Cites & Insights

Crawford at Large

Volume 3, Number 7: June 2003 ISSN 1534-0937 Walt Crawford

First Have Something to Say:

Writing for the Library Profession

If it isn't out yet, it will be in a week or two—my new book, one I encourage you to buy. *First Have Something to Say: Writing for the Library Profession*, ALA Editions, 160 pages, $29, ISBN 0-8389-0851-9. You can order it from the ALA Store (www.alastore.ala.org), or buy it in Toronto. Find me in Toronto and I'll be happy to sign it.

Here's the first chapter (in draft form):

1. Why Write?

The best reason to write or speak is right there in the title: because you have something to say. More to the point, you have something to share—something to say that other people will want to read or hear. That's at the heart of almost all good writing and speaking.

One common motive for writing and speaking is to gain tenure or promotion. There's nothing wrong with that as one of the reasons you write. As the only reason, it's unfortunate and tends to be obvious. When you write or speak because it's required, and only for that reason, your articles and speeches are likely to reflect that mandate. I've read too many journal articles that fairly shout "I wrote this for tenure": loaded with literature surveys and footnotes, good enough to pass peer review, and either empty or much less interesting than a good article should be.

I'm aware that many academic librarians and most library school faculty need publications for tenure or promotion. Can you set that need aside for a while, to discover your other reasons for writing? If so, you'll probably write more interesting articles and enjoy the process more. When you enjoy the process and produce interesting articles, it's likely that you'll keep writing. That's good for your career and even better for your mental health and the health of the profession.

What holds for writing also holds for speaking—but many people find public speaking far more difficult than writing, and you're likely to see fewer indirect benefits from speaking, since it's tough to cite a speech or "republish" someone else's speech ten years later. To be a good speaker, you must not only have something to say, you must care about it enough to overcome the psychological barriers.

The Wrong Reasons

If you're planning to make big bucks in the library writing and speaking game, think again. Maybe you've heard about six-figure advances for books and five-figure fees for speeches. I can't swear no librarian receives five-figure honoraria, but most often that's only true if you ignore the decimal point. And six-figure advances for books don't happen in a field where 5,000 copies over two years constitute a best seller.

Inside This Issue

Profit may be the dumbest motive for becoming a library writer or speaker. If you're a superbly talented writer who is only in it for the money, turn your hand to biography, motivational works, high-profile children's literature—not library writing.

Chances are, much of your early writing won't earn you a dime. Journals almost never pay authors. Smaller magazines rarely pay authors. If you contribute a chapter to a book, a copy of the book may be the closest you get to a fee. Most library books begin with a modest advance (or no advance at all) and pay modest royalties—not because the publishers are crooks but because the market is small. For the same reasons, even publications that do pay for articles probably won't pay much. A good target for

freelance writers is a dollar a word minimum. With the exception of one unusual speech, I've *never* received that much for writing or speaking, and rarely half that.

As an experienced and fairly prolific library writer, you may earn a nice bit of extra income. If you're a superb trainer with a distinctive message, you might even earn a living this way—but most of that living will come from workshops and the like, not from writing.

If profit is the silliest motive for library writing, fame and glory may not be far behind. Not that you can't achieve some fame through writing—you can, as I can attest. But if you set out to do so, you're likely to fail. Readers can spot the writer who's trying too hard. So can the best editors.

That Driving Urge

You feel the need to express yourself, and you have something to say that people need to read or hear. Much of this book will deal with some of those "somethings" and their natural venues. Consider some of the things you may have to say:

- You've done research that yielded worthwhile results for use by other libraries and librarians. This is the classic basis for a journal article and the start of many library writing careers.
- Reviewing the existing literature on a topic, you've seen correlations and consequences that nobody's mentioned up to now. Putting the pieces together, you can create new knowledge out of existing information.
- As you read current articles on a topic outside the library field, you see that librarians need to know about this topic—and you can tell them about it in ways that make sense to them and speak to their needs.
- You're creating something new that librarians need to know about—or you're working with others to make a new service work better.
- You attended a conference and were inspired by some of the sessions. You'd like to spread the word to those who weren't at the conference.
- Your own work leads you to doubt something you see as common knowledge in the literature. You feel the need to argue with that common knowledge, maybe even show it up as based on bad information or clumsy thinking.
- You haven't read an article on an important topic that explains the topic sensibly or thoroughly—and you believe you can do better.

Those are a few good reasons to start writing or speaking. In every case, the first motive is that you have something to say—something that you haven't seen said as well or to the same audience.

Becoming a Writer

This is the point at which I should start pronouncing the rules of good writing, giving you the lessons you need to make your articles sing and make editors jump with joy when they see your submissions.

Fortunately for the reader, there is no single best approach for writing. If every library writer wrote in the same way, the results would be even drearier than today's third-tier journals. If you intend to write more than journal articles, or if you intend your journal articles to be read and appreciated, you need to develop your own style. That doesn't mean you can't seek out and use advice. It does mean you should retain personality in your writing.

Mechanics and Mathematics

I can offer a few words about mechanics and mathematics. The mechanics should be obvious these days, but I know they're not. You need access to a computer with good word processing software (either Microsoft Word or software that produces Word-compatible files) and a letter-quality printer. You need good quality white paper, which means anything from standard copier paper on up.

Plan to submit most items double spaced, without hyphenation, with at least one-inch margins on all sides, with page numbers—unless the publication you're writing for explicitly asks for electronic submission, which typically means sending Word files as email attachments.

Early on, plan to include a self-addressed stamped envelope with every paper submission. Things get more casual when you're more established, particularly if you say "Just send me email and recycle the paper if you can't use this." Don't get too fancy with your typography, your style, or (particularly) your paper. A clean 12-point serif typeface such as Times New Roman always works well and plain white paper is really the only way to go.

If you have headings, include them. Many writers don't, leaving that step to editors—but headings help organize an article and most editors would rather work with your headings than start from scratch.

Learn to spell. Don't rely on spell checkers. They can't handle cases where the wrong word is spelled correctly.

Learn the basics of grammar. Word's grammar checker does surprisingly well, but it's no substitute for understanding grammar.

Read enough to understand some of the most common mistakes—its and it's, there and their, discreet and discrete, and a few dozen others.

Far be it from me to tell you to understand punctuation thoroughly, since I never have—but do pay attention to the way quotations are handled in the country where you publish. In America, commas and periods always come before the closing quote marks (largely for typographic reasons), while colons and semicolons always follow the closing quotes. Exclamation points and question marks are, uniquely and necessarily, used logically: Before the closing quote if they're part of the quotation itself, after if they relate to the sentence that includes the quotation. In England, the rules are different—as, incidentally, are the hyphenation rules.

You may find yourself breaking some traditional rules for grammar and for writing, such as sentences ending with prepositions or beginning with conjunctions, sentence fragments, and inappropriate contractions. I'm a great believer in breaking the rules when that improves communication or flow, but you need to know the rules before you start breaking them.

If you're writing about statistics and numbers, learn enough to get your facts right. Nothing can be "200 percent cheaper" or "150 percent faster." There's so much to say about numeracy and proper use of statistics—most of it inappropriate for this book—that I'll stop here, with one exception: "An order of magnitude" does not mean "lots"—it means either ten times larger or more numerous or one-tenth as large or numerous.

The Usual Suspects

You've probably read at least one serious guide to style already. If you haven't, there's no shortage of standards guides—and no shortage of reasons to question their advice.

Take the classic, *The Elements of Style* by William Strunk, Jr., and E.B. White. It's short, clear, and unambiguous. It can also cripple your writing if you take it too seriously.

Consider *The Elements of Expression* by Arthur Plotnik, former editor of American Libraries. I own a signed first edition (Holt, 1996), which I read in its entirety. Enjoyed it, too, for the most part. Do I agree with everything Plotnik says? Not a chance. Will it help you move from the basics of clear writing to a better understanding of expression? Probably.

If you're nervous about your writing ability, you'll benefit from reading any of these books or any of a dozen others. Go to a good independent bookstore; look at handbooks on good writing. See which ones strike you as clearly written and interesting. Buy one and read it as a starting point.

Borrow a couple more from your library. Keep writing while you're reading about writing, just as any good writer keeps reading to write. At some point, probably within two or three books, you'll start to disagree with some of the advice and know why you're disagreeing—or you'll point to a paragraph, say "I can write better than that," and proceed to do so.

Read some articles and essays by Michael Gorman. Read one or two of my columns and articles. We may both be established writers, but we have wildly different styles. Now try to figure out the merged style in *Future Libraries: Dreams, Madness & Reality*!

After you have a modest track record as a writer, pick up another guide to good writing or try rereading your old standbys. See whether the advice still makes sense. Test the new gems against your own knowledge. Unless you're unhappy with your progress, don't do that too often. Reading to write is vital, but reading too much about writing can stifle your own style.

Art Plotnik includes a lengthy annotated set of resources at the back of *The Elements of Expression*. I particularly like his suggestion that you read one or more of the *It Was a Dark and Stormy Night* series—winning entries from the Bulwer-Lytton bad writing contest. Reading paragraphs judged to be the worst possible writing can be entertaining and useful—even though there's reason to prefer over-the-top awfulness to the blandness that characterizes so much library writing.

My Writing Heroes

I miss Isaac Asimov. I don't claim him as a role model but I do admire the clarity of his prose and use it as a goal for my own nonfiction. I'll never have his explanatory abilities, his range (he wrote about almost everything, although he had a short list of topics he did not write on), his output, or (for that matter) his reputation as a mild-mannered dirty old man. If I can achieve a fraction of Asimov's clarity, I'll be satisfied. But I do not aim to duplicate Asimov's style.

I aim for plain English but usually find myself avoiding the choppiness of short, simple sentences. I don't use a thesaurus (and I'm sure it shows) but also don't aim for eighth-grade readability. Somehow, I've managed to create a number of pithy sayings over the years—but never intentionally.

That's me. You're you. You don't want my style. You want to build your own.

Journals and Magazines

I've already drawn a distinction between journals and magazines, and that distinction will be made throughout this book. Here's the difference between the two, at least as I use the terms:

A *journal* consists primarily of scholarly papers concerning aspects of the journal's topic area, typically without payment to the authors and most commonly with peer review of the manuscripts. Ideally, peer review is double-blind (the authors don't know who's reviewing their papers and the reviewers don't know who wrote a paper).

A *magazine* consists of articles rather than scholarly papers and is more likely to include a mix of solicited or commissioned articles, contributed articles, and staff-written articles. Many magazines pay writers for their articles.

When every article ends with footnotes, there's a good chance you're dealing with a journal. The differences can be fuzzy, as both periodical forms can include columns, topical clusters, reviews, and other elements.

Why Not Write?

If every library professional wrote and published one article a year, we'd have our own internal serials crisis. Most people in the field never publish—and most published writers stop at one or two articles. If you plan to write one article and stop, you're reading this book for amusement.

There are other hobbies, most of them more fun and more social. You don't need to write to make a name for yourself in the library field. You don't need to publish to be a well-rounded professional.

But you have something to say and an urge to be heard.

Why not write?

A Copyright Perspective
Super-DMCA

Call them super-DMCA or baby-DMCA: They're a remarkable under-the-radar effort by the MPAA, apparently, to make copyright imbalance even worse. How? By peddling "model communications security legislation" to state legislatures, one by one, as Good Things to do.

Consider the one-page brief, "Why state legislation is needed to combat broadband and communications piracy." "Audiovisual work piracy and cable theft have always been problematic; however, the digital world is far more dangerous than the analog world…. With a single keystroke, a computer pirate can do millions of dollars worth of damage to the potential market for cable television programming or motion pictures… No one will pay for cable television or movies when they are available for free on the Internet… Unfortunately, although the Internet is a feeding ground for those who seek to pirate others' property, in most cases our laws have not kept pace with the great leaps forward in technology that we have seen in recent years." Who but the MPAA and a few friends maintain that copying high-bandwidth materials is *easier* in digital form? (As for the "cable television for free over the Internet" claim, I haven't a clue: It's technological nonsense, but I'm sure it's there for a reason—possibly because DMCA was passed to outlaw future "black box" cable decoders.) The solution? State legislation to "make illegal the manufacture and use of unlawful communications devices and software."

That's redundant as it stands—if something's unlawful, you don't need to *make* it illegal—but that's just the one-page intro that backers assume will sway harried part-time legislators.

The model legislation starts out with detailed but apparently limited clauses—essentially making it an offense to possess, use, make, develop, build, distribute, import, lease, sell, promote… anything that can do anything with any communication service "without the express consent or express authorization of the communication service provider"—but with a key clause to keep it from being entirely ludicrous: you must have "the intent to defraud a communication service provider." It gets a whole lot fuzzier when offenses include offering plans or material for such devices when you know "or have reason to believe" that devices will be used illegally.

When you get down to enforcement, you find that plaintiffs need only prove that somebody manufactured, distributed, or sold "any communication or unlawful access devices," *not* that the devices were used to violate the act. The model legislation seems to say that the plaintiff can recover damages *before* there's a judgment, but I obviously don't understand the law. (I note "communication *or* unlawful access device" as opposed to "unlawful communication or access device.")

The definition of "unlawful access device" appears to cover pretty much anything *primarily* intended "for the purpose of defeating or circumventing" any form of copy or communication protection—and the act exempts "multipurpose devices." Except for three loopholes: "Multipurpose" devices aren't protected if the "primary purpose" is unlawful, or if they have "only limited commercially significant purpose or use other than as an unlawful access device," or if they're marketed for unlawful

use. That second one is bothersome: What constitutes "commercially significant use"? Copying home movies to DVD is a wonderful idea, but is it a "commercially significant" use of a DVD burner?

The version I'm commenting on is the April 1 revision. The original version did *not* include the "intent to defraud" clause, making it an open-ended invitation to sue anybody who made, sold, or used any device *capable* of violating copyright. It lacked the entire "multipurpose device" exemption and it lacked a final clause that essentially says manufacturers aren't required to include "enforcement" technology in devices. The original draft, adopted in several states, is a horrendous extension of DMCA; the revised draft is, while seemingly redundant, possibly better. "Possibly" is the operative word—and the more I learn, the less I believe that it's true.

Edward Felten started commenting on the Super-DMCA bills before the revision. He noted ten states in which some action was being taken. Maryland and Michigan had already enacted such laws. He provided a fair amount of commentary during March, noting various problems, including the ban on technology that would conceal the origin or destination of any communication—thus ruling out encrypted email and most firewalls.

As Felten notes, the original language of the proposed act is absurdly broad. "To be in violation, the device need only be *capable* of circumventing a measure that somebody uses to protect their data from unauthorized receipt, interception, acquisition, access… Any device that is even *capable* of illegal uses is banned, and even *information* that could be used to build such a device is banned." As he notes, that could make most computer security research illegal (and Edward Felten does computer security research). He goes on to point out the real-world analogies: All knives would be illegal, as would hammers and rocks.

> Last week I asked my class if they could think of any technological tools that are capable of only illegal uses, or of only legal uses. They were hard pressed to think of any. That's the nature of tools—they're designed to be flexible and to admit a wide variety of uses. To ban every tool that might possibly be used illegally, and to ban even information about such tools, is simply madness.

Is that what the modified draft legislation would do? I honestly can't tell—but it would *certainly* make it possible for abusive copyright holders to take almost anyone to court with the accusation that they had, built, or talked about such tools with the intent to violate the law. Intent is a tricky thing.

Once Felten and others brought the super-DMCA efforts into the open, people started showing up at state legislative hearings and more information began to appear. The April 1 *Chronicle of Higher Education* noted MPAA's backing of the legislation and quoted Jonathan Band, a lawyer who represents ARL, AALL, and ALA at times. He notes that the library groups have sent letters to Colorado and Arkansas legislatures warning them that the bills could stifle encryption research, security testing, and reverse engineering (among other things). "Some of the proposed amendments will undermine the ability of libraries to provide important information services." Naturally, MPAA's Van Stevenson says, "People are seeing demons where there are none" and that the laws are intended to thwart theft, not legitimate research. There's that "intent" again.

Several states have already passed bills—six before anyone really noticed. Supposedly, a University of Michigan graduate student who studies steganography and honeypots (methods for detecting crackers) is moving the research offshore and prohibiting U.S. residents from accessing it, because of the Michigan super-DMCA.

Fred von Lohmann posted a fairly long backgrounder at the EFF site in mid-April: "State 'super-DMCA' legislation: MPAA's stealth attack on your living room." (You'll find it at www.eff.org.) It's a hard-hitting discussion that calls the bill's definitions "absurdly broad" and says the proposals "dramatically expand the power of entertainment companies, ISPs, cable companies and others to control what you can and can't connect to the services that you pay for." The bills are unnecessary—so much so that, when an MPAA rep was asked by Massachusetts legislators why an additional law was needed, the response was "I don't know. The lawyers tell me we need this." Apparently, state law enforcement personnel have never called for or supported super-DMCA proposals.

von Lohmann notes that the "intent to defraud" addition, the only thing that keeps these laws from being entirely ludicrous, isn't in the enacted laws or in some of those already before legislatures—and that it "further muddies the waters." Several examples follow, showing just how muddy those waters can be. If Universal says that you really should buy a separate copy of a CD to use in your car, does that mean you *intend to defraud* them if you make a mix CD on your own?

This analysis points out the dangers of providing for both criminal and civil proceedings. "When enacting criminal statutes, legislatures are often willing to adopt broad and ambiguous language…counting on the discretion of a district attorney…to prevent abusive application of the law. Private parties are not subject to these institutional checks." Additionally,

civil proceedings are won on a preponderance of the evidence, rather than "beyond a reasonable doubt."

If von Lohmann's analysis is right—and he *is* an experienced attorney—these laws do, in essence, turn traditional law on its head. Everything not expressly allowed is forbidden. Is he overstating the case? Read the proposed law; see for yourself.

The April 25 issue of ALAWON, the ALA Washington Office Newsline, addresses super-DMCA legislation. ALA neither actively opposes such legislation nor agrees with it (and apparently the revised draft came about because of discussions between MPAA and representatives from library as well as consumer electronics associations). That's partly because there are so many different versions. The eight passed bills (by April 25) all lack key modifications. Unless amended or overturned, they represent remarkably bad law in Delaware, Illinois, Michigan, Oregon, Pennsylvania, and Wyoming. (As of April 25, laws in Colorado and Arkansas were awaiting governors' signatures.)

Jonathan Band's comments on remaining concerns with the *revised* model legislation include the unclear *need* for a new law, the extremely broad prohibitions, the lack of definition for "intent to defraud," and the tendency of the legislation to make any ordinary breach of contract—no matter how inadvertent or trivial—into a crime.

Consider this an alert. Don't be surprised when the MPAA road show comes to your state. Make sure you know the current situation, make sure informed people are at the hearings, make sure bad law doesn't pass because it sounds plausible.

Last minute extra: Colorado's governor vetoed just-passed Super-DMCA legislation. There is hope.

Bibs & Blather

The Bliss of Ignorance

Sometimes you're saved by what you don't know.

I was at the public library getting my "usual assortment." This time I dropped by Mountain View's 025 section (oh, come on, *you* went to library school…) and picked up William F. Birdsall's *The Myth of the Electronic Library: Librarianship and Social Change in America* (Greenwood, 1994.)

1994? It probably appeared while Michael Gorman and I were finishing on *Future Libraries: Dreams, Madness & Reality.* Fortunately, I didn't know about it at the time. Even more fortunately, I didn't read it before starting in on *Future Libraries*.

Why? Because if I'd read Birdsall, realized just how far back the conventional wisdom went that libraries as places were obsolete (and that librarians were really InfoProfessionals), and looked at some of his extensive documentation, I might have realized I was in no position to challenge that conventional wisdom. Better to stay in the new-technology corner, explaining concepts and hoping for the best.

It's an interesting book, although I got a little lost in the section on conservatism and liberalism: Those terms have changed meaning so much that I found it hard to follow. It's a reasonably short book (153 pages plus 53 pages of notes, bibliography, and index), well argued and well written. Birdsall ends with his own credo of sorts, a series of nine propositions beginning "Librarians should not accept the inevitability of a technologically dominated information society" and going on from there. There's little in the nine propositions that I would take issue with—and proposition seven is worth quoting in full (and reading at every "information school"):

> 7. Librarians should exploit the contributions of information science for what they can offer to improve the effectiveness of librarianship. However, the knowledge base of librarianship must continue to rely on a multiplicity of disciplines, not information or communications theory alone. Not only the social sciences, but the humanities and the arts can serve as fertile sources of knowledge and understanding during a time of dynamic change.

Am I suggesting that you run out and buy a nine-year-old book? Not necessarily; after all, you're all buying my new book (right?). I am saying I'm delighted I encountered this book now (when much of Birdsall's argument against conventional wisdom has been supported by recent history)—and even more delighted that I didn't encounter it back in 1994!

Naeher, Not Neeher

And speaking of ignorance…

My humble apologies to Eli Naeher, whose name I misspelled in the Spring 2003 issue. I could blame MS Word's spell checker, but that's nonsense: It suggests Nearer and other alternatives. (But since Bill Gates is the Devil…)

Sorry, Eli. Good letter. Too bad I'm an idiot.

I Never Metaphysics…

Insert joke here. I'll wait.

Is universal world peace a good thing? Let's add universal *internal* peace—everybody being happy with themselves. Is that a good thing?

Next question: What if peace outside and within came with a slight loss of free will, so slight that people don't really notice? Would it be worth it?

Let's up the ante: Say that universal peace and well-being came with a mild loss of free will, and also required, oh, say, a dozen *entirely willing* human

sacrifices a day. That's 12 people a day out of the whole world—and they're absolutely willing to be sacrificed (painlessly).

Now let's say that half a dozen people out of the billions on earth find this set of circumstances unacceptable—and that these people are able to undo the situation. Leaving the world much as it is today, with free will, lots of unhappiness, and various forms of conflict. Are these people heroes or villains?

Which would you expect—that these people would get medals from the authorities, or that they might receive huge rewards from what passes for the "forces of darkness" in the real world?

Not the sort of thing I normally spend much time thinking about. Just a little deeper than I'd expect from a silly TV show—especially on the Frog. But there it is, as both of you other *Angel* fans probably already recognized. For some reason, it's been difficult to forget. Joss Whedon redeemed what I'd begun to view as a terminally dismal arc of shows with that ethically confounding conclusion (and a remarkably satisfying finale, clearly crafted when he wasn't sure the show would be renewed).

Feedback: Your Insights

Mark Stoffan, University of North Carolina at Asheville, re: access to *portal*

> I look forward to each issue of *Cites and Insights*. It helps me pull out relevant articles from the mass of information I have to wade through in order to stay current.
>
> However, I must take exception to an apparently innocent comment you made on page 10 of the current issue (May 2003). In referring to the Dillon/Hahn article published in *portal*, you refer to this publication as sometimes being "freely available through Project MUSE." Project MUSE is anything but free. Our library pays several thousand dollars a year for the privilege of accessing this outstanding collection. As you are certainly aware, your access to Project MUSE is being paid for by somebody, either RLG or another institution. We already spend too much time explaining to people who hold the purse strings that these publications are not "free," and that just because something is available through a web browser doesn't mean it comes at no cost. As information professionals we should be mindful of inadvertently giving the wrong impression to people about the availability of online resources.
>
> There is No Such Thing as a Free Lunch!

While I prefer Heinlein's TANSTAAFL ("There Ain't No Such Thing as a Free Lunch"), sometimes there *is* a free lunch for promotional reasons. I should have been clearer about the situation.

portal is not an open access journal, but "there have been times when it's freely available through Project MUSE." I used one of those opportunities to download some articles (and, through an error in layout, mentioned the temporary situation in the *last* article instead of the *first* that I discussed).

I may have been misinformed as to MUSE's involvement. Perhaps the publisher was temporarily making articles freely available on its own.

During a brief period (quite possibly just a week), most articles in *portal* were freely available through the Web—just as Emerald has their "freebie of the week" program. I understand promotional availability and rotating free availability periods: We do the same thing. (You can always try Eureka, the live software using a real database; we rotate the attached database periodically and limit the number of simultaneous free users.)

RLG doesn't pay for MUSE access, any more than we do any other full-text collections: We're not a library, and thanks to OpenURL we don't need to be in the full-text licensing business for journal articles. OpenURL doesn't let you get around licensing restrictions, but it does allow a library to make the best use of its resources. It's consistently true that, when I'm testing OpenURL resolvers as institutions sign up for Eureka OpenURL, I'm stopped at the full-text "front door" if I try to go that far.

Copyright Currents

Lots of oddities this time around, with no theme to connect them all. Separate Perspectives in this issue and next cover the RIAA's latest moves and state-by-state "super DMCAs." Beyond that, there's a pro-P2P court ruling that's historically consistent, more activity from Creative Commons, and some miscellaneous essays and articles.

Sure Could Use a Little Good News

Here's an original concept: Hardware or software that has substantial legal uses should not be considered illegal simply because it can also be use to violate copyright. That's what the Supreme Court said in the Betamax case, back in 1984 when Sony was on the other side of the issue. It's like the idea that crowbars aren't illegal just because they can be used to break into houses, and kitchen knives aren't illegal even though you can stab people with them.

Guess what happened in LA on April 25? The RIAA and MPAA were trying to shut down Stream-

cast and Grokster, two decentralized file-sharing systems. Grokster and Streamcast distribute software. Unlike Napster, the companies have no control over what users do with the software. File searches and transfers don't involve Grokster's computers. The systems aren't limited to MP3 and other media files. They can be and are used to swap files of all sorts—including completely legal MP3 and media files.

Judge Stephen Wilson cited the Betamax judgment. He noted, "Defendants distribute and support software, the users of which can and do choose to employ it for both lawful and unlawful ends.... Grokster and Streamcast are not significantly different from companies that sell home video recorders or copy machines, both of which can be and are used to infringe copyrights." And with that, Wilson ruled that the companies were not liable for copyright infringements that took place using their software—pretty much wiping out the RIAA/MPAA case.

Big Media was outraged, of course, and plans to appeal. You know the unstated litany: If it *can* be used to violate "our" exclusive rights, it *must* be illegal—no matter the other uses.

Edward Felten doesn't find the ruling surprising and presumes it will lead to the (re)introduction of CBDTPA-like legislation, bills that "create an affirmative responsibility to design products that make infringement as difficult as possible." He's almost certainly right—but MPAA would be pushing such legislation no matter how this case was decided.

A May 8 commentary by Chris Sprigman at FindLaw's Writ (writ.news.findlaw.com) compares and contrasts the Napster and Grokster cases. He believes the decision will be upheld on appeal and explains why. He considers possibilities for Big Media promising model.

Creative Commons

Just a few items this cycle, as Creative Commons adds special licenses that don't have much effect on libraries or writers.

There's a brief article by Glenn Otis Brown (CC's executive director) in the April 1, 2003 issue of *Syllabus* (www.syllabus.com): "Academic digital rights: A walk on the Creative Commons." Not that CC is about *academic* rights—but academics need to know about it. Brown notes that standard copyright "can be a clumsy, even counterintuitive tool" for academic writing, as it ends to get in the way of sharing information. He summarizes the advantages of CC licenses. **Recommended** as a brief summary of what CC is all about for academic writers.

Lawrence Lessig, in an April 13 post on his weblog, noted that "Doc" (apparently so important that he only needs one name) called Creative Commons a form of digital rights management. I agree with Lessig that this is an error; CC is a form of "digital rights expression" (DRE) with no management technology. "DRE is therefore DRM minus the management"—"an efficient way for people to say what freedoms they are enabling." It's a way of expanding the commons without denying fair use (as DRM tends to do). Notably, the detailed CC licenses—the legalese behind the summary behind the CC image, if you will—*expressly* state that you can't use CC with DRM systems that don't adequately protect fair use. And, as Lessig says, "I've not seen a DRM system that adequately protects fair use yet." (Another post is confusing: "Doc" says there's no CC license to place material in the public domain, and Lessig agrees. But I thought that's exactly what the "No rights reserved" agreement does. Maybe not: Lessig suggests there's more to it. He's absolutely right that the Attribution license by itself comes awfully close to public domain, but with moral rights of the creator retained: When you use something, say where you got it.)

On April 23, CC announced that several hundred titles have been released under the Founders' Copyright license (14 years renewable; after 28 years, into the public domain), and opened a Founders' Copyright submission process on its website. In addition to 157 out-of-print O'Reilly books, announced titles include Lessig's recent books, Dan Gillmor's forthcoming book, and Andy Kessler's most recent book. The Founders' Copyright is interesting in that it consists of a *contract*, with a $1 payment from Creative Commons to the author, selling the copyright to CC and giving an exclusive license back to the author for 14 or 28 years.

Finally, on April 30, the CC weblog noted another CC controversy—it's hard to do good these days—relating to the common warranty clause buried in the legalese. The text, in essence, is:

> Licensor represents and warrants that, to the best of Licensor's knowledge after reasonable inquiry... Licensor has secured all rights in the Work necessary to grant the license rights...

As Glenn Otis Brown's posting says, "reasonable" is the key word to limit the writer's liability. Is it enough of a limitation? Personally (as a non-lawyer), I believe so. I *reasonably* believe that all the material I consider original in *Cites & Insights* is actually original and not encumbered by other people's copyright. Thus, I can grant the attribution/noncommercial license that I use.

Is Brown right? Between April 30 and May 14, more than a dozen comments were posted to

Brown's weblog entry. One person appears to have a problem—he *hates* the warranty clause, somehow feels that it means he's "paying" other people for the privilege of having his content used by them, claims that the warranty will ruin any good will enjoyed by Creative Commons, and—in a later comment—winds up making what's clearly the right decision in this hothead's case: "I have removed all reference to your licenses from all of my works…" The problem is, as Brown notes later, that CC licenses aren't very useful if a secondary user takes an entirely unknown risk of being sued by some secondary party. If my CC license just means "I have *no idea* whether I had the right to use any of this material, but *I* won't sue you if you reprint it," then the license is nearly impossible to use.

Most people got that. When it comes to weblogs—where the controversy first arose, because some weblog software templates now include a CC license as a (defeatable) default—"the posting blogger certainly does know whether or not her post is her original writing or whether it's been copied from someone else," as Diane Cabell notes. Several people suggest variously refined warranties, and I suspect we'll see some changes as a result of the discussion.

I know of at least one liblog whose author seems to push the envelope on fair use quotations, sometimes incorporating nearly all of a published article or column in a weblog posting. But that's the exception, and presumably the author (who does use a CC license) has taken the time to consider his or her liability. Do note that the CC license for *Cites & Insights* is restricted to *original* material: You're not free to quote feedback, for example, without permission from the original writer. (I'm extremely conservative about fair-use excerpts, so that shouldn't be a problem.) This complex discussion will probably continue in the forthcoming Discussion area of the CC website (creativecommons.org).

DVD X Copy

What if you developed software that picked up the data on a DVD and recorded that data on a DVD-R (or, since so many movies use dual-layer discs, split the data across *two* DVD-Rs)? What if that software did not involve circumvention of CSS or Macrovision, imposed the Serial Copy Management System flag so that a copied DVD could not be copied further, and added a watermark tracing that copy to a specific copy of the software?

That's DVD X Copy from 321 Studios (which also makes DVD Copy Plus, which turns a DVD into a low-quality MPEG-1 VideoCD). The company knew how Hollywood would respond, so 321 filed a pre-emptive suit asking for a ruling that the software does not violate DMCA or unlawfully aid consumers in infringing copyright privileges.

A few months later (surprise, surprise), MPAA sued back—the day they were supposed to file a brief to dismiss the suit. They claim "irreparable damage," ask for all profits from the software and ask for a summary judgment. They do *not* offer any case showing actual infringement: With DMCA, they don't have to.

EFF, Public Knowledge, and Computer Professionals for Social Responsibility filed an *amicus* brief in the case on April 25; you can find the 20-page PDF from the EFF site. The brief argues that the application of DMCA to DVD encoding raises constitutional questions. They quote one of the assertions of the movie studios, which is *entirely* consistent with Big Media's general approach: "fair use is not constitutionally based." Interestingly, the EFF brief says that the Eldred v Ashcroft decision constitutes a "square rejection" of that "ill-founded assertion." You can make lemonade from lemons… I won't attempt to summarize the rest of the brief, but it certainly makes some cogent points. (I'm already aware that the judge appeared to favor the studio side. This is hardly unusual.

If you ask a Congressperson whether DMCA was meant to shut down fair use, they'll deny it. If you ask most people whether fair use should mean you can make a backup copy of something you own, they'd probably say yes. EFF quotes congressional history suggesting that Congress thought it was banning black boxes, not eliminating fair use. But one lawyer quoted in March 2003 *EMedia* coverage of this case says it's a slam-dunk for the MPAA.

The coverage notes that copyright law *does* include a provision allowing people to make a backup copy of a computer program. Is a DVD nothing but a set of computer programs? By most technology standards, yes.

An interesting twist: Sony may be feeling some of its internal conflicts—it's the only major studio to withdraw from this case.

DivX, Only Worse!

I knew that Flexplay had developed a technology that would allow publishers to produce limited-play DVDs—discs that, once opened, can be played for 48 hours before they self-destruct. I don't believe I ever mentioned it because it struck me as so idiotic that nobody could possibly take it seriously. Wasn't the bath Circuit City took on DivX enough?

Silly me. When Disney's involved, almost nothing is beyond belief. A Reuters story in mid-May

says that the Walt Disney Co. will begin issuing these ecological wonders in August—"rental" DVDs that you buy, play for 48 hours, and throw away. They're calling the discs EZ-D, and they're planning to use them for such classics of the silver screen as *The Hot Chick*.

What's interesting about this is that, as with DivX, it should manage to make almost *everybody* mad. Blockbuster recognizes that Disney's trying to cut them out of the loop—after all, Blockbuster makes big bucks from late fees. Netflix can't touch the self-destructing discs, obviously. If the discs are priced cheap enough that gullible consumers would buy them (I'd say $10 max, and that may be too high), stores will hate the small profit margin.

I wish Disney the same fortune with this stupidity that Circuit City had with DivX. No, I don't plan to boycott Disney. Easy to do with TV (there's nothing on ABC that we watch anyway), but giving up all movies from Miramax, Hollywood Pictures, Touchstone, and Disney itself (and others such as Dimension that are distributed by Buena Vista)…well, I'm not that principled.

Short Pieces

A few brief items in chronological order:

- Ed Foster, *Infoworld*'s reader advocate, posted a charming "Gripe Line" on March 28 (www.infoworld.com/article/03/03/28/gripe_1.html): "Un-public domain." He visits the public library and finds the entry to the stacks blocked by a turnstile. "When I tried to push through it, an LED panel flashed 'Insert Library Card' next to a small slot at the side." And so it goes. His old card doesn't fit. The "well-dressed young lady" at the new "accounts" desk told him about the wonderful benefits of the new library account and asked for a photo ID and major credit card, then had him sign various Terms of Service and Acceptable use documents. And, of course, a Microsoft End User License Agreement. You see, in Foster's future, MS provides the DRM used for all intellectual property within the library…and each patron gets one free rental, with a rate card for everything else. In this scenario, Congress has gone totally apesh*t and extended copyright indefinitely into the past as well as the future, so Shakespeare's works are now under copyright (and quite expensive to borrow). So it goes. I think the villain's a bad choice (Gates is about the only technology person who's contributed hundreds of millions of dollars to free public libraries), but it's an amusing cautionary tale. It was distributed on April 1, as he points out.
- An AP item downloaded from kansascity.com and posted April 2 notes yet another attempt to extend copyright protection. 20th Century Fox is asking the Supreme Court to punish Dastar Corp. for using *public domain* material in creating a new video documentary. 20th Century Fox produced a seven-hour documentary, "Crusade in Europe." It let the copyright lapse in the 1970s. Dastar took the video, eliminated one hour, added half an hour, retitled it "Campaigns in Europe," and sold the documentary for $25—one-fifth the price of Fox's tapes. Dastar has sold more than 35,000 copies. Technically, Fox isn't claiming copyright violation; they're claiming trademark violation and deceptive practices. A federal judge agreed. Maybe Dastar was unethical in not crediting the source of the original material—but that's how public domain works! I'd be shocked if the Supremes upheld the lower court, but I've been shocked before.
- Donna Wentworth's Copyfight weblog (www.copyfight.org) pointed out that, just as with whitehouse, you need to be careful how you key a name. If you key in "www.copyright.org," guess what you get? Not the Library of Congress' copyright office. Not any of the organizations working for more balanced copyright. Nope: You get the Motion Picture Association of America (MPAA) with "Copyright: The Engine of America's Economic Growth" and other stirring documents.
- Rep. Boucher had a brief interview in *Wired*'s "View" section for May 2003, under the heading "Can the DMCA be fixed?" Boucher is cautious, saying he doesn't propose to "defang" DMCA in general—just its use with respect to the innocent. He notes that there just weren't many interested parties in 1998 when DMCA was passed (when Boucher offered the same amendment he's pushing now), but that people have woken up. He also says that it's probably easier to make "surgical changes" to DMCA than to attempt to repeal the act. "And, after all, we're looking for a victory. We're not looking just to make a statement."
- This isn't precisely a shorter item—the document in question is 19 pages long—but it's a hoot. Lawrence Lessig noted in his weblog the "wonderfully radical…Jack Valenti" on media ownership: diversity and concentration, in remarks to congress in June 1989. He couldn't find the testimony online (unsurprisingly, given

its age), but as a government publication, it's inherently *not* protected by U.S. copyright, so he posted a PDF of the relevant pages. You can find the PDF from the April 2003 archives of Lessig's blog (cyberlaw.stanford.edu/lessig/blog/). Think about what MPAA seems to want these days, then consider this statement: "…the three networks are also barred from owning cable systems. Thank God for that, because if they were not, they would assert their fiscal authority insuch a way that literally three people would have complete authority over what is seen in homes, either wired by cable or over the air…" There's more, and it's fascinating. Clearly, "three people" (the executives of ABC, CBS, NBC—remember the simple times of 1989?) shouldn't have complete authority. Now, *seven* people (heads of the major studios)—that's another story.

- Aline Soules posted another of her valuable brief discussions of copyright issues on eBookWeb on May 6: "The interplay of copyright acts." She mentions CTEA, DMCA, and the TEACH act, focusing on the latter two. As she notes, DMCA can be interpreted in absurdly broad ways and inherently conflicts with fair use provisions and first-sale rights. The TEACH act, which I'm leaving to better-informed librarians (like Soules) and educators to discuss, does improve some copyright issues for distance learning.
- Jonathan Pink's "Copyright myths debunked" appears to come from *California Lawyer.* I found it at www.dailyjournal.com/calLawyer/ on May 8. It's a multiple-choice test with immediate explanations and covers a fair amount of ground in six print pages. The eleven myths discussed range from "Copyright protection comes from placing a © on your work" to "The concept of 'moral rights' does not exist under U.S. copyright law." That one's interesting: the *phrase* doesn't appear, but one subsection of the copyright code does prevent "intentional distortion, mutilation, or other modification of the work which would be prejudicial to" the artist's reputation—and it's limited to paintings, drawings, prints, sculptures, and limited-edition photographs. There's some fascinating material in this little item—did you know you could copyright a *house*? I love the multiple choices for "Copying just a little bit does not constitute copyright infringement": "a. Maybe, b. Maybe, or c. Maybe." **Recommended**.
- To my considerable surprise, Arnold Kling posted a strongly "middle-of-the-road" copyright essay at Tech Central Station on May 9, "Marx's nightmare." It's a response to a piece by James Miller that hews to the absolutist copyright view. Kling points to a number of centrists and cites Edward Felten's useful labels: Big-IP, Small-IP, and No-IP. (Ed Rescorla uses IP Lobby, Pragmatists, and Idealists to label the same group—which I find unfortunate because I believe most idealists are in the Small-IP category, believing that creators *should* have rights to benefit from their creations.) As Kling notes (and as Felten argues), while relatively few people really hold the No-IP view, Big-IP people tend to treat Small-IP people as though they were No-IP people: If you're not 100% on the side of RIAA and MPAA, you're probably a pirate and worse.

Longer Articles

Love, James, "Artists want to be paid: The Blur/Banff proposal," *Blur 02*.

I'm not entirely sure about the attribution, and it's a PDF; there's also the title "Power at play in digital art and culture (April 11-13, 2002)." This apparently came out of a "Blur workshop" at the New School in New York City. It's partly a somewhat eccentric discussion of recent issues in copyright and peer-to-peer sharing, partly a favorable discussion of compulsory licensing (discussed in the "Why make records" Perspective). An interesting viewpoint, worth reading, even though Love's glib and predictable labeling of Microsoft as the Evil Empire and Richard Stallman as a hero undermines Love's credibility as an objective commentator.

Nadel, Mark S., "Questioning the economic justification for (and thus constitutionality of) copyright law's prohibition against unauthorized copying: 106," January 2003 draft. AEI-Brookings joint center for regulatory studies. (It's a 52-page PDF; I'm sure you can find it. A later version will appear in some law review.)

I've mentioned Nadel articles in the past (Midsummer 2001 and August 2001). This one's certainly intriguing. It builds from "The uneasy case for copyright" by Stephen Breyer, a 1970 *Harvard Law Review* article that argues that the prohibition against unauthorized copying may not be needed to stimulate an "optimal level" of new creation. Nadel goes further, to suggest that the ban on copying may have a net *negative* effect on new creation. He also discusses other sources of financial rewards for creators, if U.S. copyright law's broad prohibition on copying was found unconstitutional—which, presumably, it

could be if it works *against* the goal of "promot[ing] the progress of sciences and useful arts."

If 52 pages of small print seems like a lot, it isn't really: 372 footnotes take up considerably more than half the space. (This is intended as a law review article, remember!) Nadel covers a *lot* of ground in discussing inducements to create, the effects of compensation on output and of copyright protection on access to raw materials, some publishing financial issues, and more.

If the right people pay attention and if the sweeping array of issues raised here yields further analysis, Nadel could open a substantial new front in the copyright wars. Or the overall results could be similar to those of the Breyer article: Little or none. You may find the draft **worth reading**.

"The Public Domain," *Law and Contemporary Problems* 66:1&2 (2003). 483 pp.

This 13-article collection is, in essence, the proceedings of a November 2001 conference on the public domain at the Duke University School of Law. According to James Boyle's foreword, it's the first conference on the subject—which may say a lot about copyright imbalance right there. Just at a glance, this appears to be a varied and interesting set of papers, and the fact that the conference took place *before* Eldred v Ashcroft may even be an advantage. (Lawrence Lessig was one of the speakers, but his is one of three papers not included in the journal because it appeared elsewhere.)

Consider this note a heads-up. I'll comment on individual articles after I read the collection—and I've just sent Duke a check to buy the print journal. If you're interested, you can do the same: Send a check for $30, payable to "Law and Contemporary Problems," to Duke Law Publications, Box 90364, Science Drive/Towerview Rd., Durham, NC 27708, specifying that you want Volume 66, Combined Issues 1&2, "The Public Domain." You can also download the PDF articles from www.law.duke.edu/journals/lcp; at least for this issue (and apparently for all issues?), it's an open-access journal.

The Library Stuff

Albanese, Andrew Richard, "Deserted no more," *Library Journal*, April 15, 2003.

A contemporary article of faith for some academic librarians is that libraries are being deserted, that's the way it is, and you might as well deal with it. One subgroup assumes that public libraries will be next to be deserted.

This article begins with an anecdote based on the "desertion" of academic libraries and a significant 2001 article in the *Chronicle of Higher Education*. It goes on to suggest that even if the article didn't overstate the problem (as I believe it did), the solution was for libraries to cope. Many academic libraries are more popular than ever—either because they've become more welcoming or because their desertion was badly overstated in the first place. It's probably a combination.

Worth reading carefully. You gotta love some true believers: If book circulation is doing well, maybe it's a "post-Internet bounce" as opposed to the continued worth of a good book collection. ("Post-Internet"?)

Cain, Amanda, "Archimedes, reading, and the sustenance of academic research culture in library instruction," *Journal of Academic Librarianship* 28:3 (May 2002), 115+

This is an interesting discussion on the habit of reflection, the nature of 21st century research, the "undergraduate research culture," and library instruction. I believe Ms. Cain is saying library instruction needs to include some inculcation in the nature of reflective reading—book reading, as opposed to finding the right paragraph in an article—but I may be wrong. I found the article hard to read for reasons that had nothing to do with Ms. Cain's writing and everything to do with context: What I saw was plain text, pages and pages of Courier New, as opposed to pages of the actual journal. That made reading difficult and comprehension clumsy. But I believe the discussion is interesting and worthwhile.

Jackson, Michael Gordon, "The great reference debate continued—with a manifesto," *American Libraries* 34:5 (May 2003): 50-2.

Librarianship as a whole shows an unhealthy tendency toward self-destruction, and of late reference librarians have seen more than their share of doomsday scenarios. There was, in particular, a silly "debate" in early 2002 on whether reference librarians were or should be a dying breed.

This article takes a different tack. It's brief, argumentative, and well worth reading. The "manifesto for the authentic librarian" includes five declarations, and I don't find myself arguing with any of them. In brief:

- "We reject the idea that 'library' and 'librarian' are traditional, pejorative, and useless terms.
- "We accept the challenge of fully using technology to help with our primary mission of serving our users.

- "We reject the false charge that information not on the Internet, always retrieved instantly and free, is not important to our users.
- "We accept the crucial teaching role of helping our users sift, critically evaluate, and make sense of the enormous information potential in the global community.
- "We reject the charge that librarianship is not a serious profession and should be deprofessionalized and staffed with substitutes who supposedly really know how to satisfy users."

If you haven't read it, do so. If you have read it, think about it. Are those five points part of a larger manifesto not yet made manifest?

Janes, Joseph, "Counting what counts," *American Libraries* 34:5 (May 2003): 72.

Darn. There goes another potential "Crawford Files" topic done earlier (and better) by the Internet Librarian. Oh well, there's no danger of running out of topics. Janes discusses library use statistics, beginning with an anecdote about the traditional padding of reference question counts. He wonders how useful traditional library statistics really are and suggests that user logs could offer new measures of how people use library resources.

As he notes, there's a problem with log analysis: "In a post-Patriot Act world, of course, poking around in logs could have sinister overtones." That's only a problem if librarians and system designers make it a problem; it's possible to retain the meat of user logs in ways that retain user anonymity.

I spend loads of time on (anonymous) log analysis with the aim of improving Eureka, RLG's end-user search system. The literature of log analysis, such as it is, primarily concerns this sort of log analysis: Seeing how a system is being used so that it can be improved. Janes is also looking at the other side: Seeing how *extensively* resources are being used and *what*'s being used, toward improving library understanding of overall usage. Assuming user-anonymity problems can be solved, that may be an easier task than traditional log analysis, which is worthwhile but incredibly time-consuming.

Smaller Items

Albanese, Andrew Richard, "The top seven academic library issues," *Library Journal*, March 15, 2003 (downloaded from libraryjournal.reviewsnews.com).

According to this brief report, an ACRL task force has offered a report on the "larger issues" facing academic librarians. Top priority: Demonstrating to the campus community that the library remains central to academic effort. Hard to disagree.

The big seven? Recruitment, education and retention of librarians; role of the library in academic enterprise; impact of information technology on library services; creation, control and preservation of digital resources; chaos in scholarly communication; support of new users; and higher education funding.

There's probably a lot more on these themes emerging from the recent ACRL conference. I guess building and maintaining collections really don't matter any more, at least to this task force. More's the pity.

"Five-year information format trends," OCLC Library & Information Center Report, February 2003.

This is a seven-page brief presenting "data and forecasts about information format trends that will likely shape the information landscape of the future." I approached it with considerable interest, particularly because I find the front-page analysis just about right and nicely stated.

> Perhaps the most significant challenge is that the universe of materials that a library must assess, manage and disseminate is not simply shifting to a new set or type of materials, but rather building into a much more complex universe of new and old, commodity and unique, published and unpublished, physical and virtual.

Since I've been arguing for more than a decade now that "transitional libraries" is a misleading and fundamentally unsound term and that libraries and media tend toward complexity, it's not surprising that I like this formulation.

As I move beyond the first page, I still like much of what's there—but it's thinner than I expected. In particular, I think it relies too heavily on Rick Anderson's odd columns in *Against the Grain* and, overall, there's less behind the report than I was hoping for. Still, worth a quick look.

Kennedy, Shirley Duglin, "Answering the unanswerable at CIL," *Information Today,* May 2003.

This report is from the "Conference Circuit" section of *Information Today* and reports on Mary Ellen Bates' presentation at CIL, "How to answer the questions you can't answer." It must have been a *great* session, based on the notes. Some categories of "unanswerable" questions (each with a strategy): Questions no one knows the answer to ("How many American flags have been sold since 9/11"), questions for which there is no chance of an answer ("How often has our competitor's network been hacked"), and questions for which there are no sure

answers. The set of suggestions is first-rate. Every reference librarian should be aware that "Close enough is often good enough"—often, not always.

Trends & Quick Takes

Two months ago, I grumbled about a *Macworld* article that claimed (twice) that TWAIN comes from a Rudyard Kipling poem. While I continue to remember with some clarity, from the time TWAIN was first introduced, that it's a pseudo-acronym ("Technology without an Interesting Name"), *Consumer Reports* makes the same Rudyard Kipling connection. Do I consider *Consumer Reports* more likely to get arcane PC-related issues right than *Macworld* is? Not at all—but if history's being rewritten this way, who am I to complain? I should note that when a reader made the same complaint to *Macworld*, the editors responded that "research shows" they're right, with (of course) no indication of what or whose research that was. ("What difference does it make anyway," I hear some reader thinking. Not much.)

Big Bucks for Handheld Movies?

I'm trying to be better about not making fun of devices and uses that *I* wouldn't find interesting but that *others* might find enormously useful. So, for example, I've never said PDAs were stupid—only that they're unlikely to become universal and might not be quite as life changing as some people think.

Maybe there are lots of people who find a PDA screen more than adequate for watching movies and think that's a valuable use. It strikes me as more than a little bizarre for a couple of reasons—even at MPEG1's low quality, a movie's going to use 250 to 375 megabytes (according to a writeup on Mazingo in the March 2003 *EContent*), and that's a hefty chunk of removable storage. Mazingo's in the business of vending downloadable multimedia—highly "rights managed" downloadable multimedia—for Pocket PCs and Palm PDAs. The premium package costs $14.95 a month for "unlimited updates," and of course the company official can't say how many of the 75,000 total subscribers actually pay that.

You say you don't own a Pocket PC? Mazingo has a better idea: They'll rent you a PDA *and* content "for around $100 a month." Such a deal! Of course, in seven months you'll have paid the price of a fairly high-end Pocket PC *and* a Mazingo subscription, but without that messy up-front cost. Right now, the $14.95 a month doesn't get you full-length movies; that will cost more.

I was just intrigued enough to see what's in the current package. Four music videos, two very old movies, five oddball TV shows, various regional Weather Channel forecasts, and a heap of other stuff—well, go look for yourself: www.mazingo.net. If it's true that "millions of people" read lengthy texts from their Palm PDAs (and I can't prove it's not), then I can believe that thousands of people pay $14.95 a month for this service—plus the price of a broadband connection to download the stuff and memory cards to store it. To each their own.

The Mac Product Experts

As long-term readers will be well aware, the focus of *Cites & Insights* has veered sharply away from the PC. As part of that shift, I'll be dropping a couple of magazines that I wouldn't read on my own. First up, since it expires in a few months, is *Macworld*. Nothing terribly wrong with the mag, but I don't own an Mac and am not likely to buy one.

That said, I was intrigued by the May 2003 cover. "500+ Mac Products Reviewed," with "500+" in type more than 2 inches tall. How could they do that in a 128-page issue, particularly when only about 60 of those pages hold editorial copy?

Simple, but in a way that makes the huge headline just a wee bit misleading. The last nine pages of the issue consist of "*Macworld* minifinders," five-line summaries of *every review* in the magazine over the past year. Add to that a set of one-paragraph reviews of "75 more Mac software bargains," and it's all pretty easy.

"Why 1 Windows is simply not enough!"

What the hey? That was my initial reaction to this *sixteen-page* essay-advertisement from HyperOs Systems in the May 2003 *Computer Shopper*. I believe the company is touting HyperOs 2003 (yes, it's a small "s"), a "boot environment redirection system" that lets you mount multiple copies of Windows, in various versions, that can all view the same data files. (The software works by "dropping to DOS," a novel feat under XP or NT/2000, since there is no native DOS in NT-based Windows.)

We learn that Windows 3.0 was "originally designed by 6 people at IBM" and that "the IBM PC has dominated the personal PC market ever since," which will come as a shock to Dell, Compaq/HP, and for that matter IBM. The ad seems to say you can boot today's Windows from a diskette—and that you can't "start your PC without a few Kilobytes of computational code on an ultra slow floppy disk." We learn that "It has been argued that all of the increase in PC performance predicted and achieved by hardware over the last 20 years has been all but

wiped out by the increase in complexity and size of the code that it runs." In other words, today's PC doesn't really run programs any faster than a 1983-model PC? Right.

Later, the anonymous but apparently British author (given spellings and word usage) tells us that the "article" was written in Word 6 on Windows 3.1. Why on earth would anyone choose to do that? "Why should you have to throw away decades of computational experience?" Well, if you have "decades" of experience with Windows 3.1 (1992?) or Word 6 (mid-1990s), I guess that's a good argument—but somehow my decades-old word processing experience works a whole lot better in Word XP under Windows XP.

I, for one, was not aware that I had to drop to DOS to do a backup, since I've always done it within Windows, but here I learn better…and that backups always run from a DOS interface and at the slowest disk mode. I'm told that we're now in 2001. It's implied that having more than a few applications on your system *automatically* slows down Windows, including XP, and can make it unstable—even if those applications aren't running. (The "benchmark" was created by loading in all the "cover disk" software that comes with British PC magazines, willy-nilly. Don't *you* just load freebie programs at random to see what will happen?) And we learn that, if you force Windows to run entirely in RAM (with files in a RAM "drive"), surfing with a 56K modem will "feel like…surfing with Broadband. Various windows open and close so fast it is like there is no one else on the Net!" And here you thought dialup speeds had to do with transmission. Apparently, according to HyperOs, delays are because Internet Explorer is spending too much time writing to disk.

I have no idea whether HyperOs is a good product. This endless blather, filled with unlikely and questionable statements, was enough to tell me that I want nothing to do with the company.

"Blazing Speed"

Here's another ad worth noting: Page 11 in the April 2003 *EMedia*. Two columns of text with a picture occupying a page-wide strip in the center, with that headline. The text headline is actually "Mac aficionado turned PC enthusiast," and that's what makes this ad unusual.

It talks about The Orphanage, a "San Francisco-based high-end visual effects and film production companies" founded by people who left Industrial Light + Magic. One of the founders moved a project to a Windows workstation temporarily, because all the Macs were busy with a big project. He was astonished to find After Effects running "significantly faster" on the PC than on the company's fastest Macs. He switched to a dual-processor Dell workstation, and the company has added a bunch more PC workstations using Hyper-Threading Technology (found on Xeon and the newest Pentium 4 CPUs).

What's noteworthy about the ad isn't just that it's a direct, unqualified claim that one of Adobe's real-world high-end graphics programs runs substantially faster on relatively inexpensive Windows boxes than on top-of-the-line Mac boxes, although that's interesting enough. The other noteworthy thing about this one-page "Special advertising section" is what's not quite clear: Whose ad is this? Dell? Adobe? Microsoft? Intel? All four of them? I can't tell—and the "index to companies" (an advertising index of sorts) doesn't list *anybody* for that page!

Classical Gas?

Somebody *really* wanted me to write about this. I saw the press release in email, with no good way of knowing how my name was on the press release list. Then I received the same press release in the mail, to my work address and with *Database* as a publication name (that magazine turned into *EContent* four years ago). Later I received the same press release at home, again assuming that I write for *Database*.

While the PR agency or company gets an F for accuracy, they get an E for Effort, and it's an interesting product. Classical.com is a "classical music listening service for libraries," offering streaming classical music to hear while you're at a library computer or from home. It uses ebrary licensing technology and is linked to a classical sheet music service from Byron Hoyt. Find the sheet music and hear the music; buy it if you're so inclined. Béla Hatvany is involved, truly a "library industry veteran."

I have no idea what to make of this, frankly. My response to streaming classical music in libraries, other than on headphones, is the same as it would be to streaming rap music in public libraries: An unwarranted intrusion, no matter how nice the music. As for streaming it to headphone users—well, sure, if classical music is what your patrons are looking for. Technologically, it's an interesting idea.

On the other hand, the link between sheet music and music gets tricky for classical music, particularly when one revenue stream comes from "downloads or Custom CDs." To wit, if I care about a piece of classical music, chances are I don't just want to hear *a* version of that music. I want to hear a *particular* version. That's a non-trivial issue. But that's just me being picky. All in all, interesting.

"The Ever-shifting Internet Population"

Here comes Pew again, with yet another report on the Internet in "American life." This one's 46 dense pages, available from www.pewinternet.org; it was published April 16, 2003. It received a fair amount of attention, partly because Pew Internet reports always do, partly because of the fundamental truth here: "42% of Americans say they don't use the Internet," and that's not because they've never heard of it or have no way of getting to it.

Those who live in households where someone else *does* use the Internet get a classic Pew/Internet label: "Net evaders." Not that these people just have no real need to use the Internet themselves—they're *evading* it, the way you'd evade taxes or the draft. Then there are dropouts—17% of non-users at this point, a growing proportion. Most of them had PC or ISP problems. And 24% of the non-users "have no direct or indirect experience with the Internet."

At this point, U.S. Internet penetration in homes is barely growing. That's only surprising if you assume that you can't live without the net; otherwise, 60% is about as ubiquitous as most inessential technologies ever get. (TVs and VCRs are exceptions.) In this case, most non-users know where to go for Internet access (libraries being the most common place). They could go online if they wanted to.

Most nonusers have no plans to go online. They feel no need or desire to use the net. They don't think it's a good use of their time. Guess what? For many of them, that's absolutely right.

The detailed report brings up the "digital divide" early on. The researchers are startled to find out that people could go offline for a while (or permanently), once having experienced the wonders of the net: How is that possible? Maybe because it wasn't a good use of their time, they didn't need it, or they didn't want it.

One good result: The Pew project is beginning to understand that "digital divide" is simplistic. They now see it as a spectrum—but within that spectrum, many non-connectors lead fulfilling, happy, healthy lives. The net is not life: A heretical thought, but there it is. (Even the use of "online life" in the report makes me cringe a little; I find it increasingly oxymoronic. Life is what happens when you're *not* on the Internet.)

The report is long and carefully done. Some reactions were interesting, if predictable. Media Life (www.medialife.magazine.com) discussed the rate at which people are "unplugging." *Wired News*, in the person of Kristen Philipkoski, titled its slightly premature coverage "Tune out, turn off, drop offline" and began with this paragraph:

> The digital divide is not just about the haves and the have-nots. It's also about the yawning gap between those who are comfortable using technology and those who fear or despise it.

It goes on to discuss strategies for "narrowing the digital divide"—which increasingly seems to mean convincing us all to "live" online whether we want to or not. I love this comment: "one of the major focuses of our company is to create a culture of technology in the home." My lord.

Finally, *The Register* was its usual snarky self: "Bored and confused by the PC Internet – world turns to phones." It overstates the case: "Half of the population doesn't want the Internet and doesn't care less about what it might be missing." The piece brings in phones in commenting on Japan's love of phone-based technology and gives an example of leaving the computer at home that would be a lot more convincing if the writer wasn't hauling along a phone/PDA while claiming to read in the park. You know how you read deeply? By turning off *all* technology, including the cell phone.

Ebooks, Etext and Print-on-Demand

When it comes to ebooks, there are three kinds of people: Those who still believe everything's going digital—it's just taking a little longer. Those who believe ebooks are and always will be irrelevant, niche products of no particular interest. And those who insist on dividing people into three groups…

Or, if you prefer, what I'd call the real-world middle: People who will use ebooks when they offer advantages over print books for those specific people in those specific situations—and who will use print books and magazines and newspapers when *they* make more sense. Entrepreneurs and established businesses that will make money by serving those people and by avoiding dreams of grandeur bought on by listening to the first group. "Make money" has to be considered relative to print publishing: Book publishing has *never* been a hugely profitable business sector, partly because it's a nest of niches.

Print on Demand Developments

The March 2003 *BookTech* (www.booktechmag.com) includes a few brief pieces on PoD (and possibly more in the print issue, which I didn't see). An in-

terview with Craig Bauer of R.R. Donnelley discusses "digital print" in general and some of the failed promises made to publishers. Right now, digital production may make financial sense (as compared to traditional print publication) for runs of 500 to 1000 copies—but in the market Donnelley serves, it's still not reasonable for publishers to keep books in print with PoD runs of one to 20 copies.

An item from J. Kirby Best of Lightning Source Inc., a major PoD service, describes the benefits of outsourced PoD production. Lightning Source serves 1,900 publishing houses as a PoD resource. "Last year we distributed over $1 million in new revenue to publisher partners every month—money earned exclusively from books sold through the Lightning Source channel," which includes Ingram and the big online booksellers. His closing line: "The Power of One: a digital tool for publishers looking to better their bottom line." If nothing else, Lightning Source provides a *real* indication that PoD is a multimillion-dollar business right now.

A third brief piece, by Florrie Kichler of Patria Press Inc., includes some startling numbers about unit costs for paperbacks, if they can be believed: "You could offset print a 10-year supply of a new $12.95 title to cut its unit cost to 10 cents." *Ten cents* for traditional production? "Or you could leverage print-on-demand technology (POD) to produce a one-week supply, at a unit cost of $10."

Kichler notes seven factors to consider when deciding between traditional offset printing, PoD, or pure ebook production. For example, PoD appears most suitable for books of 100 to 700 pages—not for very short or very long books. PoD still doesn't handle interior color very well—but it's a great way to handle frequent revisions. PoD bindings may not be as sturdy as traditional bindings, an issue for schools and libraries. Traditional printing lowers unit costs but requires more up-front money and warehouse space. An interesting cluster—all from the pieces of *BookTech* made available on the Web.

Patricia Holt has discussed PoD from time to time at *Holt Uncensored* (www.holtuncensored.com). In a recent letter, Wilma Clark (a British author) discusses a number of factors in choosing PoD and how her publisher (BeWrite Books) handles them. The letter appeared in #358, February 6, 2003; you should be able to find it in the archived columns. Clark offers good reasons to publish via PoD rather than trying for traditional publication; she also understands the difference between PoD publishing and vanity publishing—although she seems to conflate self-publishing and vanity publishing, an unfortunate combination. BeWrite is a selective publisher, asking no payment from the author. You don't hear a lot about true PoD publishers—companies that accept books selectively and throw the publisher's money into editorial and design; this is one of the better discussions.

Xlibris, which is either in the self-publishing or vanity PoD business (depending on your definition), issued a press release in February 2003 announcing that they had reached the $1 million mark in royalties to authors. According to the release, Xlibris has "helped authors publish more than 7,000 titles and sell over 300,000 books last year." The firm, related to Random House, has been in business since 1997. Just at a glance, $1 million in "royalties" for 300,000 books seems awfully low for true self-publishing, where the author puts up some of the production costs in return for a major portion of the proceeds. (It's presumably worse than that--$1 million is a cumulative total since 1997, not just for 2002.) Consider those sales: If all 7,000 titles are "in print" (as they should be for PoD), that comes out to just under 43 copies per title. One thing's for certain: *only* PoD or pure e-publishing could make such titles feasible.

An earlier press release takes a bolder view. 3BillionBooks, Inc. says its technologies will "bypass and eventually supplant the way books and other printed and bound documents are produced, delivered and sold." Read that again: Not only does 3BillionBooks say it will *supplant* books, but also magazines, catalogs, etc. (I suppose "and bound" leaves out newspapers.) That's a mighty big claim!

Next claim: The "fully automatic machine, now in prototype" will produce a "library quality paperback in minutes" on demand "for about a penny a page inclusive of all costs: in other words, an ATM for books." That's a fine number if it can be made reality, particularly given that laser printing without binding typically costs upwards of two cents a page. If you can store the digital files and print a finished, *library quality*, 160-page paperback for $1.60 total, with no significant labor costs, you've got an impressive device. (I assume "library quality" implies acid-free paper, a coated cover, and binding strong enough for typical library circulation.)

3BB sets out to be a monopoly: "3BB will acquire exclusive rights to this machine." This new process will yield higher revenues for authors and higher income for publishers: Everybody wins! 3BB plans to begin with technical and educational paperbacks published by organizations such as UNICEF and The World Bank. It's a market with little money but lots of books—e.g. "14 million copies in 176 languages" for UNICEF's *Facts for Life*. 3BB plans to expand into the developing world and expects to sell the magic book machine for $100,000. The idea is

to build "barriers to entry by competitors" before getting into "industrial world" markets. (This is Jason Epstein's company, if you remember last year's Text-e discussions.) Worth following.

Finally, *PC Magazine* for May 27, 2003 includes a fascinating group review by Troy Dreier, "Start the presses." The introduction makes the unfortunate claim that "we don't say *vanity publishing* any more" while "Self-publishing has gained respectability"—completely missing the point that self-publishing and vanity publishing are two different animals.

The review covers six PoD companies that deal directly with authors. They are *all* subsidy presses, at least to some extent: The author pays money up front and there's no sense that it's possible for a manuscript to be rejected. You can pay extra to have your manuscript edited. The test used the same poetry collection in each case; the reviews discuss fees and the quality of the finished product.

Editors' Choice is iUniverse, for fairly low startup prices, flexible designs, and plenty of extra options. I'm not sure I fully understand the charges. There's $199 for the Select program and $449 for Premiere, plus (I believe) $99 for ebook creation or $1999 for "hardcover" (I suspect Dreier means "print") creation, plus $99 for Ingram distribution if you choose the Select program, plus 12 cents a word if you want copy editing, plus…No, maybe that's it. Royalty is "20 percent of the net profit," a loaded term if I've ever seen one. That sounds like vanity-press publishing to me. One *favorable* item here is that the "marketing toolkit" that you get allows you to print your own promotional items rather than ordering them from the company—in other words, you don't get nickel-and-dimed even more. (Oh, but there are marketing workbooks.)

The next highest rating is for 1stBooks Library, which also produced good-looking books. 1stBooks sounds the most like self-publishing: Authors set the price and get 30% of the cover price, while paying a slightly higher startup fee. Fees include $399 for setup, $199 for paperback distribution, $350 for hardcover distribution, and various extras such as $100 to have your photo on the back cover, $4.50 per page for copyediting, $300 to have 1stBooks send a press release to 100 media outlets, and more.

XLibris (see above) and Infinity tied for third place. Xlibris is a "giant in the PoD business" but *PC* found the prices high and options limited. The cheapest "Basic service" costs $500; for custom design, you pay $1,600. Royalties are 25% for books sold directly at Xlibris' website, 10% through other channels, although those are apparently gross percentages. Copyediting is seven cents a word. Infinity charges $400, period—plus 20% royalties from Infinity's site, 10% for other sites. Add $95 to list your book with Ingram. Infinity doesn't do ebooks, only PoD—but hey, pay them $125 and you'll get two "free" books along with 50 postcards, 100 business cards, 25 bookmarks, "and 2 books on marketing."

There's one fairly clear self-publishing operation here in addition to 1stBooks, although it came in next to last in the ratings: Golden Pillar Publishing, which also doesn't do ebooks. It charges $500 for the basic service, which includes book design and listing at online sites. Two considerably more expensive options include more layout options, customized cover designs, and copyediting. "Author royalties range from 70 to 90 percent of the gross profit (cover price minus production costs)"—and Golden Pillar doesn't claim to provide marketing services other than a press release. That's self-publishing. Unfortunately, the books didn't look very good.

Ebooks and Libraries

King County Library System (Washington state) plans to offer an OverDrive-based ebook collection with downloadable texts and automatic "return" after circulation. The twist on this library-friendly model is that the texts are downloadable to all three major non-dedicated ebook reading platforms, a sensible approach to serving most likely readers.

ebrary announced a new "institutional repository" program for libraries to "securely distribute their content over the Internet." The two-page press release doesn't make it clear why you'd need to involve ebrary or why secure distribution is required for library-produced content.

A *Library Journal* piece (May 15) notes Wayne State's "Patron Driven Access" arrangement with netLibrary. Wayne State has access to a consortial collection and loaded records for all 16,000 titles into the online catalog. When two users checked out an ebook, the library purchased its own copy. Over seven months that yielded 496 titles—and they were accessed 4.1 times each, ten times as often as the consortial collection in general.

PUBLIB had some anecdotal notes from libraries that had acquired dedicated ebook devices through grant funding. The message seems to be: "Once the novelty wore off, the readers barely move."

Finally, UC's eScholarship Repository announced that, as of April 23, it has posted its 1,500th publication, logged its 100,000th full text download, and added its 100th research unit to the active publishing roster.

Miscellany

Random House finally worked out a deal with RosettaBooks (see previous coverage in May 2002 and in July, August, and September 2001). RosettaBooks released digital versions of several Random House titles where the contracts did not spell out electronic rights; Random House sued on the basis that "big companies have better lawyers"—no, actually, that "publisher's rights to e-books were implicit"—and lost the first round of the case. The December 2002 settlement let RosettaBooks keep publishing the already-issued ebooks; the April 2003 item says that Random House has agreed to have RosettaBooks issue another 51 titles. It also notes that Random House has released about 1,200 titles in ebook format on its own.

The Good Stuff

Smith, Steve, "Can push come (back) to shove (subscribers)?" *EContent* 26:3 (March 2003): 23.

One of the biggest failures in modern computing was push technology, specifically PointCast with its strange little device and annoying popup headlines on your desk. This column notes that failure and that a company picked up PointCast's assets and is working on new forms of push communications. InfoGate and Serence are both selling *paid* services that feed headlines to the user's desktop.

It's an interesting piece, albeit a little short on true numbers. InfoGate claims that "one out of ten people" who try the desktop client end up subscribing—but "can't disclose specific numbers." Supposedly, once you sign up, you're hooked: InfoGate VP Paul Love says it "seems to be an addictive service."

Worth a read, with several grains of salt.

Metz, Cade, "Spyware: It's lurking on your machine," *PC Magazine* 22:7 (April 22, 2003): 84-93.

This detailed article discusses various forms of "spyware"—some of which are probably on your computer—and what to do about them, including reviews of nine products. The worst spyware is either keyboard logging software (usually placed there by someone who suspects you of something) or behavior-tracking software, which tends to ride along with P2P programs or install itself when you visit a website. There are also third party and ad-tracking cookies, changes to your registry that can open your machine to malfeasance, and more.

You may even have agreed to install this software, typically by clicking on a lengthy end-user license agreement. (The one for Grokster actually involves ten different agreements for some of the many programs it puts on your machine.) Some of the spyware invades your privacy; some slows down your system.

I run a fairly safe environment at home and at work: No file-sharing software, default IE security, very few downloads (and those carefully controlled), full-time up-to-date Norton Antivirus scanning, firewall at work, dialup at home. But I assumed that some things had crept in—if only ad-tracking cookies, almost impossible to avoid. I installed SpyBot Search & Destroy, the Editors' Choice in the software roundup (it's free!) on both systems. The first test pass uncovered *dozens* of problems—all minor—at work, and a couple dozen at home (including several registry changes). One came with TurboTax and I knew about it. After removing everything (except the TurboTax registration nonsense) and using SpyBot's immunization routines, I checked again at work two days later: A mere dozen new cookies. It's been a week or two since I last scanned my home PC. Oh look: 29 new ad-tracking and related cookies! Try it yourself: You may be surprised. You might even uncover some *seriously* bad stuff; fortunately, I've been lucky.

Bugeja, Michael, "The seven digital sins," *Chronicle of Higher Education* (April 8, 2003).

A cute, brief commentary on the seven deadly sins in contemporary terms: Home page pride (e.g., embellishing your achievements on your home page); Techno Greed; Computer Envy ("The feeling experienced by librarians in empty libraries providing 24-hour Internet access); Dot.com Gluttony; Plagiarism Sloth; E-mail Wrath (having the last word); and Streaming Lust (e.g. using lapsed scholarly domains to peddle porn). Bugeja suggests some balancing digital virtues, a few of which are a bit too ashes-and-sackcloth for my tastes ("Any PC that can load Word is worth keeping."). Amusing, but don't take it too seriously.

O'Neill, Edward T., Brian F. Lavoie, and Rick Bennett, "Trends in the evolution of the public web, 1998-2002," *D-Lib* 9:4 (April 2003). www.dlib.org

This report from the OCLC Office of Research is another based on an 0.1% random sample of *possible* websites. The report estimates that as of June 2002, there were 3.08 million public websites containing 1.4 billion pages—an interesting number, given that both AllTheWeb and Google have indexed more

than *two* billion public web pages for months. There's a great byplay in which Varian argues with OCLC argues with Varian as to whether the public web is an impressive information resource. Varian and Shapiro say no; Varian and Lyman say yes—sort of; the authors properly argue with both "Varian ands." Life must be interesting at UC Berkeley's "Who gives a damn about libraries?" school!

Not only has the rate of growth of the public web been slowing over the years, it came to a complete halt in 2002—with 96% as many public websites in 2002 as in 2001. The article suggests that the rate at which existing sites disappear may have increased, but if that rate was only 17% in one year I'd question the assumption.

Completely unsurprising numbers that cause grief to the utopians: Not only is the public web predominantly U.S., not international, the percentage of U.S. sites is *increasing*: 55% in 2002 as compared to 49% in 1999. Language frequency is about the same: 72% English in 1999 and 2002.

An interesting article, possibly a little too hopeful that the great unwashed who actually build the public Web (yours truly included) will see our way clear to provide useful metadata. "Hopefully, the next five years will witness equally remarkable progress in fine-tuning the Web to enhance both the scope of its users, and the utility of its contents." Hope springs eternal.

Brooks, Terrence A., "Web search: How the web has changed information retrieval," *Information Research* 8:3 (April 2003). informationr.net/ir/

An interesting paper that suggests it may be *inappropriate* (as well as unlikely) for most web creators to add topical metadata to pages—which, in turn, pretty much dooms the Semantic Web. The big question here: "Does it make *technological* sense to add topical metadata to Web pages?"

It's possible that Brooks overstates the negative case, although I'm inclined to agree that the Semantic Web is unsound in theory and practice. Brooks argues against the notion that web pages have significant lifespans and offers six citations to show how transitory web pages can be—but some of that "information" just isn't true in 2003 and almost none of it is terribly relevant. So what if "half of all Web pages are no more than 100 days old," as long as the worthwhile content sticks around? In practice, I've found that most web *publications* (as opposed to personal pages and the like) are relatively stable. I also believe that Brooks overstates the extent to which Google's ranking mechanisms are secret.

Despite these troublesome details, it's an interesting piece, **recommended** with caution.

Bauman, Yoram, "Mankiw's ten principles of economics, revisited." *Annals of Improbable Research* 9:2 (2003). www.improbable.com

I wasn't aware of Mankiw's ten principles (from the introductory economics textbook *Principles of Economics*), but they affirm my nervousness about economists. Bauman, a microeconomist, offers his translations and details in the kind of sendup that could only appear in AIR. I particularly appreciate Bauman's translations of Mankiw's principles 8, 9, and 10, which are:

> #8. A country's standard of living depends on its ability to produce goods and services.
> #9. Prices rise when the government prints too much money.
> #10. Society faces a short-run tradeoff between inflation and unemployment.

Bauman's version: "#8. Blah blah blah. #9. Blah blah blah. #10. Blah blah blah." He glosses that:

> Sometime when you've got a few hours to spare, go and ask an economist—preferably a macroeconomist—what he or she really means by "standard of living" or "goods and services" or "unemployment" or "short-run" or even "too much." You will soon realize that there is a vast difference between, say, what Principle #10 says—"Society faces a short-run tradeoff between inflation and unemployment"—and what Principle #10 *means*—"Society faces blah between blah and blah." My translations are simply concise renderings of these underlying meanings.

The first seven principles and translations receive longer glosses. Well worth reading.

The Details

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