Cites & Insights

Crawford at Large
Libraries • Policy • Technology • Media

Bibs & Blather
Readership Patterns

Most periodical publishers look at readership patterns. I'm no different. Based on readership for 2003 issues of *Cites & Insights*, my standards for 2004 were fairly simple: I was hoping that every issue would have at least 1,500 unique downloads; I'd be reasonably happy with 1,800 or more; and I'd be *delighted* with anything over 2,500. (Of the 14 issues in 2003, none fell below 1,000—and only one (3:13) came in at under 1,300. At the other end, only two yielded more than 2,500 unique downloads; one of those, 3:9, had an astonishing 4,500 downloads—and more still in 2004. That was the CIPA SPECIAL. It's still going strong in 2005!)

Generally, readership grew in 2004—but with a couple of anomalies. Seven of 14 issues exceeded 2,400 unique downloads (as of May 1), with three over 3,000 (4:12, 4:2, and 4:4). Only three had fewer than 1,800 downloads—but those three also fell below 1,600: 4:8, 4:10 and 4:14.

There's an easy explanation for 4:10, the lowest at 1,100. That was the issue that appeared during a temporary FTP problem at Boise State; as a result, the first wave of readers (typically 900 or more in the first week) picked it up from my att.net personal site. Once you add a guesstimated 900 readers, it falls nicely in the middle range.

Issue 4:8 was a copyright special that came out shortly before ALA. The title wasn't that catchy (CATCHING UP WITH COPYRIGHT) and it was sort of a hodgepodge. Maybe the low readership—in the 1,500 range—makes sense.

The other one's a mild puzzler. The last issue of 2004 was medium length (22 pages), included most of the typical features, and actually had *more* articles covering a broader range than most issues. It did appear on November 8, and maybe lots of library people were in no mood to read anything in those first days after the election. Otherwise, I have no explanation.

I won't try to break down coverage by theme. A glance at readership patterns doesn't suggest any strong trends as to what gets read and what doesn't. Meanwhile, I do appreciate all you readers.

Update

I wrote this two issues ago (with March 1 as the cutoff) and pulled it for space reasons. Things haven't changed much. One 2005 issue (5:3) has already passed the 2,000 mark; two others (5:5 and 5:2) have passed 1,500. There's one new aspect: the possible significance of partial HTML coverage. It's early to spot real patterns, but there's some evidence that between 200 and 400 readers are using HTML as their primary reading method.

Inside This Issue

Nothing wrong with that, as long as those readers know they may be missing some of the action. Will that change—will I start doing *all* the pieces in future issues as HTML? Possibly.

Speaking of HTML

So far, the challenge offered in *C&I* 5:6 has been a total bust, as should be obvious from a glance at the 2003 contents. No email indicating pledges to donate; no issues converted.

I would assume two reasons for this:

➤ $100 is too much to ask you to donate. You're mostly library people, after all.

> ➢ Nobody much cares about easier access to essays written in 2003 or earlier.

My guess is the second reason is most important. Here's a way to test that guess:

I'll make the same challenge, but at a lower price point. Repeating last issue's challenge with $50 substituted for $100:

If you would like to see stories from earlier issues made available in HTML form, *pay for them*. Not me, but some worthy cause. Send a donation of at least **$50**, preferably over and above what you'd normally donate, to one of the following:

➢ Freedom to Read Foundation
➢ Nature Conservancy
➢ American Civil Liberties Union
➢ Doctors without Borders
➢ World Wildlife Fund
➢ America's Second Harvest or one of the local Second Harvest agencies
➢ Habitat for Humanity

Send me email (waltcrawford@gmail.com) indicating that you've done so. You don't need to dedicate the donation and I don't require proof that you've made the donation.

For each email I consider legitimate (mostly meaning it's from a real person, and only one per person), I'll do HTML stories for one issue of *Cites & Insights*, working backward chronologically from 3:14. I believe there are 41 eligible issues. Heck, for $2,050 to a variety of causes most of which I directly support, I'll do a little work.

Reporters?

So far, although the reports I have received have been interesting and worthwhile, there haven't been many of them. Maybe that's as it should be. As ALA Annual (the Big Kahuna of library conferences) approaches, here's a reminder that the door's still open.

I can't offer pay or freebies (other than *Cites & Insights* itself). I can offer reasonably wide readership (see above, and I estimate at least 50% pass-along readership based on conversations I've had), minimal editing if you submit reasonably clean copy, and minimal restrictions. You must agree to the same Creative Commons BY-NC license that *C&I* publishes under (anyone can copy your report but they must give you credit and they must *not* copy for commercial gain without your permission). You can reuse your report any way you see fit, with or without credit to

C&I. I believe a *C&I* report should count as a legitimate non-refereed publication credit on your vita. If you do a great report, that helps establish you as someone with something to say.

You don't need to let me know up front that you plan to do a report, but email in advance does let me handle cases where two or more people want to cover the same event (which I "handle" by putting them in touch with one another). Reporting guidelines are at cites.boisestate.edu/reporting.htm

You can send email about reporting, or reports themselves, to either waltcrawford@gmail.com or wcc@notes.rlg.org. I may not respond rapidly to mail received between May 30 and June 11, but I'll eventually get back to you.

Flags and Usability

If there's not an essay on the broadcast flag decision this issue, there will be soon. After all the text I've spent on the broadcast flag, I'm naturally delighted that the court ruled for ALA and against hyper-restrictive copyright and FCC's power grab.

Don't confuse the broadcast flag with cable flags. Those flags *do* exist, and the court decision does nothing to prevent them. "Smart" set-top boxes and CableCARDs (the new devices that let you view high-definition cable TV without a set-top box) do enforce restrictions on high-definition video copying—although they're not supposed to enforce such restrictions on standard-definition (regular TV) copying, including standard-definition "down-rezzed" versions of high-definition shows. I've read several reports of premium-channel content (e.g., *The Sopranos)* disappearing from HD DVRs thanks to cable flags. Theoretically, the flags are always supposed to allow for at least one copy of any program, although that copy might have a limited lifespan.

A report in the March/April 2005 *Perfect Vision* indicates that it can get much worse. When the writer tried to archive HD programs from a CableCARD TV (recording premium channels), it just didn't work—although the writer could record the same shows using a set-top box. Instead of an HBO movie, the writer got a message saying that the recording was time limited and had expired—just after it was recorded. Here's the chilling part, though: Even though nothing other than Pay-Per-View content is supposed to be flagged more restrictively than "copy once to view within at least 90 minutes," the rules for CableCard

are that HD content that's not flagged *at all* is treated as "record never."

I suspect some readers thought I was paranoid when I suggested, in *American Libraries* and elsewhere, that Big Media's desired copy-protection schemes would, if fully carried out, mean that PCs and other devices could *only* work with files that were specifically flagged as "OK to copy under these circumstances," leaving out any legacy data. It wasn't paranoia: It was a simple ability to read proposals and carry out the logic.

By the way, as the writer continued testing, even *standard-definition* HBO became unrecordable.

Perspective
The Broadcast Flag (an Endless Story?)

On May 6, 2005, the U.S. Court of Appeals for the District of Columbia circuit ruled unanimously: The FCC exceeded its authority in establishing the broadcast flag. "We grant the petition for review, and reverse and vacate the *Flag Order* insofar as it requires demodulator products manufactured on or after July 1, 2005 to recognize and give effect to the broadcast flag." The American Library Association and co-petitioners won.

Consumer and balanced-copyright groups were jubilant, although some noted that the fight will now return to Congress. A few pessimists assumed Congress would ram through legislation to enforce the broadcast flag almost immediately—but that seems unlikely. Consumer organizations, electronics and computer manufacturers, library associations, and a whole range of others have become much more aware of the dangers of copyright extremism than back when the Digital Millennium Copyright Act passed.

ALA and its allies cited three grounds for striking down the broadcast flag order. The court chose to rule on just one of the three—leaving the other two open in the unlikely case an appeal is successful. For now, design innovation continues to be an open field.

That's the short form—and the rough draft of a sidebar update to my "PC Monitor" column in the July/August *Online*, where half the column discusses the broadcast flag and its unfortunate consequences. Maybe it should be enough for the long form as well. But you know I have more to say!

Early Reaction and the Ruling

The people at *Copyfight* posted several messages, first announcing the decision, then excerpting a "killer quote" from the decision itself and from Cory Doctorow. The "killer quote" is a good one—"you can't hide elephants in mouseholes"—but it's not original to the decision. Here's the paragraph:

> We can find nothing in the statute, its legislative history, the applicable case law, or agency practice indicating that Congress meant to provide the sweeping authority the FCC now claims over receiver status. And the agency's strained and implausible interpretations of the Communications Act of 1934 do not lend credence to its position. As the Supreme Court has reminded us, "Congress does not…hide elephants in mouseholes." *Whitman v. Am. Trucking Association* 531 U.S. 457, 468 (2001). In sum, we hold that the Commission only has general authority under Title 1 to regulate apparatus used for receipt of radio or wire communication while those apparatus are engaged in communication.

Ernest Miller's *The importance of…* blog, a Corante cousin to *Copyfight*, included loads of links to various coverage in a May 6 post, "Victory in broadcast flag! FCC has no authority says court." Miller quotes paragraphs in which the court finds FCC's claim of broad authority "an extraordinary proposition" and "categorically rejects" the FCC's position.

Miller cites one key aspect of the ruling: The court understood that the broadcast flag *regulation* doesn't do anything until *after* a broadcast is complete. It doesn't regulate the actual transmission; it imposes regulations on what happens after the transmission has ended. That's way outside the scope of the FCC. (Miller also notes the irony that the court cites a case ruled in *favor* of the MPAA in striking down a regulation the MPAA desired.)

Cory Doctorow of EFF was ecstatic and blunt. He makes an odd connection between the broadcast flag and open source software (the rules affected a lot more than open source!) and, after some childish rhetoric (I don't know what else to say about "NEENER NEENER NEENER"), comments on the likelihood that the MPAA can shove the broadcast flag through Congress:

> The next move here is that the studios will take this to Congress and try to get a law passed to make this happen. No chance. They got ZERO laws passed last year. This year the best they've been able to accomplish is making it slightly more illegal to videotape movies in the theatre.

The fact is, elected lawmakers are not suicidal enough to break their constituents' televisions. Watch and see: over the next year, we're all going to roast any lawmaker who so much as *breathes* the words "Broadcast Flag" in a favorable tone.

EFF tends toward one extreme on copyright issues, but I think the first sentence of Doctorow's second paragraph here is true. (OK, I'm an optimist, but…)

Susan Crawford wrote a law review article asserting that the FCC "does not have power to make rules about products and services that don't fall under its existing statutory authority over telecommunications companies, broadcasters, and cable companies" (quoting from her blog). She's naturally gratified to see that the court agreed. She goes on to raise interesting future questions:

> Although the DC Circuit didn't have to reach this question, my view is that when the FCC starts making rules about a VoIP [voice over internet protocol—"Internet telephony"] application that doesn't terminate calls using a traditional telephone number, or an email application, or PCs, or anything else it hasn't traditionally made rules about, it will be acting beyond the powers given it by Congress. This means we will have to have a sustained national conversation about the scope of the FCC's authority over the internet before the Commission can act.

A slightly more radical take on that, but one that comes naturally to a centrist like me: The FCC *has no authority* to rule on email, PCs, or—for that matter—VoIP that doesn't wind up entering the wired telephone network. It doesn't have that authority now, it never has had, and it never should have. What "sustained national conversation" is needed?

ALAWON, ALA's Washington Office Newsline, distributed a single-topic issue on May 6: "Court rules for libraries, consumers in broadcast flag case." Two key paragraphs:

> The decision is being hailed as a significant step towards restoring the rights of consumers to make lawful copies of digital content. "This is a big victory for consumers and libraries," said Emily Sheketoff, executive director of the American Library Association (ALA) Washington Office, representing the petitioners in the case.

> "The broadcast flag seriously undermined the rights allowed nonprofit educational institutions under the TEACH Act to distribute digital content over the Internet for distance learning purposes. It even imposed restrictions on how consumers are able to use digital content in their own homes. We are happy the court has

restored the rights of libraries and consumers by ruling that the FCC does not have the right to mandate technological copy protection," Sheketoff added.

The Information Technology Association of America (ITAA), an association of 380 corporations providing "global public policy, business networking, and national leadership to promote the continued rapid growth of the IT industry"—what you might think of as tech lobbyists—also "endorsed" the ruling, with this quote from ITAA president Harris Miller:

> "We believe the marketplace, not federal regulators, is the best arbiter of technology standards… Congress never intended the FCC to be the Federal Technology Commission. Just as video recorders and DVD players have created substantial new markets for motion picture producers, we believe that copyrighted digital broadcasts will build substantial new markets and new business opportunities for a wide range of copyright owners."

An entirely pro-business stance—but that's ITAA's business. It's useful to recognize that the broadcast flag harms business as well as citizens and libraries.

Finally, for this scant selection from the massive outpouring of commentary, the Special Libraries Association (also one of the petitioners) issued a press release with this quote from SLA's Executive Director Janice Lachance:

> "This would have had a monumentally detrimental effect because it would have stopped the flow of digital information to people who have the right to use and share it… It would have prohibited librarians, archivists, and educators from legally sharing digital works."

Later, Lachance argues the need for balance—although her cry for "those of us with an interest in providing legal access to information" and "those who seek to protect intellectual property and compensate owners" to "work hand-in-hand to ensure balance" seems a bit other-worldly.

As to the ruling itself, it's readily available on the internet. It runs 34 pages in PDF form, neither an unusually brief nor an unusually long decision. It's well written, but I don't find a compelling need to quote huge chunks of it. Judge Edwards wrote the decision and pretty well takes the FCC's stance apart piece by piece—and thoroughly dismisses the MPAA's attempt to derail the proceedings by claiming that ALA and the others lacked standing.

Standing

The standing issue turned out to be interesting. Judge Sentelle seemed somewhat eager to dismiss the chal-

lenge on that basis, but in the end concurred with the decision. The FCC itself didn't raise standing as an issue; MPAA came along *after* the oral hearing and claimed that the petitioners would not be *specifically* harmed by the flag. I think of this as the "smog defense": "Hey, the broadcast flag's going to screw *everybody* except us—why should librarians be able to complain about it?" The smog defense doesn't work in general, and it didn't work this time.

ALA and its allies provided a baker's dozen of affidavits demonstrating specific harm to their members and a 17-page supplemental brief stating the case. Just two of the specific injuries:

➢ Vanderbilt University is a member of ARL (one of the petitioners). Vanderbilt's Television News Archive (more than 40,000 hours of TV news broadcasts) provides a range of services to on-campus computers and library subscribers over the internet. "The Flag would foreclose this type of use for broadcast news programs. Indeed, the Flag would foreclose such uses by any library or archive seeking to provide news-broadcast material copied pursuant to the specific exemption in the Copyright Act for this activity."

➢ North Carolina State University Libraries—another ARL member—helps its faculty to use clips of broadcast shows available for distance learning students, a use protected by the TEACH Act. Because distance learning takes place over the internet, "the Flag will prevent this educationally beneficial activity."

I found one or two of the examples somewhat unconvincing (such as EFF's capture of a five-minute portion of a high-def broadcast of *Lord of the Rings* to be used to "test the capabilities of PVRs"), but on the whole it's an impressive list of specific injuries beyond those everyone would suffer if the broadcast flag went into effect.

The court found this convincing. The ruling specifically notes NCSU Libraries' activity and notes that the FCC does not dispute the legality of NCSU's current practices. Quoting from the ruling, "if the regulations implemented by the *Flag Order* take effect, there is a substantial probability that the NCSU Libraries would be prevented from assisting faculty to make broadcast clips available to students in their distance-learning courses via the Internet." Standing by an association requires three tests, and there was no argu-

ment as to the other two (the association seeks to protect interests germane to its purpose, and neither the claim nor relief requires the participation of an individual member). The third is that *at least one* of the association's members has standing; thus, NCSU was enough.

MPAA made the strained argument that injury suffered would be "due solely to the independent…decisions of third parties not before this Court"—essentially, that there's no injury because some manufacturer might someday be able to gain approval for technology that would meet broadcast flag requirements and still allow NCSU to do what it's doing. "Thus, under MPAA's view, redress for petitioners must come from the hardware manufacturers, not the FCC. This is a specious argument.' That seems clear enough.

A Little Background

The first mention of the Broadcast Flag (or *a* broadcast flag) in *Cites & Insights* was in November 2002 (2:14), citing an August 2000 *EMedia* news report. Even back then, there was a claim that the proposal represented an "agreed" solution between Big Media and consumer electronics companies to protect digital TV—but the agreement came from closed discussions, and the Consumer Electronics Association and many others involved denounced it immediately. CEA was worried about tens of millions of existing DVD players that wouldn't play new "protected" DVDs (with Hollywood adamantly opposed to grandfathering the players); even then, it was clear that the flag would make existing digital TV somewhat obsolete and possibly useless. Big Media always had its friends in Congress: Rep. Billy Tauzin (R-Louisiana) drafted a DTV bill that not only included the broadcast flag but also mandated that digital TVs *not* include analog output—so you wouldn't be able to record from them even to VCRs and standard-definition DVD burners.

I discussed the flag in four 2003 issues: January, March, Spring, and August. In January (3:1), I devoted a PERSPECTIVE to the flag, suggesting it was "CBDTPA reborn" (if you don't remember CBDTPA, it was an extreme proposal for technological lockdown that went nowhere) and noting that it was being proposed as an FCC rulemaking because Congress wasn't moving fast enough. In March (3:3), I foolishly suggested that the broadcast flag was "probably dead in the water" because *no* copyright law seemed likely to

pass that year—forgetting momentarily that the flag was an end-run around Congress. Spring (3:5) saw a five-page Copyright Special on the flag, this time calling it "Hollings Lite?" (another reference to CBDTPA and similar abusive legislation from Senator Fritz "Hollywood" Hollings). That essay notes that Howard Berman actually worries that the FCC rulemaking might not be tough enough—that it might recognize some fair use rights; it also recounts the results of some attempts to post sizable digital video files on the internet—an amusing set of attempts. The August mention was an extended citation, a comment on a May 2003 *EMedia* article on the broadcast flag. This article was very much pro-flag—and referred to an "unpleasant chapter in digital entertainment: the audio CD debacle of the early 1980s." Unpleasant, that is, to Big Media hardliners—CDs don't include copy protection and can be used in all the ways provided by First Sale and Fair Use doctrines. The flag would stop all that.

The flag rulemaking happened in November 2003; I was a bit late in discussing it, but tried to make up for delay. The April 2004 *Cites & Insights* (4:5) was *entirely* devoted to the broadcast flag—20 pages worth—including the rulemaking itself, various commentaries, and why you should care. That issue wasn't one of the more widely downloaded issues in Volume 4—just over 1.800 unique downloads, as far as I can tell—but that may be misleading. I believe the entire issue appears on at least one other website, which is perfectly legitimate given *C&I*'s Creative Commons license. I'm guessing that many library readers of *C&I* still didn't care enough about the broadcast flag to read that much about it, and that's also understandable. Naturally, I recommend that issue (and perhaps the essays in 3:1 and 3:5) if you want to get up to speed on the broadcast flag. In an October copyright roundup (4:12), I devoted roughly two pages to the situation, beginning "So far, there's no sign that either a court or Congress is ready to step in and block the FCC's outrageous power grab, the Broadcast Flag…" and going on to note proposals for digital radio broadcast flags and Disney's recommendation that *all* music distribution platforms should be locked down as a matter of government policy. (That commentary also mentions the AHRA, the home recording act that imposed a royalty on digital recording devices and media in return for forbidding copyright infringement suits for home recording—and RIAA's

attempt to deny the agreement based on exotic notions such as that AHRA only covered *tape* recording. Sometimes, you have to read the arguments made by Big Media to believe just how extreme they can be.)

Fortunately, the courts did act. As noted first in January (5:1), the suit was scheduled for oral arguments in February. Spring 2005 (5:5) includes a four-page discussion of the briefs and commentaries related to that hearing, ending with Susan Crawford's believe that "this court wants to find standing. Once this legal threshold is in place, the court can walk right in and declare that the FCC had no jurisdiction to adopt the flag rule." I don't know whether that was prescience or just first-rate analysis; I should note that there are lots of Crawfords in the U.S., that I've never met Susan Crawford, and that I know of no relation. Other than that we both care about the broadcast flag.

In Closing (for Now)

Remember the first word in "broadcast flag." This was never about protecting pay-per-view material or premium cable or preventing redistribution of a DVD or a CD. The material in question has been *broadcast*—over the airwaves that the U.S. government provides *for free* to a group of highly profitable businesses.

That material has already been paid for. The presumed intent is for it to reach the widest possible audience. It's called *broad*casting, not narrowcasting or restricted transmission.

Ever since the Betamax decision, we've assumed we had the right to watch broadcast TV as we see fit—delaying it, watching it over again, even (gasp!) fast-forwarding through commercials. MPAA hated Betamax, with Jack Valenti predicting it would strangle Hollywood. Quite the opposite happened—but Big Media has never given up its attempts to assert control over every use of its products, *even after those products have been broadcast over the airwaves*.

You can support copyright protection and still find the broadcast flag extreme, even reprehensible. You can support *strong* copyright protection and understand that the flag goes way too far. I do not believe that you can support the broadcast flag, or any variation of the concept, and claim that you believe in balanced copyright or in citizen rights.

The broadcast flag would injure every library and librarian, directly or indirectly. For now, it's dead. Let's hope it stays that way—and here's to Public Knowledge, ALA, ARL, SLA, AALL, MLA, the Consumer

Federation of America, Consumers Union, and EFF. They fought against this unreasonable regulation (and FCC power grab), and they won. At least this round.

It's rarely that simple…

I completed this PERSPECTIVE on May 12. Checking Bloglines the next morning, I found several posts referring to another act in this long-running drama. Apparently, MPAA's been shopping around a proposed Congressional act "to ratify the authority of the Federal Communications Commission to implement a Broadcast Flag." Here's the key additional subsection to the FCC's authority:

> Have authority to adopt regulations governing digital television apparatus necessary to control the indiscriminate redistribution of digital television broadcast content over digital networks.

The proposed law would also explicitly ratify the flag ruling itself.

Public Knowledge's Gigi B. Sohn responded, "This language is more sweeping than even the FCC contemplated. It would give the Commission unparalleled new power over the development and use of digital and analog consumer electronics technology. It empowers the FCC to approve technologies that prevent currently used video cassette recorders (VCRs) from working, and would allow the FCC to shut off every TiVo in every home today. Clearly, we hope Congress will reject this big-government, anti-consumer approach." (Quoting from Ernest Miller's *The importance of…* weblog)

Cory Doctorow entitled his *boingboing* post "Broadcast Flag back from the dead" and called the proposal "shockingly broad and badly conceived," noting that MPAA was apparently out to "find a Congresscritter so fantastically, suicidally stupid that s/he will actually set out to break America's televisions." The post goes further, noting that the language of the bill would allow the FCC to try to plug the "analog hole" and would make the FCC "an entity that will have to regulate every single contractual relationship between every single digital television tech supplier, and every device that can be used to receive a digital TV signal, which means every PC."

A *New York Times* story on May 9, 2005 was nicely done and included quotes that would be astonishing if they weren't so typical. The lead's a fairly brash "calling their bluff" comment: "Broadcasters have long threatened to withdraw their high-definition digital programs from free, over-the-air TV unless those programs could be protected from piracy. A ruling by the United States Circuit Court of Appeals on Friday could give them the opportunity to make good on those threats." The word "piracy" is unfortunate, if typical—and one wonders how you can "pirate" something that's been broadcast over airwaves for free. Never mind. The story goes on to say that advocates of the broadcast flag will try for Congressional legislation, notes that it would take about 24 hours to send a one-hour HDTV show over the internet (probably an optimistic figure), and includes a typically absurd quote from Richard Cotton of NBC Universal: "The challenge you put in front of content owners is, 'What can they afford to have completely and easily stolen?' You could imagine a huge migration away from broadcast TV." But *they've already been paid for the content*—otherwise, how would it be broadcast? Of course, an MPAA spokesperson plays the usual role reversal: "We're concerned, because if proper protection is not in place, consumers could lose content." That's Big Media: Always looking out for citizens—er, consumers! (One interesting note in a correction to the article: Thomson, which owns the RCA brand name, doesn't actually produce RCA TVs—those come from a joint venture with a Chinese company, presumably meaning Chinese production. Ah, the great old American brand names: At least you *know* Apex is a Chinese manufacturer!)

The broadcast flag story isn't over. I suspect no sane politician will embrace the notion of "breaking all the TVs" and "shutting down the TiVos"—but you can never tell.

Net Media

First, a topic I don't plan to follow—at least for now: "Folksonomy." I've used the "IANALibrarian" excuse in one email conversation, and that's partly valid. I don't have enough background in how thesauri and other taxonomies and controlled vocabularies should work to feel confident in addressing the relative virtues of different systems. So far, I haven't felt the need or had the time to become involved with tagging or any of the tools that appear to support Folksonomy, and I'm not entirely sure that I really understand the whole area. I am reasonably sure that Folksonomy and professional taxonomy can coexist, just as MARC and XML can coexist, but that's another discussion.

If you don't buy the IANAL excuse, here's an-other: No single source can cover everything, and this particular area just doesn't resonate with me. Which is not to imply that it's worthless or uninteresting or un-controversial. You haven't seen a diatribe against Folk-sonomy in TRENDS & QUICK TAKES, as you might if I thought it was just another silly neologism. I mostly think it's complicated enough, and far enough outside my comfort zone, to leave alone for now.

That's true for "social software" as well, at least as a general topic. I read *Many2many*. I print off the oc-casional Clay Shirky essay: You can find lots of lengthy "writings about the internet" at www.shirky. com/writings/. I have gone through some of those es-says marking passages I want to cite or argue with. And I'm going to pass for now.

More Wiki Wackiness

No big roundup or overall perspective this time. Just a few items, not including one response to the McHenry article that—well, I couldn't provide a coherent com-ment without mentioning paranoia, so I skipped it.

Meredith at *Information wants to be free* thinks "2005 will be the year of the Wiki" and discusses them in a good, brief essay posted February 2, 2005 (meredith.wolfwater.com/wordpress/). Meredith offers a definition of wikis from Ward Cunningham, who started the first one nine years ago, and notes virtues and drawback of the form. (Meredith also compli-ments my essay on the Wikipedia controversy; that's not why I'm mentioning this piece.) Meredith notes some of the other uses for wikis—sharing information in a professional environment, workgroup tracking, etc. Ready reference via a controlled-contribution wiki? Seems like a natural. Meredith ends:

> If I had to predict anything tech-wise for 2005, it would be that many more libraries are going to start using wikis administratively. I love the concept of the Wiki and I think it has many useful applications in the library and technology world. However, I think the Wiki's greatest strengths can sometimes be its greatest weakness, and I don't think it is effective in every setting. I look forward to seeing what develops this year in the wacky Wiki world!

"Mr Ed" at www.hacknot.info posted a longer, nega-tive piece on February 18, 2005: "Wikiphilia—the new illness." He defines Wikiphilia as "A mental ill-ness characterized by the irrational conviction that any problem faced by a group can be rendered solv-able through installation and use of a Wiki" and goes on to expand that definition. Mr. Ed notes the fea-tures/benefits of a wiki, then says, "The downside of the Wiki's flexibility is that it doesn't support any par-ticular application very well." He goes on to note is-sues in the community aspects of wikis that can lead to problems.

To the extent that some (by no means all) wiki users and advocates treat wikis as universal solutions or are involved in the "hokey spiritualism that has developed around it," there's a problem. In unregu-lated communities where no reasonable editorial con-trol can be maintained, a wiki can take on the nature of the worst discussion lists and sites such as /. For many jobs, a wiki may be a workable tool, but some other tool may be better.

Given all those points, I don't see the inevitability of Mr. Ed's conclusion, which is that the whole con-cept is a "retrograde one." It seems clear that wikis are effective tools for some jobs in some communities with some budgets. Sure, "it's in our own interest to choose tools that best facilitate the task at hand, rather than allowing ourselves or others to be drawn towards lesser alternatives simply because of their novelty value." I don't believe all wikis exist because of nov-elty value; I believe that in many cases they represent the most cost-effective, effort-effective way to get something done. (But what do I know? I don't run any wikis.) Steven Cohen of *Library stuff* (who pointed me to Mr. Ed's paper) does not trash the criti-cisms (in a February 22, 2005 post). "I love working with wikis, but do understand that there are draw-backs. Wikis work well in small, closed environments, with an interactive participatory audience."

Getting back to Wikipedia itself, *Wired* ran "The book stops here" in its March 2005 issue (www.wired.com/archive/13.03/wiki_pr.html). Daniel H. Pink's article offers some balance and intriguing details, but at the end does exactly what you'd expect from Wired: **New, better. Digital, best**. Somehow, Wikipedia being free is "more important" than whether it's as good an encyclopedia as *Britannica*. Then there's this comparison of "traditional" encyclo-pedias and Wikipedia: "The One Best Way approach creates something finished. The One for All model creates something alive." But every contemporary en-cyclopedia goes through a continual updating and editing process; in most cases, certainly including *En-carta* and *Britannica*, some or all of the results of that process are available online. Still, an interesting arti-

cle, once you recognize the source and the set of biases that source implies. (I'm not sure I want to know that one contributor has made "more than 16,000 contributions" to Wikipedia since 2002—or that another, with 40,000 additions and revisions, is the fourth most prolific Wikipedian! I would say "Get a life" but these people clearly *have* lives: Wikipedia.)

Alain Vaillancourt commented on the Wired article in a Web4Lib posting (March 3, 2005), noting the article makes the "usual absurd" comparison of *Britannica*'s 80,000 articles and Wikipedia's half-million "articles" in its English version—and that the article fails to note how skewed Wikipedia's coverage is.

danah at *Many2Many* (March 6, 2005) is bothered by the lack of known authorship in Wikipedia entries, and notes that the same problem arises in some other encyclopedias and dictionaries. She's more bothered by hype around Wikipedia than the project itself—"the assumption that it is the panacea." She also says, "It has great value, both as a tool for information and as a site of community. But there are limitations and I believe that the incessant hype is damaging to being able to situate it properly and to recognize its strengths and weaknesses." A few days later (March 9), Clay Shirky offers his thoughts on the subject in "One world, two maps"—and you need to read that one yourself if you're interested. Shirky starts out with a "two kinds of people" model that immediately puts me on guard: "People with two kinds of maps of the world—radial and Cartesian." "Radial people assume that any technological change starts from where we are now… Cartesian people assume that any technological change lands you somewhere—reality is just one point of many on the map." I've left out too much, but I find the whole comment befuddling and not particularly enlightening.

Actually, I do think I know what Shirky's getting at: Some people focus on the journey while others focus on the destination. As you might expect, Shirky says Wikipedia is "better, and sustainably better, than what went before"—not just different but better (and it's "cool" as well). Maybe I'm just one of those people who is uncomfortable dividing people into two sharply different groups.

Looking at these notes and the rants I chose to omit, I'm struck that much, perhaps most, of the problem with Wikipedia and wikis in general comes from two sources:

➢ The need to have a zero-sum game: Wikipedia can only win if traditional encyclopedias lose. For those of us who see Wikipedia and "authoritative" encyclopedias as fundamentally different constructs, this is absurd—but not, I suspect, to Wikipedia's founder and most of its zealots.

➢ Pure hype, wikis as the best solution to whatever problem you might have. If it turns out badly, you didn't understand it well enough.

Weblogs and RSS

What really happened at the Blogging, Journalism and Credibility Conference? I've read notes and comments from several participants, most of which leave me more confused than ever—particularly regarding the only reasons I care about the question. That is, why was ALA a cosponsor of this conference, how much did it cost ALA, and what did my professional association get out of it?

Jon Garfunkel posted his thoughts at his *Civilities* weblog on January 28, 2005 and before (civilities.net). The January 28 posting deals with inclusiveness at the conference (at which Garfunkel was an observer). It's an interesting post, beginning with Garfunkel's assumptions:

➢ "[T]he conference was meant to affect only the people that wanted to be affected by it…"

➢ "[F]unctional proxies may be more important to diversity than identity proxies. A black woman may not be expected to be able to speak for all black women, but a librarian who speaks for library users should be seen as...credible for that is her job."

➢ "[W]hile there are many strands [of] diversity to aim for, some…are more critical than others for [a] given situation."

Right up front, I wonder about the example given for the second assumption. Only one librarian/weblogger was at the conference—and she no longer works in a library. Is it truly the job of one librarian to "speak for [all] library users"? Does a journalist speak for all newspaper readers? (Garfunkel's "Gatekeepers" series has concluded; more on that in a future issue.)

As for diversity, Garfunkel says the conference was weak on "people of color" in general and was roughly three-quarters male—and only one of the "dozen or so dominant voices" was a woman. Most attendees were "professional knowledge workers"—

people who inherently have some time to blog—whereas, unsurprisingly given the tenor of big-name blogs, conservatives were (shall we say) not left out in the cold. Mostly, the conference was dominated by bloggers: "What was missing mostly was outsiders—skeptics of blogs, cultural critics, community activists—who could consistently and reliably respond to some of the myths and assertions being made." That's the sense I've picked up from all the coverage I've seen. Thus Seth Finkelstein: "I think the issue which some critics are exploring is that the speaker's list, overall, doesn't seem to have anyone who has to **struggle** for credibility."

The "dominant woman," Rebecca Mackinnon, excerpted some comments for a piece in *The Nation* on March 17, 2005 (www.thenation.com). Reading those comments, I see little to intrigue or interest me, with the possible exception of Karen Schneider's sensible note that many people can't be expected to "recalibrate their BS detectors" for the blog world, as Dan Gillmor presumes they should. Summing up—I don't know what really happened; ALA hasn't told me why it was worth their sponsorship or money; but I'm sure the privileged few who were invited enjoyed themselves. Good for them.

Blogging and RSS miscellany

A handful of brief metablogs (blogging about blogging) and other commentaries about blogging and RSS struck me as particularly worth noting (chronologically). Rushton Brandis posted "Blog the web with RSS: Is it really simple syndication?" at WebJunction (webjunction.org) on February 1, 2005, as part of WebJunction's ongoing "emerging technology" theme. It's a fast set of items to consider for reading and writing blogs, specifically library blogging—although once you follow all the links that flesh out what's here, it isn't that fast. I'd take some of it with a grain of salt, for example one claim for the death of an alternative medium in the fifth "reading blogs" point. Still, **worth reading** as a quick introduction for a total newbie.

If you want a truly quick and painless introduction, not to blogging but to easy syndication, go no further than Joy Weese Moll's February 10, 2005 essay "Bloglines for librarians in three (and a half) easy steps," joy.mollprojects.com/blog/projects/quickrss.html. "These three easy steps offer no choices, no background, and no reasons why. Just a fast way to get in the game." She's not kidding: If I'd had this handout earlier, I might have signed up for Bloglines

earlier. **Great stuff**, with or without the "QuickLibrarianSetUp" link to populate Bloglines.

Meredith at *Information wants to be free* (meredith.wolfwater.com/wordpress/) posted "Good tips for beginning bloggers" on February 20, 2005. Meredith starts out with refreshing candor: "Starting a blog can be intimidating." Meredith goes on to suggest that you figure out why you're blogging, which may help you narrow the focus of your blog (or broaden it, if that's appropriate). The post points to one list of "don'ts" from Dennis Kennedy and a list of "dos" from B.L. Ochman—the latter a list that I printed for commentary, but chose to ignore because its advice stresses marketing over content. Meredith also quotes Jessamyn West and offers a good wrapup. **Worth reading.**

Jane at *A wandering eyre* (wanderingeyre.blogspot.com) has "Blogs: Defined and discussed" on February 21, 2005. After offering a caveat that these are strictly her opinions, she offers her own definition of blogs, excluding those that offer hyperlinks without commentary. She's most interested in "why I think blogs are a new form of discussion, especially in regards to the library profession." She considers blogs with comments as "glorified discussion boards" (but with one person initiating all the discussions)—but also considers blogs without comments to play "a key role in discourse" because other bloggers will discuss the posts. What starts out as a single post may become a discussion across many blogs. I've pontificated on this subject at more length than a weblog should support (*C&I* 5:4, p. 8), but I found new insights from Jane's comments.

Steven Cohen doesn't believe in information overload and that flavors his response to another weblogger in the March 7, 2005 *Library stuff* post "Are you becoming a slave to your RSS reader?" (www.librarystuff.net). Cohen reads **400+ feeds**. It takes him about 2 hours to get through it all. "I then spend 1 and a half hours writing to my blog (if I don't have other work to do…")" I'm impressed that anyone has that much time to spend on weblogs, but for Cohen it's become a profitable avocation (check out the rate card for the blog—I'm impressed and a little envious). He also offers **excellent advice** on keeping your aggregator under control so it's serving you, not vice-versa. "You know which feeds aren't working for you. It's a feeling, not a science." I know. Two key unsubscribes in early April (neither from the library portion of my Bloglines list) made all the difference for

me during a period when I could ill afford even 15 minutes twice a day to check postings. In a related April 12, 2005 post, Cohen notes the only plausible solution to "information anxiety"—that is, feeling that you should deal with more information than you can deal with comfortably:

> Last week, someone told me that they feel they can't keep up with all of the trends on the web. Geez, what an impossible task. Nobody can do that. I told her to pick a few trends that she was interested in and follow those.

You can't follow everything. You probably can't follow everything even within one area—for example, I don't even pretend to follow all copyright-related happenings. It's useful to be reminded of that now and then. Most of us need to find comfort levels and trim our information flow to fit within those levels.

Here's one I'd **approach with some caution**: "It's not dangerous," posted at www.tbray.org on March 8, 2005. The brief essay notes people who have been fired for blogging and says, "[I]t's all a bunch of BS. For most people, blogging is a career-booster, both in your current job and when you're looking for your next one." The essay goes on to offer "Ten reasons why blogging is good for your career." Some of them may be fine. Some are questionable generalizations: "Bloggers are better-informed than non-bloggers." One I find particularly bothersome: "It's a lot harder to fire someone who has a public voice, because it will be noticed." That smacks of "You wouldn't dare fire me," which is a bad basis for a healthy work life.

I'd also be **a little cautious** about "How to blog safely (about work or anything else)," posted April 6, 2005 by the Electronic Frontier Foundation (www.eff.org/Privacy/Anonymity/blog-anonymously. php). The URL offers half of EFF's advice: Blog anonymously, which the essay spells out: Use a pseudonym and avoid identifying details; use anonymizing technologies; limit your audience (e.g., by using a service such as LiveJournal where you can require passwords for readers); and "don't be Googleable." But if you follow all those steps in order to "blog about your terrible work environment" safely—which requires hiding the identity of your employer as well—why bother to blog at all? Why not just write your rants, print them out and shred them? You'll have just as much impact and you won't have to go to all that trouble. I can't imagine much drearier pastimes than reading complaints from an unknown person about

an unknown work or other situation. What's the point? The second half, "Blog without getting fired," points out that the First Amendment protects your right to speak—but doesn't shield you from consequences of speaking. The section notes five areas where you may have some protection: political opinions, unionizing activity, whistleblowing (if you follow the proper channels), reporting on government work—and, in some states, *maybe*, writing about off-duty activities.

Blake Carver posted a stunning series of essays in his LISNews journal (www.lisnews.com/~Blake/journal/), including "What Gorman got right," posted March 22, 2005. He offers several bullets—good points Gorman made "that might help us be better writers." I can't resist quoting the phrases—but you need to **read the whole thing**: "1. Bloggers ain't editors… 2. Blogging is not always scholarly… 3. We are boosters and hopeful… 4. We do move too fast… 5. Some of us are fanatical digitalists… 4. We are quick to judge and criticize… 5. Our writing tends to be short and emotional… 6. Sometimes we only need random facts and paragraphs…"

A longer piece: "Delivering the news with blogs: The Georgia State University Library experience" by Teri Vogel and Doug Goans, which either has been or soon will be published in *Internet Reference Services Quarterly*. I read a preprint (boldly splashed across every page), 31 double-spaced pages. It's a charming, well-written, interesting article. Georgia State is using weblogs as an alternative to library newsletters, and seems to be doing it well. **Worth reading**.

Audio Blogging

Call it "podcasting" if you must. "Podcasting" with its use of MP3 as a delivery mechanism is different from audio blogging, which can use streaming audio. In his March 3, 2005 "Let's write about audio," Greg Schwartz at *Open stacks*—one of librarydom's premier podcasters—offers some of his opinions on podcasting (openstacks.net/os/). He defines it narrowly: "An audioblog is just an audioblog until I provide a RSS 2.0 feed that handles enclosures. Then and only then do I have a podcast, or as I prefer to say, I have an audioblog that I make available via podcast."

He finds lots of possibilities inherent in podcast delivery, from one-minute posts recorded over cell phones to "two-hour slick production[s] with commentary, live performances, and interviews." He

started doing podcasts partly because he's a perfect audience for them (long commute, iPod, ready to listen to something other than radio) and didn't find much library-related audio content. So he started doing it himself. I haven't heard his podcasts, because I don't have a long commute or an iPod, and I don't have attention time to listen to podcasts in general: You can't skim audio the way you can skim weblogs. What I love about this post, besides some down-to-earth history of how he got going with his shows, is its ending—a "distillation of my opinions…in the ever-popular guideline format." To quote in full, because it's all good:

> ➤ "If you provide regularly-updated textual content, provide an RSS feed.
> ➤ "If you provide regularly-updated media content, audio/video/whatever, provide a podcast feed.
> ➤ "Don't provide regularly-updated textual content if it doesn't work for you or your organization.
> ➤ "Don't provide regularly-updated audio content if it doesn't work for you or your organization.
> ➤ "Only consume as much regularly-updated textual and/or media content as works for you.
> ➤ "And most importantly, don't let a crazy, nonsensical, rambling librarian tell you what works (or doesn't) for you."

With the caveat that there are other kinds of "regularly-updated textual content" than weblogs—one of which you're reading right now—I can only add that I suspect I'm missing something by not listening to Schwartz' podcasts. Maybe I'll find the time one of these days.

Schwartz' post is in part a response to Michael Stephens' "TTW on podcasting," posted March 3, 2005 at *Tame the web* (www.tametheweb.com/ttwblog/). Stephens seems to have mixed feelings—not about the technology itself but about its universal desirability. "Frankly I see the application of syndicated audio content as more useful to libraries than to individual librarians who blog"—going on to recognize the niche represented by Schwartz and one or two others. He also says podcasting is "not blogging…it's broadcasting." That's tricky: Assuming podcasts are offered in reverse chronological order, they're as much blogging as any weblog that doesn't allow

comments (otherwise known as "serial publishing"). Stephens hopes all his favorite bloggers don't convert solely to audio content. I doubt that's a danger.

"I would rather see libraries make promotional and information audio content available when the format suits the content." What a notion: Use audio when it's appropriate—and don't sign up for podcasting just because it's the Technology of the Week.

Going outside the library sphere, we have "Why I'm not smoking the podcasting dope," posted by Darren Barefoot on March 30, 2005 on *darrenbarefoot.com* (prepend a www.) and some of the reactions to that relatively brief entry. Barefoot is skeptical about podcasting. "I'm skeptical about who's doing it, who's going to do it, and who's going to listen to it. In short, I don't think podcasting is going to get very far into the mainstream." He offers his reasoning in a "kind of rhetorical discussion" with headings offering his version of the pro-podcasting themes, followed by his responses. To "It's still early days" he says it's not: Mainstream radio is busily packaging radio content for portable-player consumption. That's certainly true; Audible.com alone offers (I'm told) a wide variety of radio-based content. "It's just like blogging—we're adding a zillion voices to the long tail."

Barefot thinks podcasting has a short tail because you can't compress the experience (you can't skim a half-hour podcast in three minutes), less than half of North America has broadband access (and the fraction with portable digital players is smaller than the hype suggests), and lots of people don't have commute time for podcast listening. "Anybody can do it." Wrong—you need equipment, knowhow, and preferably a good voice. "There's a large willing audience." But radio listening appears to be declining. "Podcasting is revolutionary." Yeah, right. "That's what people said about FM radio in the sixties and seventies."

Barefoot just doesn't think podcasting "is going to have the legs that blogs have had"—but "I'd be glad to be proven wrong." I don't have a horse in this race—but when libraries are being encouraged (urged?) to produce podcasts, I wonder if they're also being encouraged to track whether those podcasts find real audiences. Maybe they will, and maybe those audiences will include potential library supporters. I don't know. To be sure, podcasting can still be relevant and useful even if it never becomes mainstream or revolutionary—and it's clear that Barefoot is not opposed to podcasting when it makes sense.

I'm in an odd position here. As some who've met me can attest, I *do* have the voice for podcasting. For a long time in my youth I wanted to be a DJ, since ethics prevented me from becoming a revival preacher. What I don't have: The equipment, the chops to put together a coherent show, or the belief that I could communicate as well aurally as I do in text.

The post drew loads of comments: 14 pages on a 2.5-page post when I printed it off, and they may still be coming in. Some agreed—and in some cases noted that podcasting still fills niche needs, particularly for public-transportation commuters. (One comment, noted only by the first name "Greg," *has* to be from Schwartz: He "misquotes" Ranganathan, something very few non-librarians would do!) One good comment, which doesn't denigrate podcasting: "Podcasting is essentially ham radio for the 21st century."

One commenter, Charles, offered an interesting new insight: "Podcasting is for control freaks… Podcasters are basically laying down a linear stream of words that you cannot skim, you must take it in exactly the linear order that it is presented, or not at all." By comparison, he goes on, writing and reading are nonlinear activities. "Podcasting goes against everything the Web stands for. It demands that the user take things exactly as the podcaster presents it…" Naturally, one commenter said, "You need to stop looking at this with 'I don't like this technology so it is no good' mentality." That's not what Barefoot did: He posited that podcasting would not be revolutionary or as important as blogging, not that it was "no good." Other commenters accused Barefoot of saying that "It's all crap," which he didn't.

Shel Holtz wrote an April 4, 2005 rejoinder to Barefoot's essay that's twice as long as the original (www.webpronews.com/): "Is podcasting for real?" Holtz addresses each of Barefoot's major arguments—sort of. Mostly, he makes fun of Barefoot. The real-time issue isn't an issue because "people will prioritize." The audience limitations don't matter because things will change. Holtz listens to "about 15 podcasts" despite no commute—but he listens "on flights" and "when driving to clients" (like a commute, but different—and, of course, *all* of us fly frequently and spend lots of time driving to clients). The linear stream response is "So what?" And, Gaia help us, there's another neologism: "podcatching software" to get podcasts on your player. Need I mention that Holtz does podcasts—and runs an operation that "fo-

cuses on helping organizations apply online communication capabilities to their strategic organizational communications"?

Dave Slusher at *Evil genius chronicles* also responded with "Smoking the blog crack" (www.evilgeniuschronicles.org/) on April 5, 2005. He's surprised that the "blog drum-beaters" aren't pushing podcasting as hard as they push blogging, particularly because of their reasons (which boil down to the impossibility of skimming audio content). He concludes that some "hardcore blog purists" really believe only in "citizen created typing" rather than "citizen created media." He says these purists consider podcasting "heresy"—which, again, is reading an awful lot into Barefoot's mild-mannered skepticism. (Hmm: Mild skepticism regarded as outright bias and antagonism. Where have I heard that before?) Slusher sees "closed mindedness and complete absurd literalness." And, apparently, his extreme interpretation of what Barefoot actually wrote caused him to call Barefoot a name I can't repeat in this family publication. Can't we all just get along?

My bottom line: I don't currently listen to podcasts because I don't have much of a commute, I watch old movies while I'm on my treadmill, and I don't listen to audio—specifically not spoken word—while I'm writing or reading. The medium just doesn't work *for me, for now*. I believe it has some significant shortcomings as compared to text blogging for many people. On the other hand, it's clearly a good way for some people to express themselves, it clearly works for some people, and I applaud both sides of that equation. I saw nothing in Barefoot's essay (admittedly extreme in some areas) that says "Nobody should podcast, and nothing good can ever come of it." I saw skepticism. There is nothing wrong with skepticism, except to zealots.

A Few Words from Pew

The Pew Internet & American Life Project continues to issue new reports (www.pewinternet.org). This is a good thing as long as you filter for their cheerleading attitude and take survey results with a grain of salt.

I looked through *Artists, musicians and the internet* (December 5, 2004). It's an interesting study, but the "random" portion for artists is relatively small—and the definition of "artists" fairly broad (as it probably should be). 67% of Paid Artists think copyright owners should have "complete control over the use of that

work"—but only 30% of Paid Artists think that file-sharing is a major threat and half of artists recognize that "purveyors" benefit more from copyright than creators do. Only 5% of artists say downloading has hurt them. There's lots more. The Recording Artists Coalition immediately condemned the methodology and results, since their members are certainly deeply concerned about file sharing.

Another survey on *Search engine users* (January 23, 2005) finds a surprising lack of ability to distinguish between paid search results and others, and an unsurprising finding that half of searchers say they could go back to other ways of finding information. (Some will find that surprising. I don't.) Roughly half of those who say they use search engines—surprisingly, only 84% of internet users—use them no more than once or twice a week: That sounds about right for casual internet users.

Trends & Quick Takes
High-Resolution Audio

It's been around for five years, and it's never gotten very far. Or, rather, *they*—Super Audio CD (SACD) and DVD-Audio (DVD-A): the two contenders for CD replacement. Both offer higher resolution than regular CDs, high enough to satisfy even most CD-hating audiophiles. Both offer multichannel sound. I've written about them, together and separately, in the past. Your library quite possibly has a few SACD discs in the form of hybrid CD-SACDs, for example recent Rolling Stones and Bob Dylan reissues.

The latest twist in this ongoing story, DualDisc, offers a "sort-of CD" on one side and a DVD (DVD-Video or DVD-Audio) on the other. I've also mentioned it before. As with SACD, it's being introduced to the market as the *only* form for a few new discs. Unfortunately, it's not compatible with some CD players. (Recent promotions for DualDisc are careful not to call the music side a "CD" or "compact disc," given the differences—instead, it's a "full audio album.")

The latest twist is that Sony—or, rather, Sony BMG, the recent merger of two big record publishers—is releasing some DualDiscs. That's significant because SACD is Sony's creation—and DualDiscs *don't* include SACD as one of the audio options. Jon Iverson's news coverage in the April 2005 *Stereophile* notes that Sony is "apparently abandoning SACD" and that Warner, which had done more than any other major

label to push DVD-Audio, isn't releasing many new ones. "[T]he fifth anniversaries of SACD and DVD-A last fall looked less like birthdays and more like a DualWake (or DualDud, or DualDead…)."

Stereophile readers care about high-resolution audio. Most people likely to buy DualDiscs will be interested in the video side—and it's being marketed partly to compete with downloading. As Iverson's piece notes, the press announcement on DualDisc releases in February and March "made no mention of hi-res audio whatsoever."

One other aspect of DualDisc is pricing: Most releases carry roughly the same suggested price as regular CDs. "Are the record labels finally admitting that regular music CDs have been overpriced and are a bad value, or are they saying that the video and surround extras on a DualDisc are not really worth anything extra?" I'd suggest a little of both—but mostly an attempt to combat infringing downloading. At the same time, the prices may pose a problem for a music industry that wants to profit from legal, DRM-heavy downloads. Iverson says, "The music [industry] is in a fight for its life to prove to consumers that a compressed, compromised, DRM-laden audio track downloaded from the Internet—with no cover art, no disc, no videos, no surround sound, and no hi-rez audio—is worth at least 99¢, or around $12 for a typical album's worth of material. Good luck." I would add that $0.99 downloads *only* make sense when you don't want the whole album or more than half of it—and that most analysts now assume that CDs or their equivalents will continue to account for the bulk of most recorded music sales well into the future.

High-Resolution Video

Here's another high resolution: HD video, more specifically the high-density successor to DVD. Once again, there's a format war—this time with Sony and most electronics companies on the side of higher total capacity (Blu-ray), while a few companies and studios push HD-DVD (lower capacity, but cheaper to convert existing production lines).

The format war might or might not happen. As of January, announcements made an all-out competition seem likely. As time goes on, the picture may be changing. Should libraries care? Yes, because:

➢ If there's a single high-def DVD replacement, it will start having an impact in a few years. It won't be as fast as DVD itself, since only 10%

of Americans currently own HDTVs (and there's some sense that many of those owners don't understand high-def), but it will come.

➢ High-def DVD replacements can also store standard-definition video—a *lot* of it. One dual-layer Blu-ray disc can store the equivalent of five dual-layer DVDs. You could see an entire season of a TV show on a single disc.

➢ On the downside, Blu-ray may be more vulnerable to damage than DVD, given that the polycarbonate substrate protecting the data layer is one-sixth as thick.

David Ranada's "Home theater" column in the April 2005 *Sound & Vision* considers possible ways out of the hi-def DVD war. First, he notes that universal players are at least as likely for the two formats as for SACD and DVD-A (where you can buy a universal player for $250 or less). Ranada suggests that the nature of Blu-ray means you could produce a dual-format disc—a Blu-ray layer over an HD layer. JVC announced a Blu-ray/DVD combination; Cinram announced an HD-DVD/DVD combo—but as of that date, nobody had combined the two hi-def formats.

For regular users, the two announcements may have been more significant. If you can buy a disc at a reasonable price that includes the DVD you need now, but also includes a high-def version of the same movie, you might pay an extra buck or two for that future flexibility.

A May 10 Reuters story says that Sony and Toshiba are indeed talking about a unified format—one likely to be based on Blu-ray, but with software from Toshiba (prime mover in HD-DVD). Stay tuned.

OLED on the Small Screen

Those of you who love portable digital products should keep an eye out for a dazzling technology—not *new*, but apparently ready for prime time. Organic Light-Emitting Diodes are direct-display devices: Like other LEDs, they *emit* light (in various colors) rather than filtering it (like LCD screens). They're brighter, sharper, and have a wider viewing angle than LCD technology—and they use a lot less power.

According to an April 2005 *PC World* look at some new OLED devices, they also refresh faster than LCD so they're better at displaying video, and the best ones "can display nearly four times as many colors as equivalent-size LCDs can reproduce." Monochrome OLED displays have been around for a while. Full-

color ones are reaching market now. As a newer technology, they're inherently more expensive and "difficult to make" compared to mature LCDs, so you'll pay a little more. Current devices with full-color OLED displays include Creative's Zen Micro Photo media player and Ovideon's $600 Aviah; TMobile's Samsung P735 uses a monochrome OLED display for its outer screen, and MobiBlu's DAH-1400 MP3 player has a monochrome OLED display.

OLED may reach the TV screen, but not for a while—Samsung, a leader in the field, says it's several years away from mass-producing OLED TVs.

Longer-Lasting Batteries

Those who believe in wireless everything, all the time, everywhere have been frustrated that battery improvement isn't (and probably never will be) as rapid as electronics improvement. Chemistry doesn't follow Moore's law. But there are better batteries, for a price—both dollars and the environment. An April 2005 *PC World* writeup on Panasonic Oxyride *disposable* batteries shows them lasting twice as long as ultra alkalines for the same price. Lithium disposables last much longer—but they're a lot more expensive.

"Disposable" is tricky. While none of these batteries are as awful as nicad rechargeables when it comes to poisoning the environment, you shouldn't be dropping disposables in the garbage. (Where we live, the recycling program includes a bag for batteries.) If you're using something that chews up batteries on a regular basis—a heavily used music player or camera—you really should spend a few bucks and switch to rechargeables. Unfortunately, rechargeables don't work well in infrequently used devices (e.g., the portable CD player I use three to ten times a year): rechargeables don't retain their charges all that long.

Quicker Takes & Mini-Perspectives

➢ I continue to be bemused by the absolute assurance of some people that the Connected House, however you want to define it, is coming. Take Eric Taub's column in the April 2005 *Sound & Vision*. He went to CES 2005 and was wowed by all that stuff that "will be completely connected." Yep, there's the remote-control oven: You really will "use your laptop to call up the [oven] controls from the train…" and "tell the oven to switch to refrigeration mode when the food is cooked and

cool it until you get home." It "will all begin to take off in 2005." Including, presumably, that $3,000 internet refrigerator. "The Connected House *is* coming." Maybe. But not quickly—and certainly not uniformly. (Sometimes John C. Dvorak nails it—as when he went to the same CES show, picked up a Consumer Electronics Association pamphlet on "Five technologies to watch in 2005," and was baffled by "hybrid white goods"—which means smart appliances.)

➢ Microsoft may have a good idea in Windows XP Media Center Edition, its OS for PCs as hearts of home entertainment systems—but so far, people haven't flocked to the concept. According to the April 2005 *Computer Shopper*, only a million copies of the OS were sold in the first two years it was available (through October 2004). That's a million PCs, since you had to buy a new PC to get the OS—but it's such a small slice of either the PC market or the home entertainment market that it barely registers. Apparently the 2005 version is doing a little better, but only a little: 400,000 copies since October 2004. Microsoft wants Media Center to account for more than 10% of consumer PC sales. It still has a long way to go (and MS doesn't always get what it wants). I do see that Dell is including Media Center on some of its big-screen *notebook* PCs (as are some other makers); that may be a way to sneak the OS into more households.

➢ Larry Seltzer looks back five years at "the end of the world"—the Y2K scare—and draws interesting conclusions in a brief essay, "Five years after the end of the world," in the March 8, 2005 *PC Magazine*. His primary conclusions: "Don't believe everything the experts tell you, and be especially skeptical of worst-case predictions for technology." Seltzer argues that worst-case *planning* is rarely warranted. As it relates to PC technology, he concludes that as long as you have the normal security measures—which these days means firewall, antivirus software, and antispyware, all regularly updated—you shouldn't spend too much time fretting about vulnerabilities. He's probably right. (If you think Y2K wasn't

disastrous *because* so much money was spent on remediation, Seltzer reminds us that nothing much happened in the Third World, where there was little or no remediation effort. And it's good to be reminded just how ludicrously overblown predictions were, including Ed Yourdon's wrongheadedness.)

➢ I don't know what to make of much "mobile content," such as the stuff discussed in Steve Smith's "follow the money" column in the March 2005 *EContent*—like *Sports Illustrated* swimsuit model *phone downloads* for $2 each ("phenomenally successful" according to Paul Fichtenbaum—more than 1.1 million of them in less than six months) or Randy Nicolau's assertion of "the need for Playboy-style content on cell phones." To say nothing of ever-more-annoying $2 to $5 ringtones (if you can call these tacky little musicales "tones" any more), which serve a certain useful purpose as anger management systems: Every time one of these goes off, you get to practice the restraint of not grabbing the phone and stomping on it. Somehow all of this makes me sound like an old fogey, and feel like one too. Next time I'm nearly blindsided by some "driving" idiot fixated on a cell phone, will I feel better knowing he's contributing to the economy by paying $4.99 a month for ESPN Bassmaster, a fishing game?

➢ I marked Geoff Daily's "Epaper: the flexible electronic display of the future" in that same *EContent* for discussion somewhere—but I was so struck by the extent of unintentional metacontent within the article that I wrote a "disContent" column about it. Look for it in the September 2005 *EContent*—or, maybe, repeated here a year or three later. For now, I'll quote industry analyst John Blossom in one of the great English-language sentences of our time, as he explains why the "mass-produced publishing model for paper" is "dead": "In general, content is moving towards the proliferation of contextualized content objects that are most easily monetized when they flow into the venue where their value is most easily recognized by very specific audiences."

- Sometimes PC writers *do* care about audio quality—Bill Machrone of *PC Magazine* more than most (he has his own test equipment and modifies electric guitars as a hobby). His April 12, 2005 column talks about the "secret" in Apple's iPod shuffle: "Stellar audio performance"—particularly in the bass range. Not because it reproduces tones lower than its competitors, but because it does a better job of square-wave playback, which is much more demanding and has more to do with musical performance than standard sine wave testing. Read the column for the details, and note that you need something better than Apple's earbuds to hear the difference—if you care about the difference. (A followup column April 26 discusses audio performance on portable players in general and some of Machrone's results in applying actual tests. "You can find lots of digital audio player reviews online and in print, but you won't find many that dig into the audio performance and quantify what's right and what's wrong with a player." More's the pity.)
- It had to happen. Two mini-reviews of cell phones with lots of extra features, in the April 26, 2005 *PC Magazine*, make one wonder just what matters in product design. The $600 Nokia 7280 looks like a long, wide candy bar or something; the review says "Sure, it's hard to use. But oh, heck, just look at it." And Sony Ericsson's $450 S710a is lauded for its excellent, usable camera, Memory Stick slot, and "Class 10 EDGE" (whatever that is), with the notes that it's heavy, the keypad's "difficult," and the microphone picks up noise. Bottom line? It's "a terrific camera phone, but talking actually takes a backseat to photo, video, music, and connectivity features." After all, actually *phoning* on your cell phone is passé, right?

Library Access to Scholarship

NIH issued the final version of its public access policy, such as it is. Beyond that, discussions and resolutions concerning open access continue, as do articles and policy statements. Nothing breathtaking to report, and those of you who subscribe to the *SPARC Open Access Newsletter (SOAN)* may already know all of this.

NIH Policy and Reaction

SOAN 83 (March 2, 2005) covered "the final version of the NIH public-access policy" as its lead story. As noted in *C&I* 5:4, Peter Suber already discussed what he expected that final policy to be. He hoped that some of NIH's concessions to publishers would be rolled back, but they weren't.

Suber notes a few key points:
- The policy took effect on May 2—for *all* outstanding NIH grants, not just new ones. "That means that we can expect to see some articles based on NIH-funded research show up in PubMed Central (PMC) fairly soon after May 2, even if the rate of deposit is initially slow."
- The policy's three purposes are to create a stable archive of peer-reviewed research publications, secure a searchable compendium of those publications, and make published results of NIH research more readily accessible.
- NIH asks for an electronic version of the author's final manuscript (which may or may not include a journal's copy-editing changes) and PMC will accept corrections and necessary revisions. PMC will also cheerfully accept the publisher's final version, which will supersede the author's final version—and will accept that before the author's original timing.
- While the *permissible* delay after publication has gone from six to 12 months, NIH will exhort authors to choose the shortest possible delay: "Posting for public accessibility through PMC is requested and strongly encouraged as soon as possible…"
- NIH offers language for authors to include in copyright agreements—but also believes that it could claim the right to deposit articles in PMC under the government-purpose license in the Code of Federal Regulations.
- There are no penalties for non-deposit—but some publishers still decry the policy, saying that a "request" from a funding agency is intrinsically coercive. As Suber notes, it may not be any more coercive than the journal's request to delay PMC deposit. "There is danger-

ous potential in this policy to create painful and career-jeopardizing dilemmas for researchers who will have to choose between snubbing their funder and snubbing their publisher." Some journal publishers have already said that they'll accept their authors' decisions on deposit of NIH-funded papers.

➢ The flexibility offered by NIH is *explicitly* intended to make life easy for publishers more than for authors.

➢ "The 'final' version of the policy is not really final."

➢ PMC content will be free to everyone, not just U.S. taxpayers.

The NIH policy is nowhere near what it could or should have been—but it *is* a significant precedent. Suber suggests future steps: Lobby to make the request a requirement (with no more than a six-month delay), get Congress to monitor compliance, get other funding agencies to adopt similar but better policies, encourage journals to allow immediate release.

Early Reaction

SPARC sent its directors a message on the NIH policy on February 25, 2005. The message notes that the NIH policy may raise questions and create concerns on campus and suggests that the library has an opportunity to provide information, offer direction, and advocate for increased access. Suggested actions include providing a link to the NIH policy page on the library's scholarly communications page (www.nih.gov/about/publicaccess/), contacting leaders of appropriate departments to make sure they know about the policy and help them prepare, and contact others about the benefits of early deposits.

The message includes a set of key points, some tailored to the academic community—e.g., "The policy applies only to peer-reviewed articles…not to letters to the editor, editorials, or other submitted materials" and "The policy is not a mandate regarding how and where to publish research articles."

Was AAP/PSP mollified by the substantial weakening of the NIH policy? It's hard to say, but that group issued a March 2, 2005 press release that stressed the "millions of dollars" publishers invest "to support peer review, editing, abstracting, indexing, distribution, archiving, searching, access, and innovation. The NIH must avoid duplicating those efforts—otherwise taxpayers will truly 'pay twice' for redun-

dant versions of information or imitative platforms and tools." And, later, this gem:

> As the NIH goes forward with its plan, it must be careful to distinguish a professional and scholarly publishing environment from one in which "free" access is subsidized through regulation. NIH fostering immediate free public access to content would risk undermining free market investments and models that have proven essential to authors and researchers.

These are interesting quotations. Almost all peer review is unpaid effort (with some exceptions, as in some economics journals). Abstracting, indexing, searching, and access are typically the roles of third parties (such as PubMed), not journal publishers themselves (or at least not entirely journal publishers). Publishers have not historically claimed to provide guaranteed archival services—and there's a lot of question as to whether any private enterprise can make such a guarantee. As for taxpayers paying twice—I suppose it's possible that biomedical journals never appear in more than one full-text aggregation likely to be held at a given institution, but that would make the field almost unique. The quoted paragraph is both a subtle assertion that government-funded research should *not* be freely available (although, if it is done in government labs, it can't be copyrighted) and a blatant claim that the free market outweighs all other considerations.

Roy Rosenzweig, vice president of the Research Division of the American Historical Association, used the NIH policy as the basis for "Should historical scholarship be free?" in the April 2005 *Perspectives* (www.historians.org/Perspectives/issues/2005/0504/). It's a fairly long and thoughtful article that offers a range of possible actions for historians interested in future access. **Worth reading**.

Andrew Richard Albanese wrote, "After a flawed policy, what's next for librarians and open access?" in *Library Journal* (April 15, 2005). He recounts a Midwinter session on the NIH proposal, including a "star"—Sharon Terry, noting what she and her husband went through to access medical literature regarding their children's cancer. He notes the weakened final policy—and then goes on to quote Stevan Harnad, who—as usual—treats any concerns than his One Single Answer as "muddled" and as "bungling." After all, librarians worry about being able to afford *any* form of access. But Harnad doesn't care: "Open access is separate from the serials crisis" and they

must be disentangled. SPARC, on the other hand, pushes for a viable scholarly communications system.

Sadly, Harnad gets more space in Albanese's piece than those interested in real-world solutions. Harnad's absolutism shines through when he says, "SPARC gets it about 90 percent right. But that ten percent it gets wrong could hold us back ten years or more." That's classic Harnad: If you don't agree with me 100%, you're an obstacle.

I've been the brunt of Harnad's absolutism and I'm sick of it. Harnad was a pioneer in advocating his own flavor of OA: He deserves credit for that. He now acts as a divisive force, belittling any actions to improve the survivability of the scholarly communications system (which should include libraries) if those actions aren't 100% in accordance with his own pet project. He believes he's steering people into the One True Path toward OA; I believe he's damaging and quite possibly delaying the whole process through his extremism and single-mindedness.

An endnote attached to the article considers a panel at AAP/PSP's annual meeting. Sad to say, the anti-NIH crowd continued its stance. Martin Frank "eloquently questioned both the legality of the NIH measure and its practicality" and suggested the NIH policy would put researchers in the position of "having to choose between pleasing their funding agency or their publisher, both of which are equally important career-wise." That threat is particularly interesting coming from the author of the *DC Principles for Free Access*. If those principles mean anything at all, one would think that a 12-month embargo would be well within their parameters. I suppose Frank has helped to clarify the meaning of the *DC Principles*—that is, apparently, pure hypocrisy.

Olaf Sparre Andersen of *The Journal of General Physiology* included an odd comment in an editorial announcing some changes in that journal—which charges significant page charges already. After announcing the changes, he comments on the NIH policy, notes that only *some* of *JGP*'s articles (more than half) will be in PubMed Central and grumbles about the "burden" of the new policy on authors and readers—because "NIH/NLM does not wish to receive PDFs of the published articles," thus placing a burden on authors to make sure the PMC version is correct and a burden on readers to verify its correctness. Fine, except that *it's not true*. As Peter Suber notes, NIH is perfectly happy to receive the final publisher's PDF,

has said so, and will replace the author's version with the publisher's version when received. Andersen could presumably have checked this. Given that *JGP*'s own availability policy offers free access after a year, I fail to understand the point of the editorial except to snipe at NIH.

As noted in *SOAN* 85 (May 2, 2005), NIH started accepting publications on May 2. The policy is not OA. It does improve potential access. For some reason editors still feel the need to object to the policy.

Shorter Pieces on Access Issues

Blackwell announced Online Open in February 2005. It's a two-year trial of hybrid publishing—optional front-payment OA on an article-by-article basis. The price is high, $2,500 per article, but Blackwell seems to be doing it right. Subscription prices for journals in the trial will be adjusted based on the number of "author-pays" articles expected.

The Columbia University Senate unanimously passed a *Resolution concerning "Open Access"* on April 1, 2005. After several *Whereas* clauses, it is resolved:

"1. That the Senate put on record its support for the principle of open access to the fruits of scholarly research;

"2. That the Senate urge the University to advance new models for scholarly publishing that will promote open access, helping to reshape the marketplace in which scholarly ideas circulate, in a way that is consistent with standards of peer review and scholarly excellence;

"3. That the Senate urge the University to monitor and resist efforts to impose digital rights management regimes and technologies that obstruct or limit open access, except as necessary to secure rights of privacy;

"4. That the Senate urge the scholars of Columbia University to play a part in these open-access endeavors in their various capacities as authors, readers, editors, referees, and members of scientific boards and learned associations, etc., (a) by encouraging and collaborating with publishers' efforts to advance open access, (b) by retaining intellectual property rights in their own work where this will help it become more widely available, and (c) by remaining alert to efforts by publishers to impose barriers on access to the fruits of scholarly research."

A solid statement—but Stevan Harnad saw another chance to pounce, after claiming (absurdly, based on the record) that he does "not at all enjoy having always to play the role of carper and fault-finder." His

comment on this and a University of California resolution: "What was missing from both was the core component of a targeted university OA policy, the only component with the capacity to move universities to 100% OA rather than continuing to drift aimlessly, as they do now"—that is, self-archiving, preferably required. Harnad goes on to dismiss the need for reform in either scholarly publishing or copyright, and calls it "nothing short of absurd to keep harping on retaining copyright and favoring 'alternative venues' instead of simply adopting a policy of self-archiving all university journal article output." Classic Harnad: anything other than The Solution is "absurd." Indeed, he seems to label the Columbia resolution another "false start" that "keep[s] heading us off in the wrong directions." Wrong, of course, according to Stevan Harnad.

Case Western Reserve University's faculty senate also adopted a *Resolution on open access*. Its background statement defines Open Access journals succinctly and clearly. After a few *Whereas* clauses, the resolution "urges the University and is members to

> "Support Open Access publishing in their educational, research, editorial and administrative roles, by encouraging their professional societies to move toward Open Access publishing, aiding in forming and providing editorial assistance to peer reviewed Open Access journals, and favoring such journals when submitting their own research,

> "Encourage the University's libraries to reallocate resources away from high-priced publishers,

> "Support the consideration of peer-reviewed Open Access material during the promotion and tenure process,

> "Post their work prior to publication in an open digital archive and seek to retain particular copyright rights enabling them to post their published work in a timely fashion, and provide institutional support to those seeking to do so, and

> "Establish infrastructure to sustain digital Open Access publication."

For Case Western Reserve, the emphasis is squarely on OA *publishing*, with archiving distinctly secondary.

A *Wired News* story on April 11 notes that OA journals continue to grow, with at least 1,525 in business. Then there's the usual nonsense: suggestions that front-payments will "turn journals into servants to authors, like the vanity-press publishers," with Dr. Jeffrey Drazen of the *New England Journal of Medicine*

sniping that "who pays the fiddler calls the tune." But Randy Dotinga (who wrote this piece) isn't buying it: "Traditional journals face their own potential conflicts of interest. They are, after all, generally supported by advertisers with agendas." The story goes offtrack in the next paragraph: "Indeed, journal subscription prices are already so high—some charge hundreds of dollars a year…" In STM, at least, "hundreds of dollars" is the mark of relatively inexpensive journals. Maybe Dotinga found "thousands and sometimes tens of thousands of dollars" too incredible to print. The story also quotes Blackwell's president saying that the $2,500 Open Online fee "wouldn't pay for all the costs associated with electronic development, peer review and distribution."

Rudy M. Baum of *Chemical & Engineering News* continues to raise the Red flag. His May 16, 2005 editorial is entitled "More socialized science" and calls open access "a shell game, the unstated goal of which is to transfer responsibility for publishing and archiving the scientific literature from the private sector to the federal government." He goes on to suggest "BMWs should be free" as a reasonable analogy to the idea that scientific information should be free. He calls the suggestion "absurd"—and I agree *the analogy* is absurd. There might be some worthwhile points in the editorial (not new points, to be sure), but after Baum calls OA advocates socialists, it's hard to take anything in the editorial seriously. It is, in fact, crap like this that makes me nervous about being an OA independent: If the opponents consistently get it this wrong, should I just sign up with the most rigid adherents?

Jan Velterop, publisher at BioMed Central, has left to return to work as a consultant—and as an advocate for OA publishing, as noted in *Information World Review* for May 18. Velterop's been a strong advocate, but his statements in the *IWR* piece are troubling. First, he says "there are really only two publishers [BMC and PLoS] involved," which is a slap in the face to the many other bodies that have published OA journals since before BMC and PLoS began. It gets worse, from my perspective:

> Velterop said OA needs renewed energy and a new focus to speed up its adoption. "Originally, OA was confused by librarians as being about the drive for lower prices. I think the two have very little to do with each other, and the attention on prices has been to the detriment of OA adoption by society publishers."

He goes on to say that targeting authors *and librarians* for OA advocacy is mistaken. So Velterop appears also to ignore the issues of long-term survivability for a library and publishing system in favor of a single-minded approach—to be sure, a *different* single-minded approach than Harnad's. Velterop dismisses library concerns; probably not a wonderful idea. But then, he cites Springer Open Choice as "the best OA model." If that means that Velterop now believes $3,000 per article is a "reasonable price" for OA publication, it's no wonder Velterop wants to steer the discussion away from any thought of saving money for libraries.

In later list postings, Velterop opines that *publishing* is more important than *reading*, which adds a whole new flavor to the discussion. In another post, he suggests "The value of a full-text article is diminishing" because abstracts and underlying data are increasingly freely available. "The knowledge embedded in articles will, before too long, be represented in disambiguated semantic maps of the articles rather than in the articles themselves." Here, explicitly, the importance of archival and confirmatory articles "is a function of their existence rather than their being read. Knowing that they have been published will be enough." What need for STM libraries, or even archival systems, if all that's important about an article is *that it was published*? A new use for write-only memory? (That last note refers back to a groundbreaking "research" paper presented at LITA's Fuzzy Match Interest Group back when that group was active. I don't have publication data; there may not be any.)

I was charmed by the title of a new OA journal from CSA and the National Biological Information Infrastructure: *Sustainability: Science, Practice, & Policy*. What better than a journal *about* sustainability helping to make scholarly access and libraries sustainable?

DigitalKoans

Charles W. Bailey, Jr., founder of the Public-Access Computer Systems List (PACS-L) and founding editor of the *Public-Access Computer Systems Review* (an early gold OA refereed e-journal [first published in 1990]), has been involved with scholarly electronic publishing for a very long time. His *Scholarly Electronic Publishing Bibliography* and associated weblog combine to offer a deep, broad, well-organized ongoing bibliography of the field.

Recently, Charles began a second weblog, *DigitalKoans* (www.escholarlypub.com/digitalkoans/), with the motto "What is the sound of one e-print downloading?" I think it's fair to suggest that library access to scholarship will be a significant focus of the weblog, at least given the first few postings.

On April 26, Charles posted "How green is my publisher?"—discussing his own attempts to retain copyright for his scholarly writings and what he found when he tried to self-archive a recent work. It's a great post (they all are—**go read them yourself**), and indicates that self-archiving of articles in supposedly "green OA" journals may not be straightforward.

> Here's what I found. My "preprint distribution rights" allow "posting as electronic files on the contributor's own Web site for personal or professional use, or on the contributor's internal university/corporate intranet or network, or other external Web site at the contributor's university or institution, but not for either commercial (for-profit) or *systematic* third party sales or dissemination, by which is meant any interlibrary loan or document delivery systems. The contributor may update the preprint with the final version of the article after review and revision by the journal's editor(s) and/or editorial/peer-review board.

> …The agreement also states that the e-print must contain a fair amount of information about the publisher and the paper: the published article's citation and copyright date, the publisher's address, information about the publisher's document delivery service, and a link to the publisher's home page.

Charles concludes that this policy does *not* allow him to deposit the article in an disciplinary archive such as E-LIS or the upcoming "universal repository" hosted by the Internet Archive. His own website won't be OAI-compliant, and Houston doesn't yet have an OAI-compliant institutional repository. He also finds the amount of required publisher publicity a bit excessive. He makes four points. Excerpting from each:

➢ "There are swirling currents of complexity beneath the placid surface of color-coded copyright transfer agreement directories… 'Green' may not always mean 'go.'"

➢ "It would be helpful if such directories could identify whether articles can be deposited in key types of archives…"

➢ "If claims are going to be made about the number of 'green' journals, maybe more consideration about what 'green' means is in order…"

➢ "Although copyright transfer agreements have always been a confusing mess, now we want

authors to actually read and evaluate them….
And [ir] managers…need to make sense of them postfacto to determine if articles can be legally deposited…"

You can guess what happened next: Harnad commented, briefly for Harnad although the comment is almost as long as the post. Harnad begins in all caps: "THE LIGHT DOESN'T GET ANY GREENER—AND NEEDN'T: JUST GO AHEAD AND SELF-ARCHIVE!" All caps, exclamation points scattered throughout, an absolute denial of any real issues: All proper marks of a zealot. Harnad considers the restrictions on "3rd-party archives" "perfectly reasonable." He repeats, as he has hundreds of times, that it is "cheap and easy for any university to create an OAI-compliant institutional archive." He repeats his theme that nobody should worry about the preservation of contents. He thinks the publisher requirements about information are "just fine too," lumping publisher's address, an ad for the publisher's document delivery service, and so on with "full reference information." And he appears to label Charles' suggestion of standardized copyright transfer agreements as a "red herring."

The next day, Charles Bailey posted "Not green enough," responding to some of Harnad's comment. He notes that 94% of universities do not have institutional repositories—a problem neatly solved by disciplinary archives and the Internet Archive repository. So, to Harnad's "no problem," Bailey replies, "We would have to believe that it doesn't matter if articles are archived in OAI-PMH compliant repositories or archives…" Taking on the "cheap and easy" mantra, he cites cost estimates for some actual IRs: $285,000 per year at MIT, $100,000 at Queens University, $200,000 at the University of Rochester, and between 2,280 and 3,190 staff hours (thus, presumably, at least $60-$75,000 for moderately-paid computer staff) at the University of Oregon.

"I think that Stevan will find that few academic libraries are not going to worry about permanence." Charles notes that librarians are aware that publishers are corporations, which change priorities, merge, and fail: "Publisher archives" are sometime things. Charles distinguishes between providing a citation and "providing a fair amount of advertising information for the publisher." And, unsurprisingly, Charles objects to having understandable standard copyright transfer agreements called a "red herring."

Apparently, Harnad struck back; I did not read the "extensive comments" provided (one can only take so much!). In "Two views of IRs," posted April 29, Charles posits two very different views of institutional repositories that may be the crux of his disagreement with Harnad:

In Stevan's view, the sole purpose of an IR is to provide free global access to e-prints… (I'm unclear about Stevan's position about independent scholars who will never be able to self-archive in an IR because they are not affiliated with any institution…) IR managers who hold other views are obstructing progress because they are wasting time on nonessential issues, not correctly perceiving the urgency and simplicity of his self-archiving solution, and unnecessarily delaying the progress of OA.

My view of the basic function of an IR is best summed up by two quotes…

"…a set of services that a university offers to the members of its community for the management and dissemination of digital materials created by the institution and its community members. It is most essentially an organization commitment to the stewardship of these digital materials, including long-term preservation where appropriate…" [Clifford Lynch]

"An [IR] includes a variety of materials produced by scholars from many units… Some [IRs] are also being used as electronic presses…" [Charles W. Bailey, Jr.]

Given this vision of IRs, I see them as more technically complex than Stevan…

Later, Bailey notes that getting faculty to voluntarily deposit e-prints won't be easy and that a "significant subset of universities will want some type of basic vetting of the copyright compliance status of submitted e-prints." He notes that Johanneke Systema of Oxford University, commenting on "How green…," agrees that "green doesn't automatically mean go"—and that Systema must check publisher policies even when the SHERPA Romeo list indicates "green OA." Bailey does not assume that his view of IRs as relatively complex and expensive will prevail over Harnad's "$2000 linux server and a few days' one-time sysad set-up time" view.

DigitalKoans followed up with a list of links to the 20 institutional repositories among the 123 ARL member libraries and a series of posts under the title "The view from the IR trenches," offering cogent points from articles published by early adopters of IRs. Those are short, well-done extracts.

DigitalKoans in general is **highly recommended.** After I wrote the section above (this essay has been germinating for a while), he posted "The spectrum of e-journal access policies: Open to restricted access" (May 13, 2005). He suggests a first-cut model for journal access policies, offering five levels. Briefly:

➢ OA journals, color "green"—true OA with appropriately minimal licensing.

➢ Free access (FA) journals, which he calls cyan: Journals that provide free access but don't use something similar to a Creative Commons "attribution" license.

➢ Embargoed access (EA) journals, "yellow"— those that offer access after some period.

➢ Partial Access (PA), "orange"—ones that offer access to *some* articles, but not all.

➢ Restricted Access (RA), "red"—ones that charge for any access.

He notes that many *DOAJ* journals are cyan rather than green, and would like to see a more nuanced breakdown of the spectrum.

Dr. Klaus Graf noted agreement in a brief comment. Stevan Harnad weighed in with a comment longer than the original post, "A plea for chrononomic parsimony and focus on what really matters." You already know "what really matters" to Harnad—self-archiving and nothing else. "Who cares" about distinctions in copyright and economic policy? He dismisses the nature of licensing for OA journals: If the articles are free, "It doesn't matter." He goes on and on and on. He makes it clear that Harnad, *and Harnad alone*, defines the OA movement: "It is irrelevant (to the open access movement) what the publisher says about the website where the author may archive his own article." Thus, if you find that relevant (as it is to anyone interested in a robust, survivable future), *you're not part of the OA movement*: Harnad says so. He ends with a classic Harnad slap: "The only relevant color there is Red—as in Herring." (There's also the usual slew of self-citations, proving Harnad's points by quoting the expert Harnad.)

Bailey thanks Harnad for his extensive comments. He goes on to admit that, viewed from Harnad's perspective, his spectrum of policies is a waste of time—and notes that he doesn't remember suggesting that it was a new OA model. "That said, Stevan's view that open access equals free access (*period*) is not, as he well knows, universal, and his green and gold models are based on this premise." Bailey goes

on to quote portions of Suber's "Open Access Overview"—which is a good deal more complex than Harnad's black-and-white model. Bailey also has the temerity to suggest that Harnad is not consistent. None of which is really Bailey's point:

> [W]hile I admire Stevan's unflagging advocacy of open access (by which he really means free access), open access is not the only issue in the e-journal publishing world that is of concern to librarians to whom this missive was mainly addressed. This is because librarians, while hopefully working to build a better future, have to deal with the messy existing realities of the e-publishing environment to do their jobs and to make decisions about how to allocate scarce resources…[skipping some important discussion for the same of brevity]

> Stevan's model has colors, but, in reality, each color is black and white: Gold and nothing, GREEN and grey. All or nothing. And, as long as you accept his premises, it works, and it allows him to focus on his free-access goal with single minded determination, undistracted by the knotty complexities of the e-scholarly publishing environment. Long may he run.

> For those who have a different view of OA or who have broader concerns, it's too "black and white."

Go read the posts. I've left a lot out.

Longer Items (a Suber Trio)

SOAN 83 includes "Reflections on OA/TA coexistence." It begins, "Open access (OA) and toll access (TA) have coexisted for as long as there has been OA. So the question is not whether they *can* coexist, but whether they will coexist forever or only for some transition period."

Suber doesn't offer a prediction and explains why it's difficult to do so. He notes that OA and TA are inherently compatible: "[T]wo journals, even in the same research niche, do not directly compete with one another for readers…journals are not fungible…" He also understands the complexities of compatibility—for example, "journals in the same niche compete for submissions even if they don't compete for readers." "There is clearly a tipping point, even if we haven't reached it yet, after which libraries will cancel high-priced TA journals because their niche is adequately served by high-quality OA journals."

Suber believes that coexistence reduces the efficiency of both OA and TA. I'm not sure I agree, but Suber' (as always) makes an excellent case. He offers several other points regarding competition and coexis-

tence—and notes that in physics, OA and TA have coexisted for 14 years. "This isn't just a little OA coexisting with a lot of TA. OA archiving is the default in physics, and yet TA journals in the field are not only surviving but thriving." Skipping over quite a few points worth considering, I reach Suber's note that "the system in which all or most journals are TA cannot survive" because published knowledge is growing too rapidly—and the current system "is already dysfunctional and has been for 10-20 years."

SOAN 84, April 2, 2005, begins with "Helping scholars and helping libraries" and continues with "Getting to 100%."

> Scholars and libraries are close allies in the campaign for open access, but they pursue OA for different reasons. For scholars, the primary benefit of OA is wider and easier access for readers and larger audience and impact for authors. For librarians, the primary benefit of OA is saving money in their serials budget.

He goes on to offer examples of how specific initiatives help scholars more than they help libraries—and wonders whether a move to OA will *ever* save money for libraries. "We know what kinds of OA initiative will help scholars—namely, ever kind. But what kinds of OA initiative will help libraries save money in their serials budgets?" A tough question, made tougher because Suber admits that he wants libraries to save money because libraries will be "the best source of funds for the long-term sustenance of OA." If academic libraries have no other collection shortfalls—such as monographs in the humanities—then maybe Suber's right in saying, "the best way to spend the savings is on the OA alternative that made the savings possible." But if that's not true—as seems to be the case—then it's more complicated.

"The inevitable question is whether I, and all others who want to help libraries, want to harm publishers. The answer is no." Suber can speak for himself, but I would suggest that some who want to help libraries would be only to happy to harm *some* publishers, specifically those that have been draining academic libraries of every last drop of budget. I agree that most balanced participants do not support initiatives "whose direct purpose is to undermine publishers"—but consider this closing statement as well:

> Certain services, like peer review and wide and easy distribution, are indispensable for science and society. But no particular journal or publisher is indispensable.

"Getting to 100% offers a "progress report" on some of the obstacles for OA. He notes that most OA journals, at least those in the *DOAJ*, do *not* charge up-front fees: They're supported through other means such as institutional subsidy. That finding calls into question the Cornell study.

He also discusses IR issues, including the lack of OAI-compliant repositories at many institutions—and uses that discussion to announce the Internet Archive-based "universal repository." But as Charles W. Bailey, Jr. notes, many publishers don't appear to allow deposit in *any* repository outside the author's institution.

Finally, here's one you **really should download** (and copy as needed): *What you can do to promote open access*, www.earlham.edu/%7Epeters/fos/do.htm. The version I saw was revised on April 5, 2005. It's divided into sections for elements within universities, journals and publishers, foundations, and others. It's not short, but it's all bullet points and nicely organized. Major bullets for university libraries include "Launch an open-access OAI-compliant eprint archive…," "Help faculty deposit their articles in the [IR]," "Consider publishing an open-access journal," "Consider rejecting the big deal…," "Help OA journals launched at the university become known to other libraries…," "Include OA journals in the library catalog," and more. The document includes loads of good ideas; you don't need to do all of them to help.

URL: cites.boisestate.edu/civ5i8.pdf