, in some cases, my opinion. I'm a public library user. I have never been a public librarian (or any other kind of librarian).

As usual, if the title of a post or item doesn't appear in quotes, that's because it's the italicized heading just above the discussion.

The Messages

Joe Atzberger seems to have been the first to post, on February 24, 2011 at *Atzblog* with the title "New OverDrive DRM terms: 'This message will self-destruct'." Atzberger quotes a paragraph from a "Library Partner Update" from Overdrive, the ebook supplier used by many public libraries:

> To provide you with the best options, we have been required to accept and accommodate new terms for eBook lending as established by certain publishers. Next week, OverDrive will communicate a licensing change from a publisher that, while still operating under the one-copy/one-user model, will include a checkout limit for each eBook licensed. Under this publisher's requirement, for every new eBook licensed, the library (and the OverDrive platform) will make the eBook available to one customer at a time until the total number of permitted checkouts is reached. This eBook lending condition will be required of all eBook vendors or distributors offering this publisher's titles for library lending (not just OverDrive).

OverDrive had, until then, operated on something like a purchase model: The library purchased the ebook and OverDrive made it available on a single-

circulation basis: One copy could be out to one user at a time.

Atzberger raised an additional set of issues that play into this discussion indirectly:

> The previous model already forced libraries to pretend a digital "copy" was a single physical thing. Only one library's user can have it "checked out" at a time. And only on one device. The **clearly misapplied language** around this tells you what a terrible idea it is. To be clear, this model eliminates almost all the major advantages of the item's being digital, without restoring the permanence, durability, vendor-independence, technology-neutrality, portability, transferability, and ownership associated with the physical version. [Emphasis added.]

Is it a terrible idea for free circulation of ebooks to be limited to one patron at a time? If so, then we have a messy dichotomy: Either library circulation of ebooks fundamentally undercuts copyright and the ability of authors to make livings, or libraries can't circulate ebooks. (Or public libraries accept pay-per-use as a model, which may be great for the largest and best-funded but could be fatal for smaller, poorer libraries.) We'll see hints of this dichotomy elsewhere—but it's secondary to the primary issue, an attempt by "a publisher" to move from a model that at least *emulates* first-sale rights to one that's effectively pay-per-read.

While I disagree with "the.effing.librarian"'s proposed solution—"national buying programs" make me as nervous as any other national library mandates—it's hard to argue with the first sentence of t.e.l's comment: "Why is anyone surprised?"

By the way, since it really doesn't fit into this essay, I'll use this spot to note a remarkable April 4, 2011 post—also by Atzberger but at a different spot, *Library Hackers Unite!* This post, entitled "Underdone: Autopsy of an OverDrive EULA," does something few of us do—actually goes through an end-user license agreement critically. The results aren't pretty (or, as Atzberger suggests, likely to be legally enforceable). The post is **well worth reading**.

HarperCollins Puts 26 Loan Cap on Ebook Circulations

A day later (February 25, 2011), Josh Hadro confirmed at *Library Journal* that HarperCollins (henceforth, frequently, HC)—was the publisher in question. HC's first statement:

> HarperCollins is committed to the library channel. We believe this change balances the value libraries get from our titles with the need to protect our authors and ensure a presence in public libraries and the communities they serve for years to come.

Josh Maxwell of HC claimed the 26-circ limit was based on factors such as "the average lifespan of a print book, and wear and tear on circulating copies." How would HC know how often print books actually circulate in public libraries? It wouldn't.

Hadro's piece notes that, with a two-week lending period, 26 circs is a year of use but also that two others of the "big six" (Macmillan and Simon & Schuster) don't allow ebooks to be circulated in libraries at all. Hadro quotes other sources, including a somewhat bizarre quote from Christopher Platt at NYPL, calling HC's 26-circ limit "a great first step and an interesting development."

Hadro also notes another big issue in the OverDrive statement, one Atzberger failed to highlight: It was also raising questions about the size of consortia and shared collections, including the statement that publishers "seek to ensure that sufficient copies of their content are being licensed to service demand of the library's service area, while at the same time balance the interests of publisher's retail partners who are focused on unit sales." Consider that wording: It suggests that publishers should be able to determine how many copies of a book a library or group of libraries should acquire. Anybody ready to sign on to that "interesting" idea? The Hadro story has 114 comments, including the usual good sense from Barbara Fister, a surprising number of people willing to bend over and welcome their new overlords, early calls for boycotts and people suggesting "solutions" like moving directly to a pay-per-use model.

Publishing Industry Forces OverDrive and Other Library eBook Vendors to Take a Giant Step Back

That's Bobbi L. Newman on February 25, 2011 at *Librarian by Day*. As I suspect most librarians who received the OverDrive PDF did, she'd set it aside to review later, until the first post alerted her to an issue. She quotes additional relevant portions, e.g.:

> Publishers are expressing concern and debating their digital future where a single eBook license to a library may never expire, never wear out, and never need replacement.

and

> In addition, our publishing partners have expressed concerns regarding the card issuance pol-

icies and qualification of patrons who have access to OverDrive supplied digital content. Addressing these concerns will require OverDrive and our library partners to **cooperate to honor geographic and territorial rights for digital book lending, as well as to review and audit policies regarding an eBook borrower's relationship to the library** (i.e. customer lives, works, attends school in service area, etc.). I can assure you OverDrive is not interested in managing or having any say in your library policies and issues. Select publisher terms and conditions require us to work toward their comfort that the library eBook lending is in compliance with publisher requirements on these topics.

I've added different emphases from those Newman added, but the gist is clear: A sudden call to *enforce* "geographic and territorial rights"—on a basis that's specifically agreeable to publishers. In California, at least, I can get a legitimate library card from any or every public library in the state—and ebook borrowing should presumably be possible for anyone with a valid library card. (That's true for Massachusetts as well.) Thus, any geographic limit short of one encompassing one-eighth of the nation's citizens is automatically a reduction from current rights.

There are 154 comments and backlinks on this post; I didn't attempt to read them all. Publisher apologists were already hard at work—"Mark" says "very few copies circulate as many as 26 times and this isn't a policy that's going to hurt libraries." Even that early, others had *facts*: Paula L noted that her library had *more than 61,000* books with more than 26 circulations—including paperbacks with as many as 43 circs. Others decided to attack *all* publishers and claim they should be bypassed entirely, and one "if it's digital, it's perfectly ethical for everybody to copy it" pirate went on at length.

HarperCollins to libraries: we will nuke your ebooks after 26 checkouts
Cory Doctorow weighed in at *boingboing* on February 25, 2011, alerted to the situation by "LibraryGoblin" (presumably Josh Neff). Doctorow goes to an extreme, making an assertion that would eliminate all library purchases of DVDs and Blu-Ray Discs as well as ebooks: "libraries should just stop buying DRM media for their collections. Period. It's unsafe at any speed."

The post certainly makes good points, and DRM—especially as practiced for most items with-out physical carriers—is frequently more dangerous than useful. You may find his argument more compelling (and part of me wants to agree), but I'm not convinced. Doctorow does walk the talk: his novels that are available as ebooks are also available as CC-licensed free downloads. But the model that works for him does not appear likely to work for most authors. There is DRM and there is DRM; I'm not sure it can be an all-or-nothing situation. Specifically, there are flavors of DRM that still assure first-sale rights while, unfortunately, restricting fair-use rights—and there's DRM that negates *both* sets of rights by turning purchases into licenses. It's a useful distinction. Another big bunch o' comments (121), some unsurprisingly suggesting that public libraries would *gain* by going to a pay-per-use licensing scheme for all materials—and, in one case, seemingly suggesting that libraries *bullied* publishers into allowing free circulation in the first place, in another asserting that libraries should be charging for circulation in any case. (Ah yes: Those terrible bullies, public libraries, pushing around those tiny little publishers like NewsCorp!)

Another set of real numbers, from "lalien" this time: At their public library, the average *paperback* can last upwards of 50 circs; hardcovers "can have circs in the hundreds without showing significant damage." Also, as several librarians pointed out, OverDrive ebooks lack the discounts libraries frequently get on print books.

A message from OverDrive on HarperCollins' new eBook licensing terms
Steve Potash (CEO of OverDrive) posted this on March 1, 2011 at *OverDrive's Digital Library Blog*. Based on feedback from "library partners," OverDrive moved HarperCollins ebooks from its general catalog to a separate collection on March 7, 2011, and removed listings of HC books from its library marketplace. Potash takes exception to suggestions that OverDrive "failed to stand up for you and your readers in this situation" and stresses OverDrive's advocacy efforts for libraries. It's an interesting message—even if it does assume that library patrons are "customers."

Open Letter to Librarians
The 2011 award for Most Ironically Named Library-Related Blog must go to *Library Love Fest*, with its banner of butterflies and flowers—and its ownership: HarperCollins. Which, oddly enough, didn't

see fit to spring for its own domain or platform: the URL is harperlibrary.typepad.com/my_weblog/, so it's a freebie. This message, from Josh Marwell, President of Sales, appeared on March 1, 2011. Given that the letter's explicitly described as open, I'm quoting it in its entirety, other than an email address and the salutation:

> Over the last few days we at HarperCollins have been listening to the discussion about changes to our e-book policy. HarperCollins is committed to libraries and recognizes that they are a crucial part of our local communities. We count on librarians reading our books and spreading the word about our authors' good works. Our goal is to continue to sell e-books to libraries, while balancing the challenges and opportunities that the growth of e-books presents to all who are actively engaged in buying, selling, lending, promoting, writing and publishing books.
>
> We are striving to find the best model for all parties. Guiding our decisions is our goal to make sure that all of our sales channels, in both print and digital formats, remain viable, not just today but in the future. Ensuring broad distribution through booksellers and libraries provides the greatest choice for readers and the greatest opportunity for authors' books to be discovered.
>
> Our prior e-book policy for libraries dates back almost 10 years to a time when the number of e-readers was too small to measure. It is projected that the installed base of e-reading devices domestically will reach nearly 40 million this year. We have serious concerns that our previous e-book policy, selling e-books to libraries in perpetuity, if left unchanged, would undermine the emerging e-book eco-system, hurt the growing e-book channel, place additional pressure on physical bookstores, and in the end lead to a decrease in book sales and royalties paid to authors. We are looking to balance the mission and needs of libraries and their patrons with those of authors and booksellers, so that the library channel can thrive alongside the growing e-book retail channel.
>
> We spent many months examining the issues before making this change. We talked to agents and distributors, had discussions with librarians, and participated in the Library Journal e-book Summit and other conferences. Twenty-six circulations can provide a year of availability for titles with the highest demand, and much longer for other titles and core backlist. If a library decides to repurchase an e-book later in the book's life, the price will be significantly lower as it will be pegged to a paperback price point. Our hope is to make the cost per circulation for e-books less than that of

the corresponding physical book. In fact, the digital list price is generally 20% lower than the print version, and sold to distributors at a discount.

> We invite libraries and library distributors to partner with us as we move forward with these new policies. We look forward to ongoing discussions about changes in this space and will continue to look to collaborate on mutually beneficial opportunities.

Well, now that *that's* taken care of... With the usual exceptions (those who think paying per use is a peachy-keen idea, one "author and publisher" who thinks it's just great), most comments I scanned state reasoned opposition to HC's practices, and a fair amount of doubt as to the extent of library consultation before making this move. (It's also clear that nobody's checking comments for spam, but that's not surprising in this case.)

Early Library Reactions

Items above deal with the actual messages from HarperCollins and OverDrive, including some reactions. This section considers more early library reactions, excluding those directly calling for boycotts, bills of rights, manifestoes and the like.

Another Ebook Rant

Christina Pikas offered this on February 25, 2011 at *Christina's LIS Rant*. Her lead paragraph offers a hint as to how she feels about the HC/Overdrive announcement:

> Oh, this just kills me. It's absolutely despicable, and I don't mean cute like the movie.

Pikas notes that the 26-circ limit "could mean that a book costs about $1/checkout" and that this is "totally not sustainable"—certainly true for many public libraries. Further, "I used to see books with more than 200 lifetime checkouts." She notes that, with this model, there's no point in "buying" at all—and Pikas spots the other problem:

> Oh, oh, and another thing. They want to audit that you're not giving library cards to people outside your geographic area. Boooogus.

Pikas is a special librarian, but seems to see things through a public librarian's perspective. Not much to add here.

Harper Collins, Overdrive In Library E-Book Mess

Here's one *from* a public library—February 26, 2011 on *The Short List* from the Essex Library Association (Connecticut).

Once upon a time. For all us librarians wondering how the fairy tale of e-books might play out, we're seeing it become a horror story instead.

Essex uses OverDrive through the LION Libraries Consortium. "With a limit of 26 check-outs on any given e-book—and you can anticipate other publishers will be climbing onto Harper Collins' restrictive bandwagon, LION's 365,000 patrons will find their ability to access Overdrive's e-books so severely diminished as to be useless." The writer wonders, "What can libraries do to keep e-book patrons happy?" and notes Cory Doctorow's advice and the growing library outrage.

> None of this can be resolved until publishers come up with a viable business model for digital books. It won't serve them well to distance their authors from potential readers, digital or print. The publishing industry as a whole is in trouble and alienating libraries who serve millions of readers by spending billions of dollars on materials just doesn't seem productive.

There's a reference to Matthew Hamilton's proposal (in the Boycotts and Proposals section, below) and a call: "Anybody got any great ideas?" There are, unfortunately, no comments.

Discriminating Against Libraries, 26 eBook Circs at a Time

Not much doubt how Heather Braum sees it in this February 26, 2011 post at *Librarian in the Cloud*. She addresses, among other things, the impact on small public libraries and the consortia that make it feasible for them to lend ebooks at all (noting that about 80% of U.S. public libraries have service area populations under 25,000 and budgets under $200,000), so that this policy increases the digital divide between haves and have-nots. Braum also quotes a discussion indicating that at least one reader gets it—but a bit later makes the common mistake of assuming ebooks really don't cost anything to publish. Near the end there's this:

> Reading promotes more reading, which promotes more demand for books. Right? You'd think so! But if you restrict the ability of institutions to purchase materials in any form, institutions aren't going to buy books and readers aren't going to access them. Period. The entry level to do so is too high.

The rest of the post is also worth reading.

The other shoe has dropped

After an introductory paragraph, this February 27, 2011 post by Michael Sauers at *The Travelin' Librar-*

ian offers what he has to add to the conversation (emphases in the original):

> ***Why the hell is everyone so frickin' surprised!?***

He isn't saying "I told you so"—but is noting that in his speeches he's always been leery of ebooks:

> The DRM, the licensing instead of owning, the impermanence, the reliance on easily out-of-dateable hardware, the platform lock-in. Does any of this ring a bell with anyone?

Unlike some of us, Sauers *has* an ereader—and "every eBook app possible on my droid and my desktop." But he doesn't "buy" many ebooks because "I just can't figure out how to justify to myself something that I just don't own."

> Publishers that only want to sell someone a license are *only in it for themselves*! They are not our friends and they love the corner they've put us into. Hell, if the library doesn't have it people will have to buy it. More money for them.
>
> Yes, I'm pissed off about all this. But I might just be more pissed off at all the librarians who are acting all surprised and betrayed. Betrayal assumes there was trust in the first place and I don't believe it was ever there to begin with.

There's an update noting that he was *not* intending to attack individual libraries or librarians. I see that. He's upset that library people haven't been paying attention all along. He has a point.

HarperCollins hit by several types of stupid stick

Always one for understatement, Phil Bradley posted this on his eponymous weblog on February 28, 2011. He paraphrases HC's decisions:

> They have decided that libraries will only be able to loan one of their eBooks 26 times before it implodes on itself like a Mission Impossible cassette tape. They also reserve the right to check library records to ensure that books are only being lent to appropriate members of the library. (Which I imagine is against a fair number of privacy laws.)

Well...HC wants *someone* to assure that libraries don't serve extended populations. I think that's ridiculous and unenforceable (and in pretty much every state in the U.S., at least, Bradley would be right as to the parenthetical statement), but HC didn't quite state their invasive request that baldly. Still, it's not an unreasonable extension.

> I simply cannot begin to describe what a stupid, backward looking and retrograde step I think this is. It is a direct attack on a library's users, making it difficult for them to borrow electronic books that they might otherwise be unable to read.

Worse than that, it is going to make libraries think twice about purchasing eBooks in the future if publishers think that they can just change the rules whenever they feel like it.

Again, there's more to the post than what I'm quoting. Bradley posted "Further thoughts on eBooks" on March 14, 2011—and there's so much in that post, all of it interesting and well-stated, some UK-specific—that rather than attempting to excerpt and comment I'll point you to the blog (phil-bradley.typepad.com) and say you may find it worth your time.

Artificial Scarcity: I attempt to identify the root cause of the #HCOD debacle

Nicholas Schiller is an academic librarian. This appeared February 28, 2011 at *information.games*. Schiller sees himself as a big-picture type and seems convinced that publishers are anachronisms and that "artificial scarcity is the real problem." He goes on to assign two functions to publishers: owning printing presses and providing distribution channels. If you neatly eliminate all editorial, selection, layout and other value-added functions of publishers, that might be right—just as if nobody needs to make a living, giving away your work may make sense. "Artificial scarcity" is one of those great-sounding catch phrases that works beautifully as long as you assume that it's only distributors and other middlemen that get revenue from the current system. Writers work for the love of it, right? Schiller *consistently* talks about publishers' bottom lines; the authors are nowhere to be seen.

His advice? "Stop living in the past." He seems to think libraries are *defined as* middlemen. He claims as a "traditional definition" that "libraries are agencies that pool resources from a population, spend these resources to purchase content from publishers, and make this content available to our population of users." Really? That's the traditional definition of libraries? Who knew?

This is a long and "philosophical" post that I find wholly unsatisfactory but that you may find convincing. Schiller concludes that the HC situation "isn't a problem in and of itself"—whereas he's interested in what libraries are "after our collections stop being our raison d'etre." There's only one direct comment—and while that one *immediately* provides a more meaningful definition of libraries, "Libraries are about discovery," it's from another librarian (I'd guess an academic librarian)

who thinks libraries "willingly gave up on first sale doctrine in the name of convenience a long time ago. We like to think we're buying 'things,' but what we're actually buying is conditional use licenses." Sorry, but for most public libraries and most of their resources, that is simply not true.

HarperCollins & the future of ebooks in libraries
Anna Creech, an academic librarian, posted this on March 3, 2011 at *eclectic librarian*. It's relatively brief and includes both a suggestion I continue to find questionable *when applied to public libraries* and an interesting additional comment.

The suggestion:

> I think the best solution for popular ebooks and libraries is a subscription or lease model. Give libraries unlimited simultaneous access to ebooks. Let the libraries regulate who can access them. Charge a flat rate or per use rate or whatever will make a profit on the whole without breaking library budgets.

The problem with that last sentence is that the deals are dictated by publishers and intermediaries—so that "make a profit" translates to "make much higher profits than most industries and most content fields" and "breaking library budgets" translates to "your library doesn't need humanities monographs, special collections...and, you know, what are all those staff doing?" Maybe I should just abbreviate "lease it all/pay per use" advice as Deals with the Devil, DWTD, and let it go at that. I don't believe it's *at all* workable for public libraries, I believe academic librarians are eventually going to regret their avid adoption of DWTD, and I'm probably repeating myself.

The more interesting part—except that it makes what I regard as an improbable assumption, that is, that publishers would continue to provide access to ebooks that weren't achieving some reasonable level of annual return:

> The benefit to libraries is that as the popularity of titles wane, they aren't stuck with a bunch of unwanted ebooks. The benefit for publishers is that their entire catalog, front and back, is readily available to readers, lengthening the long tail of sales.

> And that's the aspect of library books that isn't given as much weight as it should. Granted, I am a book person, so perhaps my experience is skewed. However, there are several series and authors that I collect in hardcover now that I was introduced to through my library. I am a cheap reader, so buying in hardcover is something I reserve only for things I

really enjoy and plan to hold onto for a long time. I'm not going to buy a hardcover of something unknown, particularly not at list price. I think too often publishers don't take advantage of the marketing opportunities that libraries provide.

I agree fully with the last sentence. I'm also a cheap reader (probably cheaper than Creech). But I see nothing in a pay-per-use model that would either encourage or mandate that publishers maintain eternal availability of titles that are no longer earning out—even assuming that publishers never go out of business, a wildly improbable assumption. (Maintaining a title in your backlist has ongoing costs quite apart from physical inventory.)

The reality: DWTD means the library has no collection, nothing it *owns*. If you don't think that's dangerous for the future of public libraries, I probably won't convince you.

Open letter to HarperCollins

Jamie LaRue is a public library director, and I think that's significant. I'm quoting almost the entirety of his March 3, 2011 post at *myliblog* (other than the intro), and I'm sure he won't object. I'll have one small grump at the end, but I'll leave it for that—and you might note the issues LaRue recognizes:

> Dear HarperCollins:
>
> I have three concerns and one suggestion. My first concern is that as a volume purchaser, libraries should get discounts, not price hikes coinciding with new limitations of use. A second concern is that content licensing is itself profoundly destructive to the emerging ebook ecosystem. At present, libraries greatly assist authors in finding audiences. Passing things around—pulling copies from the library and distributing to booksales, church bazaars, charter schools, etc.—not only helps people find authors in ways they can afford, it also encourages reading, which is clearly one of the library's role. From the other side, many libraries RECEIVE donations from people who bought a book but are done with it. How does one donate an ebook to the library under your model? My third concern is simply the long tail problem. What happens when our license expires, but the file is no longer available for renewing? You won't let us own things. How can we be sure that titles endure past some arbitrary time?
>
> My suggestion is this: instead of punishing us for being among your best customers, make us sales partners. My library has over 2 million website visits a year. All of those people are looking for books. Douglas County is one of the wealthiest counties in the nation, and highly tech savvy.

We're working on prototype systems for the display of ebooks, further simplifying the process of locating new authors.

> The way it works now is people like what they read, so buy it. But there's no reason we couldn't make that an option right from our catalogs. And for every borrowing that turns into a purchase, the library should get a shareback, or credit for purchase, or reduction in the cost of future purchases, or some mix of the above. Buying through a library is a perk provided by the library, leveraging the cooperative purchasing power of their taxes (and yes, our patrons should get a discount, too). Advantage to you: a nationwide sales system, with eager salespeople you don't even have to pay.
>
> Remember, all we're guilty of is the desire to buy books from you, and to generate ongoing interest in them. If HarperCollins isn't interested in selling to us, I am confident that many small, independent publishers – and a growing number of self-published authors – certainly will be. And that might be a change in the ecosystem, too, accelerated by such decisions as the content licensing model. But I can't see how HarperCollins would benefit from it.

You can probably guess the grump: If a buying link is *only* to the publisher, or (more likely) to Amazon, or... then it's further disadvantaging local bookstores. If, on the other hand, it's to some clearinghouse that features local bookstores when they have the items available for sale, well, I'm hard-pressed to find an objection.

More on eBooks and Libraries

Sarah Houghton-John posted this at *LibrarianInBlack* on March 3, 2011. It's mostly urging ALA to make an Official Statement on the HC controversy—and H-J finds it offensive that *AL Direct* didn't consider the HC controversy to be the most important news item of the week.

> Psssst, ALA! Your members are making news. Your members are the ones who are upset, on behalf of their profession and their communities. Your members are the ones who are making news by protesting a publisher's short-sighted and antiquated decision that is not only anti-library but anti-consumer. Perhaps you can listen to your membership, and cover what's going on in a more intentional way. Perhaps you can issue a formal statement to the press about what libraries believe in, and how publishers' choices on how to sell or not sell digital formats to libraries is subverting a core value we hold dear.
>
> The silence is deafening. We're waiting.

After ALA President Roberta Stevens posted something on Facebook, H-J called the placement of the message "a cop out of responsibility for the message itself" and repeated the need for a "centralized voice speaking with authority."

> Speak out and speak out now, ALA. Reassert libraries' rights to lend materials. Reassert libraries' responsibilities to the public good. And reassert libraries' roles in our communities as cultural and thought leaders. That doesn't require anyone to say anything specific about HarperCollins or any other publishers, or endorse any specific action. Give voice to our professional ethics and responsibilities regarding the content we provide, regardless of format. Please, say something to the world–or the rest of us will keep talking loudly, angrily, and unofficially. And those are the voices the press will pick up instead. My guess is that is not what ALA wants.

How would ALA do this, given that it's a membership organization? The principles discussed in this paragraph are already represented in statements on ALA's website. How, exactly, would ALA "reassert" these in a meaningful way *without* referring specifically to HarperCollins? And who, exactly, is in a position to say, "This is what *all librarians* believe," in a controversy where several public librarians came out early on *supporting* HC's position? For that matter, why would ALA *not* be happy about a diverse range of librarian voices being heard in the media? The ALA is not the Catholic Church, with an "infallible" head whose positions cannot be challenged—and I think that's a good thing.

Mission: Impossible

Steve Lawson is also an academic librarian—and he recognizes there's an issue with academic librarians telling public librarians how to run their libraries good. This March 4, 2011 post at *See Also…* includes several thoughts worth paying attention to, whether I agree with all of them or not. There's enough there that I'm inclined to point and say "**go read it**," but I'll note a couple of things.

Before the HC/Overdrive announcement, Lawson raised a question within the Library Society of the World group on FriendFeed—in essence, if the CEO of one of the Big Six wants a vision for retail and library access to ebooks in 2021 "that is both realistic and optimized for the publisher's interest," what would you (as an executive at that publisher) say? Here's the library portion of his own answer—again, speaking as a "Harper & PenguinMifflin House" exec:

As for libraries, I think once we get the DRM figured out, the library strategy will fall into place. Right now, I envision smaller libraries paying per-use (i.e., per "checkout"), while larger libraries will want to just have a flat yearly payment for unlimited access. We can calibrate the per-use payment to ensure we meet revenue goals, so that bestsellers might circulate at a discount while other new and specialty books may be at a premium. It will be important that we make our books available on many types of devices to maximize circulations. We will need to work closely with libraries to prevent abuse by their patrons—smaller libraries will be highly motivated to comply to avoid incurring per-use charges from people outside their service areas; larger libraries will have no such disincentive. Perhaps library cards will need to be regulated more closely, like state IDs.

Recognize anything there? It's not exactly what HC decided, but it's close. Which leads to another comment on HC's attempt, after some thoughts on atoms, bits and code and why HC's looking to protect their own interests:

> It doesn't mean that librarians and readers have to like it, or accept it. **I do think it's time we stopped being surprised by it.** [Emphasis added.]

And this:

> As an academic librarian, I have been a little shy about writing about this issue. This particular instance seems to be up to the public libraries to handle, and they seem to be handling it fine without my comment.

> Rather than trying to say what public libraries and librarians should do, I'd suggest they look at what has happened with academic librarians and the Big Deal from commercial journal vendors. Once you go down that road of ceding choice and control to the publishers, it is extremely difficult to claw your way back.

> Our mission, should we choose to accept it this time, is to advocate for code and norms that enable and encourage access to publications for whomever wants it; preservation of the cultural record; a system that works well for libraries large and small and for all people who can't afford to buy all the books they might want to read or consult.

DWTD as a desirable model for public libraries? Reread that paragraph beginning "Rather than…"

Open Letter to HarperCollins

In this case, the letter is from San Rafael Public Library's director—and Sarah Houghton-Jan, the Assistant Director. It appeared March 7, 2011 on *LibrarianInBlack* and, as with Jamie LaRue's letter,

I think it's worth repeating in its entirety. I invite you to compare and contrast the two approaches:

Dear HarperCollins:

The San Rafael Public Library is strongly opposed to your new eBook licensing policy for libraries.

The policy you propose is contradictory to the spirit of libraries and damaging to the relationship libraries have long held with publishers. You are demanding that libraries rent eBooks from your company, but if the same title were to be purchased in paper copy we would still own them. This seems to encourage paper-only purchases from HarperCollins, something that would not help your company's brand or financials.

The arbitrarily chosen "self-destruct" number of 26 circulations is not reflective of the reasoning you gave in your public statement. Paper copies, hardback or paperback, last much longer than a year and many books see much more than 26 total circulations in their first year alone. As written, your new policy seems greedy, especially considering the low cost involved in producing an eBook "copy" as compared to a paper copy.

The larger practice of digital content licensing is profoundly destructive to the burgeoning eBook market. Libraries help authors find audiences – and therefore help your bottom line. A 2007 study done by ALA (see: http://bit.ly/dYk84S) shows that 40% of adults and 36% of youth purchased a book after checking the same title out from a library. Discarded library copies find new audiences with book sales, donations to schools, and more. In addition, libraries receive donations from individual consumers who purchased a book but are done using it. With the current model of licensing, consumers cannot donate eBooks. This removes one additional way for your authors to get more exposure—and future sales—through library check-outs. Libraries raise exposure for your authors and your books. Let us continue to play that vital role for your company.

You may, if lucky, see some financial benefits in the short-term in more affluent areas of the country that can still afford to ascribe to your model of rentals. However, in the long term libraries will be forced to stop offering your eBooks and increasingly rely solely on paper books. That does not help your bottom line or public image.

Libraries want to buy your titles—in print and in digital copies. As publishers' most loyal and long-term customers, it is extremely confusing to be punished for wanting to give you money. If, however, HarperCollins is no longer interested in selling to libraries, libraries like ours look forward to the long list of independent publishers and self-

published authors waiting to fill the gap you will be leaving in the market. We realize that these newer methods of publishing are perceived as a threat to business by traditional publishers like HarperCollins. This change in the market will only grow exponentially faster in response to decisions like your "rule of 26."

All of the limits you have placed on library digital content are short-sighted, at best. eBook licensing, and the digital rights management that comes along with it, acts like a tariff in its inhibition of the free exchange of ideas, literature, and information—the ideas, literature, and information that your authors have worked so hard to put out into the world. We encourage you to maintain your positive relationship with libraries and sell your eBook titles to libraries outright, not rent them.

Grumps? I think any focus on "the low cost involved in producing an ebook 'copy'" is an unnecessary digression and at least implicitly overstates the role that hardcopy costs play in most book prices. Otherwise...well, do your own comparisons.

Restrictions on library e-book lending threaten access to information

This press release from ALA emerged on March 14, 2011, perhaps not timely enough for some but probably as rapidly as ALA could craft a reasonable message. Omitting the boilerplate final paragraph on ALA's size and significance, here it is:

As libraries cope with stagnant or decreased budgets, the recent decision by publisher Harper-Collins to restrict the lending of e-books to a limited number of circulations per copy threatens libraries' ability to provide their users with access to information.

"Libraries have a long history of providing access to knowledge, information and the creative written works of authors," said American Library Association (ALA) President Roberta Stevens. "We are committed to equal and free access for the millions of people who depend on their library's resources every day. While demand has surged, financial support has decreased. The announcement, at a time when libraries are struggling to remain open and staffed, is of grave concern. This new limitation means that fewer people will have access to an increasingly important format for delivering information."

Data collected by the ALA shows that libraries are responsive to the needs of their users. Nationwide, 66 percent of public libraries report offering free access to e-books to library users - up from 38 percent three years ago.

Stevens continued "Crafting 21st century solutions for equitable access to information while ensuring authors and publishers have a fair return on their investments is our common goal. The transition to the e-book format should not result in less availability.

"The marketplace for e-books is changing rapidly. We encourage publishers to look to libraries as a vehicle to reach and grow diverse audiences."

Libraries have proven to be powerful marketing tools for e-books. According to a white paper produced by library e-book distributor OverDrive, Penguin's runaway hit, "Eat, Pray, Love" (Viking), was published in February 2006 with an initial run of 30,000 hardcover copies. The title didn't become a bestseller until March 2007. In the meantime, copies of "Eat, Pray, Love" changed hands thousands of times through book clubs and libraries, scoring rave reviews and stirring up chatter among leading library blogs. Thanks to word-of-mouth marketing and library lending, when the paperback hit newsstands, "Eat, Pray, Love" sales skyrocketed.

I could do without "the transition to the e-book format" but will pass that for now. Still, if I as a loyal ALA member find it offensive for *my organization* to make statements that appear to agree that *the future* of books is ebooks...well, why are we surprised that ALA can't speak out forcefully right off the bat?

Boycotts and Proposals

Stuff in this section appears to constitute a formal call to action of some sort—calling for a boycott, asserting a bill of rights or set of principles or the like—or comments on such actions. I don't know when the first call to boycott—either HarperCollins ebooks, or all HarperCollins books or even, possibly, all OverDrive offerings—emerged, but it couldn't have been more than a few hours after the OverDrive announcement.

Library eBook Revolution, Begin
This February 25, 2011 post by Sarah Houghton-Jan on *LibrarianInBlack* is both an early fisking of OverDrive's announcement and a call to action of sorts. The commentary's worth reading in the original. I'd disagree with at least one comment— "Remember though that libraries do not have the right of first sale with digital content—we never have." That is not true. Libraries have first-sale rights for digital content *purchased on a physical carrier*, including CDs, DVDs, audiobooks-on-CD,

CD-ROMs, Blu-Ray Discs. The distinction is the lack of a circulatable physical item, not whether or not the content is in digital form.

Come to think of it, what follows is misleading as well as far too optimistic: "What we need is for digital copyright laws to change (libraries need an exemption for digital content, just as we have for physical content)." First-sale rights do *not* represent a library exemption; while there are special library clauses in copyright law, first-sale rights aren't among them. I'd question the next sentence as well: "We also need legislation introduced that specifies that that libraries, as public lending institutions, are not required to comply with consumer-intended terms of service." There's *nothing* about the OverDrive situation that's intended for consumers, since OverDrive markets to libraries— and, in a lot of areas such as scholarly journals, libraries would be a whole lot better off if they *were* treated as consumers.

The sections on authentication, consortia and limiting service areas are more detailed and better stated than I'd seen elsewhere that early on, and I do recommend reading them in the original. Unfortunately, that's followed by a claim I regard as nonsensical unless you assert that physical media have already disappeared or that end-user license agreements on entirely-digital media are new:

> The lack of legislative leadership and advocacy in the last decade has created a situation where libraries have lost the rights to lending and preserving content that we have had for centuries. We have lost the right to buy a piece of content, lend it to as many people as we want consecutively, and then donate or sell that item when it has outlived its usefulness (if, indeed, that ever happens at all).

That's wrong. Libraries have lost *nothing* that they previously had. That existing first-sale rights *for physical carriers* do not automatically extend to bitstreams is neither new nor novel. Libraries never had the right to purchase the *content* of a novel and do with it as they pleased; they had the right to purchase any number of *copies of the book* and do with them as they please.

What's she calling for? Other than slamming somebody—I'm guessing ALA—for "lack of legislative leadership and advocacy"—she wants everybody to contact OverDrive and HarperCollins, and suggests boycotting HC content. And there's this:

> I call on as many libraries as possible to seriously consider dropping digital content vendors with

restrictions and move toward only providing open access titles and formats. Yes, that means forgoing most popular titles. But you know what? Unless we take a firm stand we will not be heard.

I wonder whether H-J understands what "open access titles" really means in this case, or if she's attempting a redefinition of OA. In any case, what this translates to is "don't license digital material"—an interesting stance that rules out not only "most popular titles" but nearly all digital resources. That's a loose translation; "move toward only providing open access titles" would mean abandoning at least 98% of current print book acquisitions and at least 99% of popular magazines.

The first comment repeats the same false statement about "any digital content"—that you're only licensing it. Are people generally unable to separate content from carrier? Many other comments and trackbacks, of course...including, sigh, those from an anti-copyright zealot and those suggesting that the U.S. enact a pay-per-use model for libraries.

The eBook User's Bill of Rights

A few days later—February 28, 2011—Houghton-Jan was back with this, explicitly placed in the public domain (a CC0 license) and repeated here in full:

> The eBook User's Bill of Rights is a statement of the basic freedoms that should be granted to all eBook users.
>
> **The eBook User's Bill of Rights**
>
> Every eBook user should have the following rights:
>
> - the right to use eBooks under guidelines that favor access over proprietary limitations
>
> - the right to access eBooks on any technological platform, including the hardware and software the user chooses
>
> - the right to annotate, quote passages, print, and share eBook content within the spirit of fair use and copyright
>
> - the right of the first-sale doctrine extended to digital content, allowing the eBook owner the right to retain, archive, share, and re-sell purchased eBooks
>
> I believe in the free market of information and ideas.
>
> I believe that authors, writers, and publishers can flourish when their works are readily available on the widest range of media. I believe that authors, writers, and publishers can thrive when readers are given the maximum amount of freedom to access, annotate, and share with other readers, help-

ing this content find new audiences and markets. I believe that eBook purchasers should enjoy the rights of the first-sale doctrine because eBooks are part of the greater cultural cornerstone of literacy, education, and information access.

> Digital Rights Management (DRM), like a tariff, acts as a mechanism to inhibit this free exchange of ideas, literature, and information. Likewise, the current licensing arrangements mean that readers never possess ultimate control over their own personal reading material. These are not acceptable conditions for eBooks.
>
> I am a reader. As a customer, I am entitled to be treated with respect and not as a potential criminal. As a consumer, I am entitled to make my own decisions about the eBooks that I buy or borrow.
>
> I am concerned about the future of access to literature and information in eBooks. I ask readers, authors, publishers, retailers, librarians, software developers, and device manufacturers to support these eBook users' rights.
>
> These rights are yours. Now it is your turn to take a stand. To help spread the word, copy this entire post, add your own comments, remix it, and distribute it to others. Blog it, Tweet it (#ebookrights), Facebook it, email it, and post it on a telephone pole.
>
> To the extent possible under law, the person who associated CC0 with this work has waived all copyright and related or neighboring rights to this work.

Again noting the confusion of content and carrier—you don't gain first-sale rights over the content of a novel when you buy a book, you gain first-sale rights over *that physical object*—and the *fact* that digital content carried in physical carriers *has* first sale rights, this "Bill of Rights" is an interesting set of desires. On the other hand, first sale doctrine almost certainly *cannot work* with *purely*-digital content (that for which there is no physical container) without some form of DRM, and that needs to be addressed.

The comments—interspersed with loads of linkbacks—are interesting. One person touches on the copy-vs.-content issue (if indirectly); a couple point out that calling these desiderata "rights" is hyperbole; one anonymous person calls first-sale and fair use rights "silly"; a pseudonymous author says those in favor of this thing "seek to steal" the work of authors; other authors raise reasonable questions about reasonable reward for effort.

Mike Cane points to an older and much more ambitious "eBook Buyer's Bill of Rights" (August 4,

2010 at *Mike Cane's iPad Test*), one that adds many more items and really has nothing to do with what H-J is discussing (it's about formatting, tables of contents, covers and the like).

HCOD, eBook User Bill of Rights and Math

Sarah Glassmeyer posted this at her eponymous blog (actually *SarahGlassmeyer(dot)Com*) on February 28, 2011. She's a law librarian, and I believe she considerably overstates the threat behind HC's actions—unless you assume that everything's going digital real soon now. Her first paragraph:

> There was a moment today when I looked at the facts in front of me and became genuinely concerned—for the first time ever—for the continued existence of libraries.

Those facts? She provides numbers that seem to show that about 12% of AAP's sales come from public libraries and that, using some *extremely* tenuous conclusions, if every library user changed one checkout a year to a purchase, that would provide four times as much revenue for publishers as they currently get from libraries. I won't go through the numbers; given confusions between gross and net, confusions between AAP and the much larger publishing industry as a whole, and the dangers of "if only" projections, Glassmeyer also *entirely* omits the chief economic reason that publishers *should* want libraries to stick around: People try out authors and books at libraries and, sometimes—not infrequently—go on to buy other books or the same books. Given the loss of most book review sections, public libraries are the best publicity medium most publishers have.

Beyond that, Glassmeyer doesn't like the proposed Bill of Rights (she has a single four-word paragraph: "I don't like it.") for a variety of reasons, partly because she believes libraries negotiate from a position of weakness.

Glassmeyer's fearfulness for the future of libraries also seems to suggest that the only role served by public libraries is as intermediaries between publishers and readers. I don't buy that either. Another post on March 4, 2011, "We All Live Downstream," again calls the "Bill of Rights" too confrontational while not going far enough and then offers her own, drafty, "Statement of Rights and Responsibilities for the Information Age." Since Glassmeyer did *not* release that statement to the public domain, I won't quote all of it. Parts of it are a little bizarre—for example, the statement that vendors and publishers

"have the right to be a profitable business." Really? When has any business—other than highly-regulated public utilities—had the *right* to be profitable, as opposed to the opportunity? Her version for "content creators" is a little better—they should *be able* to make a profit from their works. Frankly, saying librarians "should not consider Content Distributors the enemy" doesn't fly—because some distributors really *are* enemies of libraries, in practice if not in theory.

There's quite a lot here, some of it valuable, but between the verbiage and some overstatement, maybe it's not surprising that there are only three comments. The February 28 post itself has 30 comments—more than one of which raises the point that libraries provide value to publishers by making readers aware of books. Another points out that libraries may be *much* more important for non-blockbuster books.

Let's make this a Glassmeyer trifecta: On March 6, 2011, she posted *On Boycotts*—noting that she's one who boycotts some brands even though she knows it won't do much good. That said, she goes on through a fairly long discussion...leading up to the idea that, although she's *fairly certain* a boycott of HarperCollins won't work, the "bill of rights" is both "too confrontational" and doesn't go far enough...well, she does understand that taking *some* action has its merits.

Really, HarperCollins?

Kate Sheehan posted this at *Loose Cannon Librarian* on February 26, 2011, commenting on the situation itself and throwing in the "Bill of Rights." She works at a consortium that provides an Overdrive collection, so she's at least indirectly involved.

> I spend most of my time these days at small-to-tiny public libraries. They want to offer ebooks and thanks to their consortium membership, they sometimes can. Some of them are too small and broke to buy into our Overdrive membership. These are seriously committed, hard-working librarians who offer vital services and love their communities. If HarperCollins wants to argue that books usually get 26 circs, fine. Come to my libraries and watch them carefully repair their materials with book tape. Watch them fret over the cost of buying one copy of each book on the best seller list and trying to decide which of the top ten they absolutely have to buy. Come spend time with librarians who build collections on the kindness of their patrons who buy books and donate them when they've read

them. If they learn to carefully patch together the bits and bytes in an ebook, can they eke 40 circs out of it? Can their patrons donate their used copies from their kindles and ipads?

She notes that libraries are on the side of publishers—they *want* people to want books. But she doesn't see the HC model as working, particularly where restrictions on consortia are involved. She considers that HC might be testing the waters, trying to figure out what ~~they can get away with~~ will work for the future. She ends:

> But this is a decision that treats libraries like freeloaders…. Libraries are a vital part of the publishing world, the friend who borrows a cup of sugar, and brings back your measuring cup with a cake. It's really good cake, too, delicious enough to make the borrowed sugar a negligible cost. Don't break down our door in the middle of the night, demanding that we give back a pound of sugar for every cup we've ever borrowed. Enjoy the damn cake.

Two days later (February 28, 2011), Sheehan added "On Boycotts and Readers' Rights." In this post, she offers what she admits is an oversimplified view of how we got to the HC situation and the fact that boycotts aren't normally what libraries do.

> I think we have the wrong imagery in mind when we talk about this boycott. This isn't a picket line demanding that HarperCollins acquiesce to our demands. This is a tactic. It feels unfamiliar because we never vote with our wallets… As librarians, we don't really have enough money to use it as a bargaining chip. But we're trying it with this boycott. The demand isn't to go back to the way things were, because that isn't going to work for anyone. It's to come together to find a new solution that will help us all.

Sheehan sees this as a way to push libraries into a conversation with ebook publishers. Maybe so. On the other hand…Bobbi Newman properly asks, if HC or the Big Six want a conversation, *who would they talk to*? Who's empowered—or should be—to speak for all librarians? ALA? Really? And if so, "what are our terms?"

Is A Boycott of HarperCollins The Right Course of Action at This Time? #hcod #ebookrights

This February 28, 2011 *Librarian by Day* post (by Bobbi L. Newman) is, to me, at war with itself. First, she takes on the effort to boycott HC:

> I'm concerned that boycotting now may make us look hysterical or irrational, not an image we want to take to a negotiation. There may come a time when boycotting is the way to go, I'm just not sure its now.

Then she says "I want to know what you think…"—which would be stronger if she'd left out her own clear opinion. There are a fair number of responses, including one from an academic librarian that I find wildly confused (this librarian seems to believe OA would spell the end of publishers and libraries!) and another from someone who's only too happy to go to a buck-per-use "solution." I dunno what to make of all this, but, well, I think I'm with Matthew Hamilton (see below, *Solidarity is powerful…*).

Peter Bromberg responded to Newman's question with his own March 2, 2011 post at *CuriousKind*. It's a careful discussion and one **you should read on its own**. I'm not saying I agree with what Bromberg says. I'm saying he says it thoughtfully and clearly, and it can stand on its own.

Boycott? Bad idea.

I don't plan to quote a large fraction of various posts and comments supporting or opposing a full or partial HC boycott, but a sampling may be in order. For example, "emily"—a small *college library* director—posted this on March 1, 2011 at *reverse snowglobe*. She says of calls to boycott HC:

> This strikes me as dangerous from a freedom to read perspective. I don't disagree with the notion that libraries have to make tough decisions when developing their collections. We can't and don't buy everything. Collection development policies regularly describe guidelines whereby classes of materials are or are not collected by libraries.
>
> In this case, by boycotting HarperCollins across the board, we are choosing not to collect content that our communities want and need. For the most part, content published by HC isn't available via other publishers. By refusing to buy from the publisher, we prevent the content from reaching the hands of our patrons.
>
> *For most libraries, print books from HC absolutely fall within our collection guidelines.*

A library's failure to buy a book does *not* "prevent the content from reaching the hands of our patrons"—it only means *your library* isn't providing it. As to the larger point—well, I dunno.

> [B]oycotting the entire output of a specific publisher is an assault on intellectual freedom and the freedom to read. We buy and obtain content from all kinds of publishers whose practices and policies are far from friendly to libraries. Today, our collections would be meager indeed if we only bought and licensed materials from sources we considered library-friendly.

Assault on intellectual freedom? I can't buy that. The rest of it...maybe. On the other hand, there must be a point at which a seller of content is simply too abhorrent for a given library to deal with. Has HarperCollins reached that point?

Barbara Fister speaks directly to this post (among others) in her March 3, 2011 "Peer to Peer Review" column at *Library Journal*, "Pondering the limits of 'give 'em what they want.'" Speaking directly to the intellectual freedom issue:

> I want to kick around the "censorship" issue, because it's an interesting one. I have a real problem with librarians throwing up their hands and claiming they can't take a principled stand because librarians are obliged to be neutral. Where did that idea come from? I am anything but neutral about equal access, intellectual freedom, and patron privacy. I am in no way neutral about the importance of valuing evidence in argument and in helping students make critical choices about their sources. Some sources are better than others, and some issues—like the historical fact of the Holocaust—do not have an equal but opposite "other side." Providing a balanced collection that offers multiple perspectives does not mean every idea is of equal worth or that librarians are not allowed to hold opinions.
>
> But, refusing to buy anything from one of the big six publishers does have serious ramifications. It means that the library will not provide access to new books by authors who may not agree at all with HarperCollins' new limits. It means not acquiring valuable books that have something useful to say and that say it in a way that is unique. Books are not like consumer goods that can be substituted if we don't like the price. Each book offers a new and different perspective (unless it's written by James Patterson, Inc.). Deciding not to buy a book that presents important ideas is troubling to librarians—and it should be.
>
> Nonetheless, we have for too long acquiesced to publishers and vendors whose practices go against our values. We've put satisfying our users' immediate needs ahead of the long-term ability to acquire and preserve knowledge. We are much better at giving our users what they want, right now, than explaining how doing so is criminally wasteful and is crippling our ability to preserve and protect information in the long run. One of the reasons faculty think libraries' main purpose it to buy the stuff they want is because that's what we do, with barely a peep.

Fister notes that HC is probably not the most evil of the Big Six but that the model is really awful: "a lose-lose proposition, unless publishers are deliberately designing a digital future that doesn't include public libraries." And Fister, who knows much more of the industry than I do, feels the same way I do: Probably not—it's more likely incompetence than malice. Here's a paragraph I feel I must quote:

> I think the time has come for all of us to step back and ask if we're creating healthy conditions for the long-term survival of accessible knowledge or if, by embracing digital deals with strings to satisfy our patrons' immediate but ignorant needs, we're letting our communities down, badly.

Fister's boycotting ebooks entirely—which is easy, since her (college) library patrons aren't asking yet. And, of course, she *is* an academic librarian: She knows *exactly* where DWTD lead. She's already facing impossible price increases for licensed resources. "Maybe someday we'll be grateful to HarperCollins for making librarians stop and think. Maybe this moment will make public libraries pause before they invest more public funds into consumer-unfriendly and unpreservable formats."

While many academic librarians seem to be delighted with DWTD, Fister's not the only one who sees problems. Meredith Farkas posted "My thoughts on the HarperCollins/Overdrive controversy" on March 1, 2011 at *Information Wants To Be Free*. She discusses various aspects of the situation, but I'll specifically point to these two paragraphs:

> I am deeply concerned about the rights we give up and the erosion of the long-term health of our collections with every contract we sign. When we look at how much of our collection we own, it becomes a smaller and smaller part of the whole each year. And with some vendors, we lose so many rights that it can sometimes prevent users from getting anything out of the content.
>
> If libraries don't want to constantly be the ones losing in this equation, we need to show that we actually aren't going to accept things the way they are. Complaining and threatening do not work when a company is concerned with its long-term financial survival. Real action, taken by a group of libraries large enough to make a dent in a company's bottom line will. Publishers have all of the power right now, because they are big and their choices have a huge impact on vendors like Overdrive. (Plus, they have organizations that represent their interests!) If libraries aren't willing to walk away from a bad deal, they will never have the power. Some might argue that in walking away

we are hurting our patrons, but I think we're doing them a much greater disservice when we forget our important role in cultural preservation.

Solidarity is powerful. And Libraries don't have it. Matthew D. Hamilton, who still calls himself the Brewin' Librarian but now uses his name as his blog's title, posted this on March 6, 2011. He takes issue with part of what Sarah Glassmeyer was originally saying about the economic irrelevance of libraries to publishers:

> 1. She doesn't account for the free advertising that libraries provide publishers as supporters of book culture. I don't know how or if you could measure that impact, but I'd wager it's not insignificant enough to be ignored as part of the equation if we really are trying to do the math.
>
> 2. If publishers didn't feel that the library market was not economically significant, then why would they have taken this step? Anyone who doesn't think that publishers are concerned about the money they stand to lose (or gain) from libraries need only ask um, Harper Collins. That's why they are making these changes, remember?

His real points are that HC is chipping away at consortial buying power, he doesn't see real leadership on the issue—and there's too much talk over whether or not a boycott makes sense. Set aside for the moment real legal concerns with boycotts, particularly those urged by a national organization (I'll suggest that ALA *can't* call for a boycott). He suggests a wording I find satisfying—noting that nowhere in this essay am I scolding any library that chooses to avoid buying HC titles:

> We recognize that there are many responses to the issue of Harper Collins changing their licensing practices and we agree that this issue is urgent and important to libraries everywhere. While we don't necessarily choose to endorse a boycott at this time, we support our colleagues whose moral compass leads them to this conclusion. As a vital part of a functioning democracy, libraries must continue to have a place at the negotiating table in all matters of content licensing and the public good of equal access to information must be preserved. We hope that as content and copyright realities change for consumers and publishers, that libraries will not be forced to make choices in the future that include limiting of access based on economic realities— whether driven by publisher choice or by lack of sufficient funding for collections.

According to a March 29, 2011 item by Michael Kelly at *Library Journal* ("More Libraries Decide To Give HarperCollins the Cold Shoulder"), a number of library consortia and systems have decided not to purchase HC ebooks, including Kansas State Library (serving 330 public libraries), a 66-library Nebraska consortium, an 118-library Iowa consortium, 34 libraries in New York, Illinois' 49-library Alliance Digital Media Library group and several individual library systems. At least one library has also suspended HC print purchases.

Ways forward?
I have another couple of posts related to an ebook plan from a couple of library folks I'm well acquainted with, and something actually *happening*—but those related topics are so much more hopeful and encouraging than the rest of this that I'll hold them to the end of this sprawling essay. There may be ways forward.

The Numbers

A few comments on posts offered *real* numbers on how many times print books circulate. That should not be a key issue in whether HC's move makes sense, but for some people it's at least part of the argument. Also part of the argument, and discussed earlier: The significance of libraries as publishers' customers. As direct purchasers of trade books, the number may be small (say 5%), but that's misleading.

E-Book Blues
Beverly Goldberg posted this on *Inside Scoop* (americanlibrariesmagazine.org/inside-scoop/) on March 4, 20911. She notes some of the back-and-forth, then offers this:

> Curiously, in all the back and forth, few are acknowledging the documented impact libraries have on publishers' and booksellers' bottom lines, no matter the format. In a 2007 survey, Harris Interactive found that, out of a sampling of several thousand randomly selected households, "two in five adults and 36% of youth have purchased a book (hard cover or soft cover) after checking it out from the local library." What's more, about one in five library patrons purchased a CD after having borrowed it and approximately 25% did the same with DVDs. The Harris survey tallied the per-person purchasing patterns as averaging eight books, eight CDs, and 13 DVDs over a year's time, concluding:
>
> > Overall, this data shows the power of the library to influence purchase decisions, not just in general, but among key demographics to

marketers such as those 18–34 and parents. Publishers, working in conjunction with the libraries can see the power of their product multiply. Once a book, CD or DVD is returned to the library, that doesn't mean the relationship is over. In fact, for about half of those who have been to the library in the past year—both adults and youth—a purchase has been made.

So, honestly, why should it matter that a "single eBook license to a library may never expire, never wear out, and never need replacement"? Most printed books last for years in library collections and that didn't affect book sales when the economy was a bit more flush; those loanable titles just whetted the public's appetite to borrow and buy more. Why should that pattern change for e-books? If anything, there may well be more incentive, since a borrowed e-book vanishes from a patron's e-reader device when the loan period ends even if the borrower wants to retain the copy for a few more days to finish it.

Hard facts? As firm as the results of any survey, and with a large enough sampling to be plausible. It also makes sense. I don't buy that many books, but I've purchased several of Terry Pratchett's Discworld books—some as new mass-market paperbacks, some used—only because I discovered Discworld through libraries (cruise ship libraries initially, public libraries to fill in pieces). I never claim to be typical, but the survey results match all the anecdata I've ever heard: Many people buy books after learning about books and authors at the library.

Ebooks: durability is a feature, not a bug
Cory Doctorow has commented in various fora on this situation. This essay, in the *Guardian* (or at guardian.co.uk) on March 8, 2011, begins with his reminiscences of working in libraries as a student—at one point, repairing newspapers in Toronto's North Central branch. He notes that the library got microfilm versions of the papers after 30 days, "which were kind of a pain to read, but they were at least designed from the ground up to be used by the general public over a period of years."

> Now, we did pay a stiff premium for those film editions, but nothing in our deal with the newspaper publishers required us to gently and deliberately age them so that they would fall to bits over 30 days' use. No one tried to argue that the fact that newspapers disintegrated if you looked at them cross-eyed was a feature that had to be preserved as their content moved from medium to medium.

He finds the HC decision analogous and ridiculous.

> Now, in point of fact, many ordinary trade books circulate far more than 26 times before they're ready for the discard pile. If a group of untrained school kids working as part-time pages can keep a copy of the Toronto Star in readable shape for 30 days' worth of several-times-per-day usage, then it's certainly the case that the skilled gluepot ninjas working behind the counter at your local library can easily keep a book patched up and running around the course for a lot more than 26 circuits. Indeed, the HarperCollins editions of my own books are superb and robust examples of the bookbinder's art (take note!), and judging from the comments of outraged librarians, it's common for HarperCollins printed volumes to stay in circulation for a very long time indeed.

As Doctorow notes, that's really not the right argument anyway.

At Doctorow's home base, *boingboing*, he posted "How a HarperCollins library book looks after 26 checkouts (pretty good!)" on March 3, 2011. There's a video "tour" of HC books in a library that have circulated far more often, and Doctorow notes here also that his HC-published books are "damned hardy items." (The video's 7.5 minutes long and interesting, starting with *Coraline*—48 circs, excellent condition, and by the way the print book came with a lifetime guarantee. A book that *does* need repair—only on the spine—has 120 circs. A large-print *paperback* with 25 circs is in excellent condition. A Janet Evanovich hardcover with 65 circs is in near-perfect condition. The "tour" only covers five books—but those five books would have required 17 ebook "purchases" so far.)

Harper Collins and some numbers
I was mystified by this post (by Jason Griffey on March 7, 2011 at *Pattern Recognition*) when I first saw it. I don't see the point of providing *academic library* circulation numbers, for a library that *admittedly* has "ridiculously low" circulation relative to peer institutions, to inform a controversy primarily involving public libraries, which tend to have much higher print turnover. Unlessyou're trying to minimize the significance of Deals with the Devil...

Griffey finds that only 126 of the 409,000 books in the UTC collection circulated more than 26 times in the last ten years. So the financial impact of this policy wouldn't amount to much. **For UTC**.

So what? Griffey says "if we don't look at numbers, and only look at rhetoric, I think we're doing

ourselves a disservice." But the policy's bad—regardless of the numbers. By making a big deal of how *trivial* the number is *for UTC* (Griffey repeats "**126**" as a boldface standalone paragraph), he's saying "this is no big deal."

Not helpful.

There weren't a lot of comments, but those that exist are interesting. The first, from another academic librarian, says there's a lot of in-house use in academic libraries. The second, from a librarian at a medium-size public library, notes that her library has *more than 3,500 items* with more than 100 circs each. Griffey's response? Oh, sure, public library numbers will be different, as will other academic libraries. Well, yes, but the post makes a big point (boldfaced, as a separate paragraph) of how trivial the numbers are and how little HC's policy change would cost UTC. Matt Hamilton did a quick-and-dirty search, finding more than 8,000 books with more than 26 circs, most of them with more than 40-50 circs. Jim Walsh found 27% of the collection—151,847 books—with more than 26 circs, and 1.2% (7,126) with more than 100 circs. There had already *been* some numbers (see earlier sections), consistently higher than UTC's trivial count.

I give Griffey credit for this: His "the numbers say there's no problem" post, damaging as it is, encouraged public librarians to run their own numbers. The items that follow are some of the results—results that, as I would expect, *consistently* show that public libraries get loads of use out of their books.

➢ Matthew D. Hamilton posted "Harper Collins and some more numbers" on March 9, 2011 at his eponymous blog. He found Griffey's post unsettling because, other than being unrepresentative of the institutions most affected, "**I feel like it could be misrepresented as undermining the library case**." So it's not just me. Hamilton's public library system has had changes such that most items in the collection were purchased within the last four years—it has a "popular browsing" philosophy, getting rid of most older books. Its collection development librarian says its percentages of high-circ items are probably lower than most public libraries. Filtering out nonbooks, he found 7,566 items with 27 or more circs and 942

with 53 or more circs. He figures it would cost just over $110,000 to follow the HC policy—roughly the size of the library system's adult nonfiction budget.

➢ Laura Crossett posted "hearts and minds and ebooks" on March 9, 2011 at *lis.dom*. It's an interesting post, **worth reading on its own**, but let's just look at the numbers. For a collection with 88,680 circulating books, 23,083 have more than 26 circs—more than one third. (220 adult books have more than 100 circs.) Breaking it down, more than 50% of the children's collection and about 23% of the adult collection exceed the HC limit. Crossett notes that numbers aren't really what matter here—and for the rest of that discussion, I refer you to the original post.

➢ Sylvie Szafranski posted "OMG #hcod" on March 18, 2011 at *rambleonsylvie*. Her library system has 370,878 circulating items. Of those, 44%--164,290—have circulated more than 25 times.

➢ An April 3, 2011 *Seattle Times* article gives numbers for the Seattle Public Library: "Almost 300,000 books were checked out 26 times or more. And 6,759 circulating books for children and adults have been checked out 100 times or more."

Circulation numbers should not be at the heart of the discussion, but even with these few examples, the pattern seems clear. Setting aside other arguments, HarperCollins is asking for terms that would be ruinous in some cases if applied to public library print collections. That some academic libraries, most of them already enmeshed in "we just rent stuff, we don't own it" agreements, would *not* be hurt badly is, at best, somewhat irrelevant.

Other Perspectives

This section includes a few perspectives beyond those of librarians and hangers-on.

On eating your seed corn

Courtney Milan writes historical romances. She posted this on February 25, 2011 at her eponymous blog. It's a **good read**: I recommend it. Excerpts:

Look, I get that money is tight. I get that you're worried about an infinite number of checkouts from one digital copy. I get that you're projecting the future and it's filled with fear. What I *don't* get, however, is the utter disdain for the vital role

that libraries fill in our community, and in the book-buying ecosystem.

So let's talk about the lifecycle of a voracious reader: me.

I enjoyed reading from a very young age. I started forming lifelong habits at the age of ten, and continued through my twenties. It quickly became apparent that the sources of books available to me were vastly, *vastly* inadequate....

More about how this book-happy family (owning 1,000 or so, but on a meager income) managed: the library. Similarly when Milan went to college: the library.

When I was young, and forming habits, and had no money, I could get free books. If I had not been able to get free books, I would have eventually found other ways to pass my time. Video games, role playing, television... you name it, there are a ton of other free or near-free habits I could, and would, have developed.

Today, library budgets are being slashed. Some publishers don't make their books available for digital lending, and more publishers are actively hostile.

But let's face the truth: libraries are an *annoying* way to get books. You have to *wait*. You have to read the book on someone else's schedule–when you hit your spot–and you only have two weeks to read it before it's ripped from your grasp, and later on, when you can't remember the title or the author you can't scour your shelves in vain....

Clearly Milan would prefer buying. I'm different—our library circulates books for four weeks, I don't go for the latest best-sellers anyway, we don't have *room* for many more books...but that's not the point:

Publishers, if you make it impossible for young people–those in the "under 25" category–to support a good reading habit on their own dime, these people are not going to start magically spending money on books when they start making a decent income. No; at that point, they'll already have started spending their time haunting hulu instead, where they can actually get free entertainment. And when they start making money, they'll be buying iTunes streams of those shows they watched for free.

Me, personally, I'd rather they were buying books.

Milan *really* likes books: She figures she'll be spending more than $5,000 a year on them. She's an outlier, but her final point's entirely reasonable—and this is coming from an author, one who relies on book sales for income:

Libraries are the future of reading. When the economy is down, we need to make it *easier* for

people to buy and read books for free, not harder. It is stupid to sacrifice tomorrow's book buyers for today's dollars, especially when it's obvious that the source in question doesn't have any more dollars to give you.

Comments, 20 of them, are *entirely* along the same lines—mostly from people who have to be publisher's favorite customers, some of them also spending four digits annually. Milan's sister notes "the library as a way of scoping out books."

Barbara Fister writes along similar lines in "A Library Written in Disappearing Ink," her February 28, 2011 "Library Babel Fish" column at *Inside Higher Ed*, but of course Fister *is* a librarian. She points out that libraries already pay more for ebooks than for print books and that, so far, there's no way of preserving the digital culture.

But what really dismays me is this: publishers believe that libraries are not good for business, that sharing is a bug, that book culture would survive if everyone had to pay for everything they read. This is short-sighted madness.

After some additional commentary, she says this:

Without access to books, lots of books, readers can't develop and grow their own canon of taste for books. Without libraries, books would become luxury goods for a small and dwindling minority of readers. Without libraries, writers would have a much harder time reaching readers and developing a following.

Libraries are in communities of every size and are located in neighborhoods where there are no bookstores, because librarians know that readers are tenacious and can grow in thin soil. Not only will libraries buy books for every reader, those readers become book buyers. Publishers seem to be ignorant of these facts.

Fister also recognizes a sad truth: "for many academics, libraries are not important anymore—except as the office that pays for the content they need."

I am worried that the badly broken system we have developed that has disconnected scholars from the enduring value of libraries is about to reproduce itself in the public sphere. If our public library system is going to be shut out of an digital future because publishers are too dim to recognize their enormous value in fostering and sustaining book culture—then what?

Has HarperCollins lost its mind or its soul?

David Weinberger makes his position clear in that title, from a February 26, 2011 post at *Joho the Blog!* It's a short post and hard to excerpt—so here's all

but the first paragraph, noting that the blog has a BY-NC-SA license (I'll assume BY-NC is close enough to SA):

> I understand publishers' desire to limit ebook access so that selling one copy doesn't serve the needs of the entire world. But think about what this particular DRM bomb does to libraries, one of the longest continuous institutions of civilization. Libraries exist not just to lend books but to guarantee their continuous availability throughout changes in culture and fashion. This new licensing scheme prevents libraries from accomplishing this essential mission.
>
> It's beyond ironic. Until now, libraries have in fact had to scale back on that mission because there isn't enough space for all the physical books they've acquired over the years. So, they get rid of books that have fallen out of fashion or no longer seem important enough. Now that the digital revolution has so lowered the cost of storage that libraries can at last do far better at this culture-building mission, a major publisher has instituted the nightmare culture-killing license.
>
> So, why do I say that HarperCollins has lost its soul instead of just criticizing it for this action? Because I don't see how this scheme could make sense to a publisher unless the publisher had given up on books as a primary way we build a culture together. If you cared about books as vehicles of ideas and not just vehicles of commerce, you would have dismissed with contempt an idea that treats them as evanescent as chatter on a call-in show.

The first of seven comments says HC's "always been about the money"—same as the other huge publishers. Given the audience, it's not surprising some folks assume ebooks conquer all, and that's only semi-relevant. One mentions attempts by publishers to negate first sale rights for *print* books a century or so ago, attempts that failed in court.

Digital Library Madness: 26 and You Are Out

That's Martyn Daniels on February 27, 2011 at *Brave New World*—and given that Daniels is a publisher, perhaps it's not surprising that his solution involves not only licensing but either an annual fee or pay-per-use. He doesn't want to "alienate a major channel" (what? you thought libraries were anything other than a bookselling channel?) but his solutions all involve either per-title annual licenses (with concurrent-use limits) or per-use fees.

The first commenter, Mike Perry, offers an alternative "simple and practical" solution that would serve even smaller libraries—and yep, it involves a "reasonable per-checkout fee." He sees this—a universal depository from which all libraries borrow—as assuring "a stable and growing income spread over many decades" to authors and publishers, even after items enter the public domain. What's reasonable? Well, the big STM publishers have been *so* manifestly reasonable in their license fees, we can presumably be sure that ebook publishers will have similarly modest demands...

The 27th Patron

Marilyn Johnson wrote *This Book is Overdue!*—published by, you guessed it, HarperCollins. This February 28, 2011 post appeared at her blog with the book's name. She talks about the confusions of the ebook market and, of course, the fact that libraries are the best market for her book. She notes that *she* certainly wasn't consulted about this change:

> This isn't what *I* want, e-books with evaporating powers! Are you kidding? No author wants to write a book with the power to disappear. We want the opposite: We want to write books that will last. In my view, this has backfired, just as Amazon's move to delete its Kindle users' copies of *1984* and *Animal Farm* backfired and reminded us all how creepily vulnerable a Kindle library was to Big Brother. Librarians have quickly united around this issue and begun to feel and exercise their power. Some are talking about boycotting HarperCollins and boycotting all books with digital restrictions and locks, including, yes, a book that makes the case for the importance of librarians in a wild and commercially-biased digital age.

After noting that she wants HC to survive, "but fairly and smartly," and other comments, she ends with this:

> A book is someone's dream and creation. A publisher captures it, enhances it with editing, marketing, a great cover image, and puts it out there. A library buys it and gives it a home. And a patron reads it and uses it to fuel his or her dreams and creations. That patron could be the first reader, or the 27th. Isn't that the library's business, as the owner of the book?

Lovely last sentence...but so far, ebooks really aren't books in terms of ownership.

Well done, HarperCollins: Librarians must change old thinking

Sitting down? Had your first drink of the day? You'll want to be calm before you go to Martin Taylor's March 4, 2011 item at *eReport: digital publishing downunder* (at activitypress.com). Taylor's a New

Zealand digital publishing person, and…well, the post title says most of it.

He claims HC's model means public libraries would be paying $0.40 to $0.80 per loan, "a very modest sum to me," and seems surprised by the "almost universally hostile" reaction of the library field.

> In spite of the heat HarperCollins can expect to receive from its library customers, I hope they stand their ground. Librarians need to shift their thinking as digitisation transforms the reading landscape. They are doing authors, publishers and ultimately themselves and their patrons no favours by this stance.
>
> The fact is that rightsholders do have serious concerns and librarians have not managed to address them. They won't do it with anger, or with soothing but unfounded assurances that ebooks will be no different from print in their economic impact.

He calls for librarians to "listen not bully" (librarians have been *bullying* HarperCollins?) and "be willing to experiment with new models…" And tells us how difficult librarians are to deal with. There's a lot more, but basically Taylor regards librarians as close-minded and publishers as anything *but* greedy. Taylor minimizes library circulation as having any significant positive effect on book sales: he sees library circulation being "at the expense of paid retail sales." He's only too happy to point out that if you got rid of *librarians* and library buildings, paying per-use prices for ebook circulation would be a savings.

He offers several "solutions": only lend ebooks inhouse, get lots more government funding, or charge lending fees. He calls for open-minded discussion, but he biases the discussion so much against libraries that it's hard to buy that call as serious. Clearly, for Taylor, libraries are *robbing publishers* (and authors) of their rightful gains.

In the comment stream, it becomes clear that Taylor finds heavily-lended print books to be an outrage, harps on the cost of lending print books and is viscerally unwilling to suggest that librarians have been thinking about this stuff. There's more, but I'm unwilling to comment on more of this. Taylor sees libraries as "high-volume" circulators who cost publishers and authors money and as somehow bullying poor li'l HarperCollins.

Did he really say that?

The post is by Kevin Smith on March 9, 2011 at *Scholarly Communications @ Duke* (a blog that's far livelier than its name!), and the "he" in the title

is Martin Taylor. I like his summary of Taylor's message: "telling librarians to suck it up and fork over the money." He takes on Taylor's claim that publishers have serious concerns about the impact of library lending and librarians have not managed to address those concerns:

> It is not the job of librarians to address the concerns publishers have for their bottom line; to say that we should implies a view that libraries are nothing more than a market, the existence of which is justified only insofar as they serve publisher's interests. But libraries serve the interests of an altogether different clientele. Public libraries serve the readers of their geographic areas and are responsible to local boards or town councils. Academic libraries serve students, faculty and, often, the local populace, while being responsible for their fiscal management to deans and provosts. Publishers are entitled, if they want, to make a business decision about how they price e-books, but libraries are equally entitled to make a business decision about how to spend their money in ways that best serve their patrons and their institutions. If buying e-books under this new model is not good for our patrons, publishers have no cause to complain or berate us for being out-of-touch.

Smith deals with Taylor's claim that the price-per-loan for HC's model is reasonable:

> But this claim confuses price with value. No matter what the price of each loan is, if the book represents a drain on a library's resources that cannot be known in advance, it is a bad value. There is almost no scenario in which a library's money would not be more responsibly spent elsewhere.

There follows an excellent discussion of how we got clearly established first sale rights and, as some of us have forgotten, the fact that some publishers have never liked them, leading up to this:

> It was discontent with this well-established public policy [first-sale rights] that led Pat Schroeder, when she was president of the Association of American Publishers, to call all librarians pirates.

Smith notes that publishers have turned to DRM as the "only way they can attack" library lending—and considers how well DRM-laden products worked out for RIAA. "The publishing industry is entitled to try the same failed experiment if they like, but, again, they should not complain if consumers, in this case libraries, choose not to support the model."

Smith is even clearer about what Taylor's *really* proposing than I've been:

Taylor recognizes that the Harper Collins' model would cost libraries money they have never had to spend before—repeated fees to keep loaning content they have already purchased—and he helpfully provides suggestions about where that money should come from. He mentions and rejects the possibility that the publishers might forgo this new income stream. He would be happy to take tax money, but he realizes that this is unlikely. So instead he suggests that library branches be closed and librarians be laid off in order to free up the extra money. That's right; the core of his argument is that we should close libraries so that publishers can make more money. Of course, the libraries that would get closed or under-staffed are always those in places where libraries are most needed, in disadvantaged neighborhoods or at less wealthy colleges and universities.

These libraries are, apparently, expendable if they cease to serve the narrow (and probably misconceived) interests of publishers at this particular moment in history. This kind of support, I expect, will not do Harper Collins much good; I can only hope that this naked self-interest and disregard for public policy and the general welfare will make Taylor's column what it should be, a rallying cry to libraries and those who support them in city halls, state legislatures and academic administrations to stand up against business practices that threaten their core missions.

I've quoted only part of this excellent discussion (another one with a CC BY-NC-SA license). **Worth reading in full**. So, for that matter, is much of this blog.

This Week's Fish Wrap (No. 17)

Not a terribly informative title, but this item at *Atomic Fez Publishing* has some lovely text about HC's decision. This is from a publisher, albeit certainly not a megapublisher. The writer refers to the decision as "HarperCollins deciding that librarians are the next group of fat cats to be bled dry" and subtitles the actual item "Face Claims 'The Nose Is No Longer Necessary.'"

> In one of the most astonishingly short-sighted decisions ever, HarperCollins decided to rip a new hole in the teat which is their revenue stream from Public Libraries at a time when every single buying budget is being slashed around the world (and a goodly chunk of the libraries in the UK are having to fight damned hard just to keep their doors open at all)...
>
> [W]hen you decide to create a better or larger sack to shove your money into, you aren't wise to target

the single-most cash-strapped market you have, nor is it smart to go after the single-largest customer base you have either! Congratulations, HC, you've succeeded in pissing off the largest number of people in the shortest period of time!

There's a little more; fun and to the point.

At this point, I'm going to mention another post from an epublishing person, one that's difficult enough that I'm not sure what to say about it. The title is "Libraries & eBooks" and it appeared March 8, 2011 at *eBookNoir*. The person writing claims to have worked *in* the library world for many years and claims to understand libraries—but also publishers. There's a reasonable suggestion, sort of—that publishers and libraries need to talk more directly (although I think the flat assertion that publishers "aren't having conversations with" libraries is *way* off the mark)...but a slew of textual problems makes it difficult to take the discussion seriously. Here, unaltered, is just a small part of a text that doesn't seem to come to a point:

> Now as Guy states and I agree, a full out boycott is not the way to go, all it will do is hurt your patrons and those are the ones the library serves and needs to keep in mind. Publishers and libraries need to sit down and talk, don't have a group do it for you, but at ALA or somewhere meet with HC, talk to them, tell them your worries and talk it out, knee jerk reactions are nice and all, but hurt others you don't realize later... that's for both of you pubs and libs. Hell, call me, maybe we can facilitate something or get LJ involved in it, but **talk**, were not kids here, were all adults and need to have this conversation.

Maybe you'll read this post more charitably than I do, but this one just doesn't do it for me.

Open Letter: Teens, Libraries and Why This HarperCollins Boycott Is Getting On My Nerves

I'll end this section with this post from *The Best Damn Creative Writing Blog* on March 9, 2011. It's a difficult one, both because of false universalisms and because the author feels justified in telling libraries—*all* libraries—what they can and cannot do.

It begins with email from a reader who heard about "the boycott" and would like some alternative paranormal romance books for teens, rather than the HC books this person was planning to buy. The blogger calls the ongoing discussion an "epic Harpercollins vs. Libraries hate-storm," which—to my mind at least—considerably overstates the vitriol on either side. Then we get this:

If you are just tuning in, libraries have been boycotting HarperCollins ever since the publisher announced that their e-books can only be "e-lended" a maximum of 26 times. After the 26th time the book self-destructs and the libraries must repurchase the book at a discounted rate.

Not "a few libraries," not "some librarians have been suggesting a boycott": no, *libraries* have been boycotting HC—all of HC, not just ebooks. The word "boycotting" links to the BoycottHarperCollins site, which I haven't previous mentioned because it's the creation of *two librarians* who make it clear they "don't speak for anyone except themselves." There's no list of thousands of participating libraries; if I had to guess, I'd guess there are *not* thousands (or even hundreds) of libraries that have stopped buying all HarperCollins imprints as print books. (The blogger links to a *USA Today* story for "extra explication"; that story mentions one, count'em, one library that's boycotting HC entirely.)

Then things get even stranger. "**Americans don't really want to read books**." That's a flat statement. "Most readers that do either can't or simply won't pay for those books." Another flat statement. The first flat statement is an absurd overgeneralization; the second, I suspect, is also wrong. Then we get to the meat: "I simply cannot support the boycott of HarperCollins books as a means to resolve this issue."

> The quickest way to turn any situation from bad to worse is to get innocent parties involved. And by innocent parties I mean readers. Yes, I know, internet hate is fun and bandwagon internet hate is even more fun. I also know all about the #hcod hashtag and I think its great to see so many people who are passionate about the issue. But the reality remains that encouraging library patrons to boycott the purchase of HarperCollins books actually hurts individual readers a lot more than it does HarperCollins as a company.

There's that "hate" again—and the claim that libraries are *encouraging patrons* to boycott HC books. I have yet to hear of *any* instance in which a librarian has done so, and the email that began the post only said "heard about," not "was urged to" boycott. There's more, quite a bit more, about how much damage librarians are doing by *telling people not to read books*—which, again, *nobody* has done.

Here's the final paragraph:

> So to the librarians out there—I get that you feel like your backs are to the wall on this and that boycotting is the only way. But its not. By all

means, get mad. Write letters. Rant on Twitter. Call the radio stations, the TV stations and the bookstores. Raise awareness about the situation and encourage others to do the same. Refuse to buy HarperCollins e-books for your library if that's what you want to do. But please, end this ridiculous "boycott" and take down that website. Stop telling patrons not to buy books. Let the teens of the world read without feeling guilty.

The boycott site does not tell patrons not to buy books. Period. And calling "the librarians out there" to take down a website begun by *two librarians*, not any association or group, is either disingenuous or censorial.

The first commenter nails it in one: "Please note that the quote from the teen was: "I HEARD about the boycott..." NOT that some mean, horrible librarian told her not to read. It's so wrong to make librarians the villains in this... A librarian would never tell a teen to NOT read anything, and I think even the teen realized that, which is why he/she knew that he/she could come to the friendly, knowledgeable, helpful librarian for great alternatives to, in fact, READ." But the blogger—Cortnee Howard in her response—is intent on telling librarians it's inappropriate to do something *they haven't done*, no matter how often Howard repeats that they're doing so.

Those librarians spewing hatred over the internet and telling teenagers that they should not read HarperCollins books? Even the boycott site doesn't say that. It also doesn't say not to borrow them or that libraries should remove them from their collections. In the absence of any links in this post or elsewhere to librarians making such outrageous suggestions, I can't take Howard's post seriously.

Other Thoughts on Libraries and Ebooks

Some of these items predate the HC situation; I think they're relevant to this discussion.

Will Kindle ever add support for library books?
This piece from "switch11" at *Kindle Review*, posted January 14, 2011, is relevant because it speaks to the attitude some people have about publishing and libraries—"some people" in this case being the blogger, who seems to think he or she knows a lot about ebooks and publishing.

You're reminded early on that, to this person, the only books that matter are ebooks—thus this

paragraph about the missing Kindle feature of support for "library books":

> It is a feature that's a bit overhyped—most libraries don't have a super-impressive range of books, you have to wait for your turn, and so forth. However, it's still an important feature.

"Most libraries don't have a super-impressive range of books"? I suppose that depends on your definition of impressive. Every mid-sized public library I've used has what I consider to be an impressive range of books, and the smaller rural libraries I've been in had collections that were generally impressive *for their small communities*. But if you define books as ebooks, maybe this person's right.

What's fascinating are this person's list of reasons Amazon sells Kindles and what it would gain or lose by supporting library ebooks (which is to say, *by supporting the most standard format for ebooks, ePub*). A few excerpts make this clear:

> In fact, you could argue that people who really, really want support for library books are precisely the people Amazon doesn't want buying the Kindle—**they don't buy as many books, they expect free and cheap**, they are library customers before they are Amazon customers. [Emphasis added.]

Let me simplify that: "Public library users are cheapskates who don't buy books." Indeed, "switch11" extrapolates this to say that library users are less likely to buy *anything* from Amazon, because they lack "good intent"—that is, "intent to buy books and products from Amazon at reasonable prices." The unwillingness of us library-using cheapskates is so clear that it gets this single-sentence italicized and underlined paragraph:

> *If people want new books free, in addition to free public domain books – Are they really customers?*

This viewpoint—that library users are crappy customers—is repeated elsewhere. We're informed why it's particularly sensible for the Kindle to remain a closed environment. Because, you know, people who will buy some other ereader to use ePub basically *don't buy books* anyway. Because they have "bad intent." There's another italicized underlined one-sentence paragraph later that basically says the same thing: If you like library books, you're not a book customer. The Nook only supports ePub because B&N "didn't think things through properly."

It's a 1,400-word post that repeatedly, *repeatedly* discounts library users as being non-book-

buyers and praises Amazon for shunning us free-loaders. An early comment is from a Nook user who's borrowed three or four ebooks from the library and purchased more than 200 from B&N, who points out that "Amazon lost out on an avid book buyer...by not allowing other options." When another commenter takes on the author's denigration of library users, the author *claims* to be a library-loving person—a claim that is, shall we say, undermined by the post itself. Some other comments repeat this—and, of course, there's your "libraries are an anachronism of the past" commenter, who simultaneously hasn't been in a library in years and knows that they have lousy collections. That jerk also says "I'm not anti-library," which suggests not only a fondness for redundancy ("anachronism of the past") but also self-contradiction.

Ebooks and Libraries: A Stream of Concerns

Meredith Farkas offers an article-length set of concerns in this January 18, 2011 piece at *Information Wants To Be Free*, and it's one of those that you need to **read on its own**. It predates the HC situation and comes from an academic librarian, and Farkas raises quite a few interesting points, all of them knowledgeably.

Just a couple relevant excerpts from a post where I could cheerfully quote at least half the text (and, of course, where I disagree on some points, as you'd expect):

> [T]he options that libraries now have for ebooks (in terms of content, interface, interoperability, etc.) are, by and large, piss-poor. I am deeply concerned about the fact that many libraries are increasing their collections of ebooks to the point where a huge chunk of their collection development purchases are ebooks. They provide a compelling model. In many cases, multiple students can read the same book at once. The books take less time and effort in terms of processing and take up no physical space at all. But the negatives, the uncertainties of where the ebook market is headed, and the current restrictions most ebook vendors have placed on their products often outweigh the benefits...
>
> Interlibrary loan is an important part of what we do. Many consortia have cooperative collection development agreements where they will not duplicate collections and can borrow from each other. What does that mean when what they're buying are ebooks? Only a small number of ebook vendors (actually, Springer is the only one I know

of) allow for any sort of ILL, which means that the more our book collections go digital, the less we will be able to loan to other libraries or borrow from other libraries. That libraries are going in this direction without considering the impact on ILL are really shooting ourselves, our patrons, our profession, in the foot. Just try to imagine your library without interlibrary loan. I know I can't…

What do we own and what does that mean?

When my library buys 20 physical books, we own those books. Those books don't disappear unless a patron loses them (in which case we usually recoup our costs) or we choose to remove the book from the collection. We can ILL those books, we can put them on reserve, and there are no further costs for that book (unless it requires rebinding) beyond the initial purchase. But take a look at our eBrary collection. We pay lots of money each year for access to tens of thousands of books but we don't own anything. We cancel our subscription and those books are gone. Books get added and disappear from our eBrary collection depending on their current deals with publishers, meaning that something a student used for their research two months ago may not actually be in our collection when they are looking to cite something from it…

…I am concerned that some librarians may not be thinking about the long-term preservation of the ebooks they are purchasing.

…Collection development is a tricky game. It's not just about building a collection for the people who use it today, but anticipating what people might want in the future… There has to be a balance struck. Obviously, you are going to spend more on areas that people are studying now, but you have to keep an eye on creating a balance that recognizes that hot areas of study change over time.

That's 485 words out of nearly 3,000, and probably not the most valuable 485. **Go read the rest**. Also the comments.

eBooks for Public Libraries: Is the current business model sustainable?

This post, by Ivan Chew at *Rambling Librarian*, appeared a full year before the HC decision, on March 8, 2010. It's a follow-up to a February 28, 2010 post about his experience with a Kindle.

Chew looks at what seemed to be the model for ebooks in public libraries at the time: a license with a vendor for a range of ebooks, with the license needing annual renewal and no actual ownership of the ebook—and, of course, limits on the number of digital copies (e.g., only allowing one circulation at a time for a particular ebook). He finds this problematic for the future, as it means that the costs of ebooks *rise* as they become more popular, where the cost per use of printed books decline when they're popular. There's more to his discussion, including the note that leased ebooks aren't assets, they're liabilities. (He deals with the "what about physical storage costs?" issue by calling those amortized costs: "public libraries make do with their existing space (that's why we 'weed' collections to make room)."

Chew concludes that, in the long term, eBooks will be more expensive than print, where public libraries are concerned and that public libraries will need to balance costs and desirability. And he wonders whether Andrew Carnegie would have built libraries if he was told that his one-time donation would only cover the first year of use…

How is this relevant? Because HC's move does even more to make it clear that, with existing models, ebooks will be more expensive for libraries to supply than pbooks. But also because other models may be feasible…which we'll get to shortly.

I am a frustrated eBook (non) user

That's Sarah Houghton-Jan on June 14, 2010 at *LibrarianInBlack*, detailing the sad story of her attempt to get an ebook from her public library (via OverDrive) to read on her Android smartphone. It's a complicated story, ending in failure (not her fault).

She says that, with DRM, library ebooks "will continue to exist only in our communities' margins" and lays the blame for her problems almost entirely on DRM. That's only partly right.

DRM isn't to blame for the fact that her smartphone won't handle ePub: PDFs can have DRM just as much as ePub can, and ePub documents don't require DRM. DRM is, to be sure, to blame for some of OverDrive's complexity. Then we get this proposed solution:

> It's high time that a group of librarians banded together, really hard and really fast, and demanded from the publishers that they recognize our right to treat an eBook title like a print book title. We should be able to loan it out to as many users, *one after another*, as we want. Those users should be able to read any of our books, no matter their preferences for reading environments (in this case, devices). And those users should be able to print a page if they need to, or excerpt an audio clip for a report they're giving. But of course not—most eBooks and eAudioBooks do not allow these meager things. They're locked down and locked up.

I added the emphasis on "one after another"—quite sensibly, H-J isn't calling for a free-for-all, in which that single purchased ebook can go out to everybody simultaneously. But "one after another" appears to require *some* form of DRM at some point. In fact, it's not DRM itself that's at fault; it's the *kind* of DRM.

That said, it's a good post—and there are a lot of comments, several worth reading.

David Lee King responded at his eponymous blog with "Library eBooks can be Frustrating!" on June 15, 2010. He asks a number of questions and says *some* of the problem has to be OverDrive itself, and that there need to be easier ways to deal with DRM concerns.

I got your ebook manifesto right here!
Why isn't this in the section on boycotts and proposals? Because Steven Harris wrote it on October 21, 2010 at *Collections 2.0*, months before the HarperCollins decision. It's a fairly long post, one where Harris seems to believe that ebooks will soon be "the standard of how books are published and distributed." He mentions some current and proposed ebook policies (especially in the UK) that he finds horrific—for example, he believes that requiring people to be *in* public libraries in order to borrow ebooks would mean "If ebook publishing really does become the standard within a few years, this kind of policy will be the death knell for libraries." Setting aside that hypothesis (which I consider implausible, *especially* "within a few years"), we come to Harris' Ebooks in Libraries Manifesto, which I'll quote in full:

> 1 The digital nature of ebooks offers great benefits that publishers and libraries should learn to exploit together.
>
> 2 Clinging to practices that held sway in the physical book environment will be counterproductive to ebook uptake.
>
> 3 Libraries will be as important to the uptake of ebook technology as marketing campaigns by publishers.
>
> 3 Libraries must be allowed to distribute ebooks electronically to widely dispersed users.
>
> 4 Libraries must be allowed to circulate an ebook to multiple users at a time.
>
> 5 Authorized library users must be allowed to download an ebook to the device of their choosing, without being required to visit a physical library.

> 6 Libraries are willing to implement some limit on the length of use of the downloaded ebook (DRM if you will). The library would not be giving away ownership of ebook files. Let the library select a limit that is best for its user population.
>
> 7 Libraries are willing to adopt different pricing models for innovative digital services. Certainly, a multi-user ebook will be priced differently than a single print book. But the cost cannot be a factor of the total user population. Total actual use is a more realistic gauge of price. Libraries are willing pay more for heavily used materials. In turn, we would like to pay nothing for unused materials. Let us abandon "just in case" costs and focus on actual use. Digital makes that possible.
>
> 8 Certainly, the copy-ability of ebooks could be a threat to publisher profits, but it is unlikely that such copying will be from library collections.
>
> 9 Librarians are not pirates.

The killer here is #7—to wit, this is a call for pay-per-use pricing. And note the deliberate abandonment of just-in-case collections. Since Harris doesn't specify that this manifesto is for any particular *kind* of library, it behooves me to look at the About page. Aha! Harris is an academic librarian—one who's only too happy to speak on behalf of public libraries in declaring his delight at moving completely to a pay-per-use model.

Perhaps it's not surprising that there aren't many comments (well, Tom Peters, as always, is for anything that will hasten the all-digital future, and another Digital Inevitabilist chimes in)...and that the manifesto was forgotten almost as soon as it was posted.

Another Way? Hopes for the Future

I love ending on a positive note. In this case, I believe it's plausible to do so, thanks to some of my virtual colleagues and the good people of Colorado—and possibly other initiatives as well.

"Initiatives"? Yes. I believe a future with many different initiatives, some local, some broader, makes more sense than a monolithic model—just as I believe the U.S. non-system of public libraries works better than a uniform national public library system. But this also has to do with the other side of media: I believe we'd be much better off with tens of thousands of small publishers becoming more important, while the Big Six become less important. I believe that's also a likely future, just as thousands of small record companies and self-

releasing bands are becoming more important in the music field as the Big Three (or Four) become less important.

There's an initiative I'm not covering here, partly because it's premature: DPLA, the proposed Digital Public Library of America. It's far too early to discuss this in any meaningful way, but right off hand I'm nervous about the name and its suggestion of a monolithic model. Of the two initiatives noted here, one's clearly non-monolithic and the other seems unlikely to be much more than part of a larger, more complex whole.

New Lending Model for Ebooks in Libraries from Internet Archive's OpenLibrary

This item is by Barbara Quint at Information Today's *NewsBreaks* (newsbreak.infotoday.com), posted March 7, 2011. OpenLibrary itself (www.openlibrary.org) is a crowdsourced catalog (about 10 million entries when Quint's article was posted) and a gateway to IA's collection of full-text digitized books and documents (about 1.7 million at that point).

The new initiative is the In-Library eBook Lending Program, initially offering around 85,000 ebooks.

> The list of libraries participating in the new program includes mostly public libraries, most in northern California where Internet Archive is also located. Out of state libraries include Boston Public, Allen County (Indiana), University of Florida, University of Alberta (Canada), et al. The list seems slightly padded as it lists individual branches as well as headquarters. For those interested in locating a nearby participating library, the OpenLibrary provides a map.

> The 85,000 ebooks in the program include mostly 20th century items, many in-copyright. Many items are ebooks digitized by libraries themselves; this content may not already appear in OpenLibrary's own collection. Apparently the content digitized by libraries can include rare and fragile items, e.g., family histories of genealogical interest. The new service pools this content to broaden its accessibility.

Interestingly, this operation is *very* traditional: not only is it limited to one borrower at a time (per library), the ebooks must be borrowed within the library's physical facility. Brewster Kahle says they "wanted to replicate the traditional library service model"; this may also have something to do with publisher fears. Borrowers can borrow up to five ebooks at a time for a 2-week loan period, in PDF

or ePub formats using Adobe Digital Editions software for lending (and DRM).

An ebook plan by Iris Jastram and Steve Lawson

This appeared on Steve Lawson's *See Also…* on March 9, 2011, with a matching link (and slightly different title) on Iris Jastram's *Pegasus Librarian* on the same day. I'm going to quote almost the entire thing, and it does come with a Creative Commons attribution (BY) license (note: **Bolding emphasis** added):

> For obvious reasons, Iris Jastram and I have been thinking about ebooks recently. We thought that the new HarperCollins policy of setting an arbitrary limit of 26 checkouts was absurd. Librarians have lost no time in pointing out just how absurd it is, showing that most books can withstand scores or even hundreds of circulations without wearing out.

> But that can be a dangerous argument to make. Twenty-six circulations is unacceptable, but you say some books can go for a hundred circulations? So it should be fine if HarperCollins sets a 100 checkout limit, right? Honestly, this is not the conversation we want to have. The problem is not that the number of circulations set by the publisher is too small; the problem is that no publisher should be able to control these aspects–really any aspects–of the library's workings.

> Many librarians say they want the library to own the ebook, not simply lease or license it from the publisher. If we are to do this, we need to recognize that it's hard to own something that lives on a for-profit corporation's servers, whether that corporation be the publisher or Overdrive or some other vendor. Yes, there are publishers who currently sell ebook or ejournal content outright, but how many of us host those books on our own servers? If those companies went under, how long would it take us to get access for our users up and running again? Libraries cannot afford to enter into licenses that leave publishers and vendors holding all the cards. How many books in an average library are out of print, or printed by publishers that no longer exist? **We believe that the publisher should publish, and the library should own, lend, and preserve**.

> We also understand that most libraries aren't interested in creating their own digital "stacks" to hold all the files that make up their ebook collections. For those libraries–probably most libraries–ebook files could be hosted by a trusted not-for-profit service. The important thing is that the books would be hosted by the library or by a site or service that is working for the library, not for a publisher or vendor.

Neither of us love the current state of copyright in the United States. We believe that copyright lasts too long, protects the rights of the creator way out of proportion to the rights of the user, and leads people to limit their uses of copyrighted material far more than necessary. The solution, however, is not even more restrictive licenses. We envision a system, like the one under which paper books are bought and sold today, that does not depend on licenses. Instead, publishers would have recourse to the same protection they have had for years: copyright.

Lastly, we think that publishers have a right and a reason to be scared that libraries lending ebooks will lead to rampant and uncontrolled unauthorized copying. (And even if we didn't believe it, it seems that they are, and it seems that we need to address that.) Accordingly, we think there is a place for digital rights management technology (DRM) to keep users from casually making unauthorized copies of ebooks. However, this, too, we believe needs to be under the control of libraries. Libraries will be likely to use the least DRM necessary to accomplish the goal of preventing unauthorized copies–in fact, it wouldn't "manage" "digital rights," it would simply be copy protection. Patrons could trust that there would be no library "rootkits" on library-loaned ebooks. The current state of DRM for library loans is incoherent and confusing for librarians and patrons alike. Imagine having separate loan and photocopying policies for the different print books in a library's collection.

Phew.

Those are our main ideas. The result is a plan for libraries to buy, lend, and preserve ebooks which looks like this:

- Libraries will purchase e books from publishers or other sources. Libraries will not license ebooks.

- Licenses are not necessary. The entire process will be based on copyright. The publishers' control over the ebook ends the moment it is sold to the library. This does not mean that the publisher loses the same rights it has today to sue for copyright infringement and damages.

- Most libraries will employ a third party to be responsible for both access to and preservation of ebooks. Some libraries–probably very large public libraries or research libraries–may prefer to go it alone rather than contracting with such a service. In either case, the entity that actually keeps the files, the loan policies, the patron information, and so on, is either the library or a group working only for the library, and not for a publisher or vendor.

- Most libraries will choose to add DRM to ebooks in the form of copy protection in order to satisfy publishers' desires not to see unauthorized copies proliferate. Copy protection that is acceptable to libraries will be largely invisible, platform-independent, and will serve only to prevent the creation of additional complete unauthorized copies.

- Copy protection must not interfere with readers' rights to fair use.

- Copy protection will never be applied by the publisher, but by the library, or by a third party hosting the ebooks under contract from the library. When dealing with paper books, we don't allow each publisher to determine different check-out and photocopying policies for each book. We set a single policy to encourage copyright compliance for all books in the collection.

We can't pretend this is the final word on ebooks; we aren't even sure we are the first to propose such an idea. We know that embracing copy protection–however limited, however under library control–will be unacceptable to some librarians and activists. While we have tried to look at things from the publishers' point of view, we realize they might find a plan such as this to be laughable.

This plan isn't perfect. But we think it's progress.

What an interesting idea: Publishers should publish; libraries should own, lend and preserve.

If I wanted to push at this, I'd say "copy protection" in this case is actually DRM to assure that only one copy is circulating at a time—and it seems that this is really what Jastram and Lawson are saying. Otherwise—well, it speaks to big libraries rolling their own, small libraries working with consortia or service providers, and libraries setting their own circulation policies and *owning what they buy*. Not bad.

Lawson's post garnered 19 comments. One began with a downbeat dismissal: "This sounds like the best idea yet, which means, of course, they won't even consider it." At that point, the meaning of *they* becomes important. If it's the Big Six, that may be right—and may also be less significant as time goes on. If it's *all publishers*, it's almost certainly wrong. Another suggests that there's a measure of synchronicity between this and the Colorado initiative noted below, not the sequential cause-effect that I naïvely saw.

The second paragraph of Iris Jastram's comment deserves attention, and I think she's right:

> I hope that having lots of smart people working on this will get us out of what feels to me like one of those make-or-break decision points. This ebooks thing is on the brink of becoming the next Big Deal, and before long we'll be talking about the eMonographs Crisis unless a few fundamental approaches to e-content change.

Jastram clearly doesn't see Big Deals (or DWTD) as inherently wonderful things. When Jonathan Rochkind says copyright law isn't "actually compatible" with this proposal, Jastram *quite properly* says that it's possible to have a functional analogy—and her response clarifies that, when the original post says "copy protection," it does indeed mean assurance that only one copy is in use at any given time. She also notes that, at her institution, the IT department has used this method for years to check out software, so "there's a great precedent for us."

Further comments make it clear, if it wasn't already, that Jastram & Lawson don't think of this as a perfect finished plan. They do think it's an interesting starting point. So do I.

A long, complex, many-sided FriendFeed conversation within the Library Society of the World group took place beginning January 17, 2011; to some extent, Jastram and Lawson may have been inspired by that discussion. I won't excerpt or summarize it here—it's one that makes most sense read from start to end *as* a discussion—but it's one you might want to look at. You'll find it at friend-feed.com/lsw/faf255aa/i-was-far-more-inclined-to-purchase-ebooks.

smart librarians and ebooks and dinosaurs, oh my

Jenica Rogers posted this at *Attempting Elegance* on March 9, 2011, noting the Lawson/Jastram idea approvingly, pointing to a couple of excerpts—and adding this:

> The thing that gives me pause is that what Iris and Steve propose also requires a culture of respect and trust between publishers and the libraries that are their customers. I don't believe that we're there. I don't think publishers have any respect for libraries, not when the motivating factor in their decision-making is a pairing of "profit" and "fear". I believe that the publishing industry is running scared, having watched their brother the Music Industry be eaten by lions, and that in their terror of what the digital future means for them, they've set their

sights on an easy target: Libraries. We're the slow-moving behemoth that they can target while the smaller and faster (and more dangerous!) enemies are violating copyright and copying their property left, right, and center. We're the T-rex. The average digital pirate is a raptor. Who're you going to aim at? The one you can hit. So I get it. I can see why they want to "fix" libraries first.

> The problem is that they see us as a problem. For Steve and Iris's plan to work, they need to see us as partners....

No further comment required.

one way or another, you get a book

That's Jamie LaRue's newspaper column for March 24, 2011, archived at *LaRue's Views*. LaRue notes the importance of children's books (more than a third of Douglas County's circulation) as establishing a habit of literacy, and that this and other library goals mean the library will have a role for a long time. There's another, strictly local, item (a car donation program that ties in to the "or another"). And there's the middle item:

> I am very pleased to announce a partnership between the Colorado Independent Publishers Association (CIPA), and two Colorado libraries: the Red Rocks Community College Library, and the Douglas County Libraries.

> Many members of CIPA have entered the world of digital publishing. By June of 2011, the Red Rocks Community College and the Douglas County Libraries will not only offer ebooks from CIPA authors for checkout through library catalogs, but will also allow click-through purchases of these titles.

> Karen Reddick, Executive Director of the Colorado Independent Publishers Association, said "For twenty years, CIPA has been one of the largest and most active independent publishing groups in the nation. This pilot program will help us introduce a new generation of writers to a new generation of readers. Some of those readers will become writers themselves; some will become the next generation of independent publishers."

> This partnership underscores the changing nature of publishing and distribution. Recently, larger commercial publishers have cut libraries out of the eBook market altogether, or have imposed onerous new restrictions on use.

> "Libraries are natural partners with independent publishers," said Joseph Sanchez, Director of Library and Learning Services for the Red Rocks Community College. "We understand and value both copyrights and the great value of alternative

viewpoints. We can easily integrate eBooks into our collections, ensuring one use at a time, but also exposing authors to precisely the people who are looking for them."

My own take is this: Connecting writers and readers is what we do best, through our two million visitors a year to our facilities, and another two million through our catalog. This project will demonstrate not only that libraries are firm supporters of the independent publishers through our willingness to buy and promote their works, but also that libraries and publishers can help each other grow the still-developing eBook market.

Beverly Goldberg's story at *American Libraries* offers more details that help explain this. A key element is that these ebooks will be in the libraries' catalogs. Then there's this:

Douglas County Library Director Jamie LaRue told *American Libraries,* "Our intent is to buy the titles outright. We will limit the use to one simultaneous patron per copy." He went on to emphasize that this pilot project "will demonstrate not only that libraries are firm supporters of the independent publishers through our willingness to buy and promote their works, but also that libraries and publishers can help each other grow the still-developing e-book market."

"Libraries are natural partners with independent publishers," agreed Joseph Sanchez, director of library and learning services for Red Rocks Community College. "We understand and value both copyrights and the great value of alternative viewpoints. We can easily integrate e-books into our collections, ensuring one use at a time, but also exposing authors to precisely the people who are looking for them."

Karen Reddick, executive director of CIPA, sees this partnership as "helping us introduce a new generation of writers to a new generation of readers" and continuing the cycle of inspiration that generates the next generation of writers and independent publishers.

See any similarity here? CIPA members—smaller publishers—will publish the ebooks. The libraries will buy them. The *libraries* will store the ebooks, catalog them, and manage access—with a click-through for patrons who decide to buy their own copies. Here's more from *Library Journal*'s coverage (by Michael Kelley, posted March 17, 2011):

Under the new partnership, which is scheduled to be up and running by June, the libraries will purchase every copy they circulate and limit use to a maximum of three weeks and to one user at a time for

each copy purchased (e.g., three purchases would permit three simultaneous users). CIPA is trusting the libraries to manage access to the file, not reproduce it capriciously, and guard against piracy.

"If you can't trust a librarian, who can you trust?" LaRue said.

"The library will own the file...it's no different than the purchase and ownership of traditional books," Karen Reddick, executive director of CIPA, told LJ. "They agree to provide the [digital rights management]...I suspect our members will be monitoring how well they accomplish this with extreme interest, especially at first."

Reddick said that in general her membership believes the risk of abuse "is smaller than the risk of being ignored." The association has about 250 members.

Trust. Ownership, Libraries in control of circulation and storage. And more exposure for books from publishers outside the Big Six. What a concept!

LaRue also says something I regard as both true and increasingly important for the future:

LaRue also said that if the library's mission is to provide a representative sample of the culture, then "big publishing houses really aren't where the action is."

More to come?

I don't believe we're doomed to a pay-per-use future or a future in which libraries do nothing but license temporary access in various-size Deals. I don't believe Big Deals are, in the long run, healthy for academic libraries, and I shudder to see them being posited as suitable futures for public libraries. There are better ways, and I hope we'll see many of them.

Masthead