

# Cites & Insights

## Crawford at Large

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Walt Crawford

### Bibs & Blather

## PC Values: Winter 1984-July 2003

The first article I wrote for *Library Hi Tech* was on comparing PC values. That article marked the beginning of the “Commonsense” series, which eventually turned into the “Trailing Edge” and ran for a total of fifty articles over more than a decade—with PC value comparisons repeated periodically.

“Trailing Edge” spun off “Trailing Edge Notes” in *Library Hi Tech News*, which turned into “Crawford’s Corner” at the end of the “Trailing Edge” series and ran 10 times a year through the end of 2000. Almost every one of the 59 editions included “PC Values,” an ongoing, formulaic assessment of how PC values were changing.

“Crawford’s Corner” liberated itself into *Cites & Insights*—and “PC Values” continued every month through the end of 2001. Then, as part of the general trend away from personal computing as the dominant element of *Cites & Insights*—and because the publication “schedule” for this zine rarely has it come out early in a calendar month—I began offering a cumulative “PC Values” as a separate PDF file on the *Cites & Insights* site. (Are there any other homophones for cite, sight, and site?)

At some point, I stopped monthly changes for “PC Values” and moved to quarterly updates—and, later, I realized that so few “other” vendors were advertising systems in PC magazines that it was silly to show anything other than Dell and Gateway.

Now, in its 20<sup>th</sup> year, it’s done. The July 2003 update to “PC Values” is the final update. I might look at changes in PC values at some point, but I’m abandoning the regular updates and the somewhat time-consuming process used to do them. Why?

- I don’t believe the comparisons make much sense any more. I’ve been using the same point values since 2001, and those values don’t keep pace with changing prices and perceived value in systems.

- Very few people use “PC Values”—and some third-hand comments suggest that people took “PC Values” configurations as *recommendations*, rather than the data points that they were.
- The marketplace doesn’t appear to reward superior value in configurations. So-called “value” ratings in at least one magazine seem entirely mysterious or based on how the magazine feels about certain vendors. My small voice has even less (*much* less) impact in personal computing than it does in other areas.

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- Finally, Dell and Gateway appear determined to thwart attempts to do easy comparisons by making it difficult to produce compact, readable printouts for their recommended or best-selling configurations. Dell spreads out the columns in such a manner that, even using landscape paper, I find it impossible to print the comparison pages without losing some or all of the less expensive models—and uses gray type as well, to make life more interesting. Gateway’s comparison pages are printable (using cursor-selected printing), but the type is such a light gray that it’s nearly impossible to read.

If you’re one of those who really, truly appreciated “PC Values,” my apologies. It just doesn’t make sense to keep doing it. If anyone feels the need to continue the process on their own, the points and methodology are readily available—see *Cites & Insights* 1:1, pages 3-4.

## Wasn’t That Special?

Does it ever make sense to use a whole issue of *Cites & Insights* for one theme? I’ve always had mixed feelings about theme issues of magazines and journals, particularly when the theme knocks out other standing features or forces them in an unnatural direction. The issues can become useful resources, but I miss

the continuity and variety of the periodical. So if you'd asked me that question a month ago, I probably would have said no, unless the "theme" is itself varied (e.g., the Silver Edition, *Cites & Insights* 2:11).

For that matter, if you'd asked me that question two or three days *after* the CIPA special, I wouldn't be sure how to answer. The special issue came about because I had too much material and found that organizing it provided a kind of perspective that I hadn't seen elsewhere—and there was *so* much material that including other topics would have seemed strange. Initially, there didn't seem to be much reaction—the usual links and mentions were slow to appear. (I apologize again for the cranky note on LISNews!) Maybe it was a dumb idea.

Or maybe not. As I write this, it's been two weeks since the issue was posted and I'm looking at the statistics for [cites.boisestate.edu](http://cites.boisestate.edu), both cumulative statistics and those for the last 30 days. Those statistics (in the past) have shown that a typical issue of *Cites & Insights* is downloaded by 1,200 to 1,600 different users (stripping out multiple downloads by the same IP address), with 1,000 of those (roughly) in the first month.

In the two weeks since the CIPA issue was posted, it's been downloaded by more than 2,200 different readers (close to 8,000 total downloads). That's 50% more than a typical issue. It appears that one PUBLIB posting, by Karen Schneider, may account for five or six hundred of those downloads.

So, OK, I guess it was worth doing. It's not a "guide to CIPA." It's not authoritative. But it is a useful aggregation of background material, even if you ignore my commentary. Now I hope that a few hundred of those extra readers come back for more!

As you may know by now, the FCC provided no useful guidance on CIPA and extended the full-enforcement deadline to July 2004. More later.

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## The Library Stuff

Carver, Blake, "Creating an institutional repository: A role for libraries," *Ex Libris* 181 (June 27, 2003). [marylaine.com/exlibris/xlib181.html](http://marylaine.com/exlibris/xlib181.html)

Blake Carver may be Mr. LISNews, but his day job is at Ohio State University. This article considers "an interesting new role for libraries in the decades to come" based on his experience working on OSU's "Knowledge Bank."

I could do without "referatory" as a neologism (for the complementary role of a campus digital repository—providing links to existing digital objects,

in addition to those actually archived in the repository), but that's one of few quarrels I have with this article or the project itself. "Digital library" is another one, but I've long since given up on any clarity in that area. The fact that OSU's Knowledge Bank was planned *by librarians* makes it unusual and promising. **Recommended**—and I'd hope to see as well-written a report on the project in a traditional publication such as *American Libraries*, *Chronicle of Higher Education*, or *C&RL News*. Blake?

Farrelly, Michael, "Love your library," *Bookslut* (June 2003). [www.bookslut.com/columns/0603/rakehell.htm](http://www.bookslut.com/columns/0603/rakehell.htm)

"If you really love books then why aren't you using your library?"

That's the start of a solid one-page column, in a Webzine aimed at avid book readers, pointing out that book readers and lovers *should* use libraries. Why don't they? "Sometimes it's because people view libraries as inconvenient... Other people complain that libraries aren't as user-friendly as a bookstore... Another group believes that the library is somehow an arm of government and that their reading habits can be called up by some NSA supercomputer." The third is half-right: Most libraries *are* arms of some level of government, but with a dedication to preserving reader confidentiality.

Farrelly slays these particular dragons quickly and stylishly, noting, "Most public libraries can get you any kind of material," usually for free; that "*many* professional librarians have graduate degrees" unlike the kids working at the bookstore; and that "librarians have historically resisted governmental settings to use libraries to their own ends." I'll quarrel with "*many* professional librarians" (emphasis added). Farrelly may mean that "many library staff have graduate degrees," but if "professional librarian" isn't synonymous with "holding an accredited masters" then I'll stop disclaiming librarian status.

His closing paragraphs take it one step further: If your own library doesn't satisfy your needs, *get involved*: "The greatest open secret about libraries is that they are community institutions that you can impact directly." And, to be sure, "Libraries are the only public institution where regular use not only improves your mind, body and soul but also the wellness of your community as a whole."

A good column to point out to booklovers who aren't regular library users—as long as they're broad-minded enough not to be offended by the sketch of a naked bookreader that appears as a watermark under the column. Of course, if they're not broad-minded, chances are they won't read something called *Bookslut* anyway. **Recommended.**

Harder, Geoffrey, and Randy Reichard, "Throw another *blog* on the *wire*: Libraries and the weblogging phenomena," *Feliciter* 2003:2 (2003): 85-88.

If you were in Toronto for the not-quite-so-huge ALA/CLA Annual Conference, you might have picked up a copy of *Feliciter*, CLA's bimonthly publication. Given the relatively small size of CLA, it's an impressive magazine, and portions show up online (start at [www.cla.ca](http://www.cla.ca)). This one's a "theme feature" offering a good overview of weblogs, well-known library examples, and some functions libraries might find weblogs useful for.

**Recommended** as a good quick overview, particularly if you're a CLA member and can see the "expanded version" of the piece—I haven't seen it. Now, in American, the last word of the title really should be *phenomenon* (weblogging is one phenomenon, not plural phenomena), but never mind...

Keller, Michael A., Victoria A. Reich, and Andrew C. Herkovic, "What is a library anymore, anyway?" *First Monday* 8:5 (May 2003). [www.firstmonday.dk/issues/issue8\\_5/keller/](http://www.firstmonday.dk/issues/issue8_5/keller/)

I'm frequently critical of *First Monday* articles—these days, usually expressing that criticism indirectly by *failing* to cite otherwise-appropriate articles in *Cites & Insights*—but it's always a pleasure to spot a winner there. This is one: An affirmation of physical libraries and the collection development responsibility of librarians, and another discussion of LOCKSS as a way of assuring that development choices have meaning for digital materials.

I might disagree with one point in the introduction (in my experience, predictions of the imminent demise of libraries have declined over the past decade, not proliferated), but I agree with the authors' comment on such predictions: "The confidence with which such predictions are made is inversely proportional to the predictor's professional habitual use of published information." It's always easier to predict the death of libraries if you haven't the vaguest idea how today's libraries actually work. (I could also do without the overuse of "information" for that which libraries collect and disseminate, but let it be.)

**Recommended** as a strong affirmation of physical libraries and librarians, and as another useful discussion of LOCKSS, which has the potential to be a vitally important part of long-term access.

Kenney, Brian, "Audiovisual budgets rise as librarians try to keep up with user demands," *Library Journal*, May 15, 2003.

Hmm. Adam Mazmanian (below) offers ways to increase media circulation—and Brian Kenney notes

that libraries are having trouble keeping up with skyrocketing media circulation. Nationally, according to *LJ's* ongoing survey, circulation of AV has gone up by nearly 32 percent—and budgets have almost kept pace. The typical media budget is roughly one-third of the entire adult collection budget. The librarians interviewed all seem to have sensible policies attuned to local needs and borrower expectations.

Marcum, Deanna, and Amy Friedlander, "Keepers of the crumbling culture: What digital preservation can learn from library history," *D-Lib Magazine* 9:3 (May 2003).

A **recommended** brief informal history of preservation in libraries and what lessons it may teach us for preservation of born-digital resources. The authors cover a lot of ground in nine pages (plus footnotes) and do so clearly and engagingly. It's useful to be reminded that the United States does not *have* a national library, and given the multiplicity of sources for some journals, here's a question worth thinking about: "Is any one electronic version more authentic than the others, and which, if not all, should be preserved?" As with most thoughtful articles on "digital futures" from experienced librarians, this one concludes that the techniques may differ, but missions change more slowly if at all:

Just as the danger of "brittle books" spurred work on print preservation, the threat of losing digital information is driving efforts to save electronic resources. It will require us to do things differently but our mission remains constant: to preserve the resources on which research, teaching, and learning so heavily depend.

Marcum, James W., "Visions: The academic library in 2012," *D-Lib Magazine* 9:3 (May 2003).

Consider this a pointer more than a commentary. Fairleigh Dickinson University Libraries and New Jersey ACRL organized an essay contest with the topic "The academic library in 2012," with a cash prize, and received enough responses to be interesting—one-quarter of them from "outside the profession." Summaries of a few entries suggest some fairly wild visions and some fairly modest projections; the winning essay falls somewhere in the middle. The article itself includes links to full text (or powerpoint) for nine of the entries; a tenth has appeared in print, while two others were withdrawn for use elsewhere. Marcum follows his brief summations of some entries by offering his own projection for changes in eleven academic library functions, starting with a comparison of those functions in 1992 and 2002.

Marcum's own ideas are interesting and generally not so futuristic as to be implausible. If I had to bet, I'd agree with five projections, disagree with one, and partially agree with five—but Marcum's a lot closer to the issues than I am. He concludes:

Many of these projections will prove too cautious in their impact. Others will not materialize. But what can be stated with confidence is that the library of 2012 will be both very similar to, and yet very different from, the library of today.

I'm avoiding full commentary because I haven't read the individual essays. Without reading them, it would be unfair and ridiculous to judge them. You can read most of them, and I **recommend** looking up Marcum's paper and seeing whether you want to pursue the set of visions further. Interesting visions are useful even when—perhaps *particularly* when—we disagree with them: They encourage new ideas and increase our sense of what's out there.

Mazmanian, Adam, "Fifteen library-tested programs and policies to increase circulation of AV materials," *Library Journal*, May 15, 2003.

I wasn't aware that public libraries *needed* to increase the circulation of DVDs, CDs, videocassettes, and the like, but Mazmanian says, "In the minds of many patrons, libraries remain synonymous with books, reading, and research, while librarians know they offer so much more."

If your library has excellent media collections that go unused, you may find these suggestions worth considering: Live music, feature local artists, shelve by genre, eliminate borrowing fees (you mean some public libraries still charge for media?), codevelop new platforms, "English: just one language" (find ways to support English language learning through media), feature staff choices, produce local content, fill a niche, intershelve, provide expert guides, spotlight portions of the collection, do preview screenings, blend films and reading, and add a little razzle-dazzle.

Each tip includes at least one example of a library that's used it; careful reading will show some complementary or conflicting suggestions—e.g., if you interfile media with books, "by genre" is either automatic or irrelevant.

**Recommended** if you need a few suggestions to perk up your media circulation. Some libraries might be looking for ways to restore *book* circulation, given that books continue to be at the heart of library services, but that's another article.

Smith, Abby, "Issues in sustainability: Creating value for online users," *First Monday* 8:5 (May 2003). [www.firstmonday.dk/issues/issue8\\_5/smith/](http://www.firstmonday.dk/issues/issue8_5/smith/)

"Not everything is worth preserving." And we must "confront the hardest part of sustainability—how to pay for it all." The second is the most difficult obstacle for true long-term digital archiving; the first, one of those true statements that gets more unnerving the more you look at it. Smith argues that cultural heritage institutions should focus on creating "an (online) enterprise that is worth sustaining"—and admits, "It is not possible at this juncture to know what kinds of content and services will have value over time."

Some of today's historians will tell you that the raw materials of history—letters, diaries, various levels of gray material—are *more* important for rediscovering a period than are formal publications. Today's official documents and establishment histories are more likely to survive a century or two than are the minutiae, minority viewpoints, and "trivia" that increasingly exist only in digital form and in no formal collection at all. Even within formal publications, will the historians and other researchers of 2103 find more value in the lovingly preserved museum paintings and *New York Times* or in the stuff most likely to be considered "not worth preserving"?

I don't have answers. Neither, for that matter, does Abby Smith. She makes the excellent point that some of today's digital collection experiments should probably fail—"failure is a very important event in the creation of knowledge." We also need to know more about the partial successes, so that we understand the difference between reinventing the wheel and developing a better axle.

All of the above amounting to "**recommended** as a thought-provoking piece—particularly if you're provoked to think about it."

## Trends & Quick Takes

# DVD Magazines: A Belated Followup

I discussed *InsideDVD* in December 2001—a startup magazine-on-a-DVD with a variety of "magazine" stuff on one side of each issue, a full-length motion picture on the other side. Trying various revenue methods, it went through a fitful half dozen or so "quarterly" and then "bimonthly" issues over two or three years—then merged with a really annoying movie magazine, *Total Movie & Entertainment*. After a couple of bimonthly issues including DVDs with some *truly* indie flicks (I've watched the first of three, and it's a reminder that you still need talent to make a movie...), it went *monthly* in the summer

of 2002 and announced an agreement with MGM that would result in major (if older) motion pictures in most future issues.

September 2002 arrived with *Species* on one side of the disc (and an awful magazine). I renewed the overpriced subscription, just to see what would happen. (Just call me sucker.) We were promised *Species II* in October and *When Harry Met Sally* a little later.

And then came the April 2003 *Cinescape* magazine—another “fanboy” movie mag, fulfilling the remainder of my *Total Movie & Entertainment* subscription. Which, of course, was really an *InsideDVD* subscription: I truly loathed the magazine, but wanted to see what would happen with the DVD.

There’s no DVD in *Cinescape*. There’s no mention of a DVD. The old websites either point to the letter I received or still tout the September 2002 issue and the forthcoming, never-to-appear October 2002 issue.

My subscription to *Cinescape* runs through February 2004. It may not be worth the time to tell them to cancel the subscription. There’s nobody to sue for all those movies I won’t get or even for the not-really-fulfilled subscription. Such is life.

I did eventually receive the promised 40-movie “starter set,” roughly six months after it was first promised. Ten cardboard bifolds with two double-sided DVDs in each (in plastic sleeves), a testament to just how cheaply you can get DVDs produced in China. (Actually, one DVD is a double-layer single-sided disc with one film, *Intolerance*—balanced out by the inclusion of two classic short “horrors of marijuana” flicks on one side of the last disc. That’s right: I own *Reefer Madness* and *Assassin of Youth!*) Given that everything here is either public domain or could be acquired for next to nothing, it’s not a terrible set. There are some plausible comedies (*Road to Bali*, *Pajama Game*) and some classics; there’s even one wide-screen movie.

*InsideDVD* published a total of eleven issues between December 1998 and September 2002, directly or indirectly. It was an interesting effort that never made economic sense.

## The Observed Life

*PC Magazine* 22:10 has a little squib on “Stuff I’ve Seen,” a “new branch of software interface work from Microsoft Research.” The idea is that storage is getting so cheap that you could readily “archive every conversation you ever have...we can start to think about keeping track of all the things people experience, and all the things they see.” The interface is designed to “let you easily see the whole for-

est of previously viewed electronic information and drill down to individual trees.”

This isn’t the only case. DARPA is apparently proposing a project that would record everything certain volunteers see, do, or whatever, and make it into one big mineable database. One Microsoft person is apparently attempting to record his entire life and others elsewhere seem to think this is a fine idea. A News.com article from May 22 discusses an HP research project to develop an “always-on, wearable camera” that would continuously record images and “casually” capture “terabytes of images from a person’s daily life and store them in data centers, where they could later be retrieved for conventional printing.” [You say “I’d like to remember that” and the camera attempts to figure out what “that” is.]

The *PC* story includes this note: “A number of attendees [at the event where Stuff I’ve Seen was mentioned] discussed whether they really want Microsoft or any other company to map their electronic trails.” That’s one issue—but I think it goes much further. If I’ve said this before, chalk it up to forgetfulness—and note that I believe forgetting is a critical part of a healthy life.

I don’t *want* to record everything I’ve seen or done, online or (particularly) offline, and I find the idea more than a little creepy. I don’t want a camera as part of my clothing, capturing whatever I see so that I can print out anything “interesting”—and, presumably, data miners can find what *they* consider interesting. The mind has its own ways of mining previous partly remembered experience, and part of that process is forgetting 99% of everything we encounter, either because it’s irrelevant or because we’d just as soon forget it.

Set aside the privacy issues for now. The most precious moments tend to be easy to relive—and there are many experiences best remembered by *actually* reliving them. I’d rather go back to Alaska than mine an exhaustive record of what I did there the first three times. Quite a few books and movies deserve rereading or re-viewing after some time to forget the original. I’ve found great pleasure in re-viewing episodes of *Buffy* where I’d forgotten key plot points.

Of course, I don’t keep a diary or write a weblog either. Maybe total recall is a great idea for some. But count me out, and I doubt that total recall is a good idea for most people or the world in general.

## Marvin Minsky Comes Around

Consider the first three paragraphs of Mark Beard’s May 13 *Wired News* article:

Will we ever make machines that are as smart as ourselves?

“AI has been brain-dead since the 1970s,” said AI guru Marvin Minsky in a recent speech at Boston University. Minsky co-founded the MIT Artificial Intelligence Laboratory in 1959 with John McCarthy.

Such notions as “water is wet” and “fire is hot” have proved elusive quarry for AI researchers. Minsky accused researchers of giving up on the immense challenge of building a fully autonomous, thinking machine.

Naturally, today’s AI leaders are surprised and disappointed, and point to all sorts of “AI” systems in use—systems that detect credit-card fraud; speech recognition and face recognition systems; Douglas Lenat’s Cyc project. The current director of the MIT lab invented Roomba, the robot vacuum cleaner; Minsky doesn’t care for “stupid little robots.” The article asserts that searching the Internet and making airline reservations over the phone are “examples of AI at work”—which I believe stretches the definition of “AI” beyond reasonable bounds.

Minsky says the strategies most popular among 1980s AI researches have reached dead ends—such as “expert systems,” which notoriously work only as long as they’re kept within a narrow predefined area. “They could not learn concepts that most children know by the time they are 3 years old.”

Maybe there’s more to the mind than a bunch of computerlike connections. Maybe people are more than just fancy machines. Maybe we never will be able to “download ourselves” into computer systems and AI is, in the end, a set of dead ends. You probably already know my opinion on these maybes.

## Idle Chatter

Do weblogs distort Google results (and those from AllTheWeb, Teoma, etc.)? That depends on what you mean by “distort”—and by your opinion of weblogs in general. A May 16 *Wired News* story by Joanna Glasner, “Search results clogged by blogs,” seems to answer in the affirmative, although nothing in the story justifies that dramatic headline. The story says bloggers are finding search-engine-generated traffic that they wouldn’t expect. I know the linking and blogging tendencies of librarians helped *Cites & Insights* (and my personal website) achieve higher Google and AllTheWeb placement than I’d expect.

Interestingly, Fredrick Marckini of iProspect, one of those services that “helps site operators improve search-engine rankings,” doesn’t belittle weblogs: “The Web is absolutely the great equalizer. *Good con-*

*tent* rises to the top on the Internet. It doesn’t matter if the medium is a blog or a corporate Web page.” [Emphasis added.]

Leave it to *The Register*, UK’s “online tabloid” for the IT industry, to trash weblogs. Andrew Orlowski’s May 9 story is headed “Google to fix blog noise problem,” a headline that presumes there’s a problem. Orlowski assumes that, in addition to a Google service for searching weblogs (or at least those prepared with Blogger, now owned by Google), Google will remove weblogs from the main search results. Orlowski says that many “will breathe a sigh of relief as blogs disappear from the main index.”

The article quotes Chris Roddy, an Emory undergrad who says, “I can get a Google search with porn turned off; why can’t I get blogs turned off too?” His opinion of weblogs? “They masquerade as useful information when all they contain is idle chatter. And through some fluke of their evil software, they seem to get indexed really fast...”

Idle chatter and evil software! I wouldn’t be surprised if 90% of all weblogs are indeed idle chatter—but so are about 90% of personal web pages in general, and (as far as I know) nobody’s suggesting that personal web pages be excluded from indexes. According to the *Register* article, Gary Price doesn’t consider *Resource Shelf* to be a weblog—which surprises the heck out of me, since it uses Blogger and has all the characteristics of other subject-oriented, serious weblogs such as Peter Suber’s recently-renamed weblog and many others.

Yes, I know, I should treat articles from the *Register* with the same gravity I consign to discussions on slashdot. Web searches may be “blog-infested,” but given “placement optimizers” and other specialists in manipulating results, that may be a good thing.

How long do users take to evaluate the results of a query? According to a Penn State study, users typically visit only the first three results—and one in five searches spend a minute or less on linked documents. Within three minutes, 40% of users will have moved on. Most users in a large-scale AllTheWeb study—54%—only looked at the first page of the results. (I didn’t realize that AllTheWeb tracked how many result pages I checked. Good to know that.) I don’t find those results either remarkable or particularly disturbing, particularly since so many Web searches are either casual or are answered *appropriately* by sponsored links.

## OpenURL 1.0

The trial period for OpenURL 1.0 has begun and will continue through October. The draft standard is vastly more generalized—and vastly more complex—

than the “0.1” version in use today. The press release announcing the trial came out in mid-June. It has a few minor flaws (for example, it mentions RLG’s Eureka as not only a provider but a resolver and a target; RLG does not maintain an OpenURL resolver and doesn’t plan to build one), but it does mention an “impressive international group of trial users.”

I’ve been heard grumbling about OpenURL 1.0. The documents are complex and work at several levels. It took me longer to read through them than it did to read, design, and (one of RLG’s brilliant programmers to) implement OpenURL 0.1, and even then I wasn’t sure I had it right. As I write this, I’ve concluded initial testing between our trial 1.0 OpenURL builder (as a data source) and a 1.0 resolver. It works just fine, based on the first 1,000 tests. Now we’ll go on to test with others, confident that the mechanism works properly. We should be ready to turn 1.0 support on for users as soon as they’re ready to use it—and we *won’t* switch anyone over to 1.0 without an explicit request.

For RLG, it’s easy: We’ll be providing the same data but with a different set of metadata labels and overhead. For resolver builders, it’s tougher: Version 1.0 allows for many different forms and uses, and resolvers must be able to cope with those forms, if only to respond that they can’t cope.

## Thinking about Clicking

I wasn’t sure whether to put this in “Cheap shots” or ignore it: An essay in *Ubiquity* by M.O. Thirunaryanan (Florida International University), “From thinkers to clickers: The World Wide Web and the transformation of the essence of being human.” (*Ubiquity* is at acm.org, if you want to read the full 4-page article and accompanying discussion.)

This author says flatly that the web “is slowly but surely transforming the lives of human beings who are beginning to make the sad transition from being thinkers to becoming ‘clickers.’” Web users are compared to Skinner’s pigeons, and there’s a comparison of books (“much more conducive to promoting thinking than the sophisticated Web,” “a slow medium”) and the web (“clicking dominates thinking” and so on.) And, as we (all?) “aimlessly click...through cyberspace, hyperclick hysteria sets in, and people lose their bearings in cyberspace and have to click their way back to more familiar cyber territories.” There’s certainly *some* hysteria at work here...

“Clicking is becoming as automatic as blinking and almost as involuntary... Clicking is fast becoming a substitute for thinking. Clicking requires less effort than thinking and is in some instances less

painful than thinking. The act of clicking instills in human beings a sense of being in control.” A paragraph earlier, we were so out of control “hyperclick hysteria” had set in. But now, “Clickers feel that they are the masters of their domains. On the other hand, there is uncertainty and a sense of lack of control when a person initially starts thinking about something. It should therefore come as no surprise that when a Web user’s eye perceives a link, his or her fingers start clicking almost instantaneously.” *Must...follow...that...link: The Web must be obeyed!*

In the next paragraph, we’re back to “aimless cyber wandering”: control didn’t last very long. Here’s the first paragraph of the conclusion, emphasis added:

In the age of the Web the essence of being human *has been* redefined. The essence of being human can now best be defined by the statement, “We click therefore we are.” I for one would like to move away from being described by the statement “I click, therefore I am” and get back to being described by the statement “I think, therefore I am.”

When I encountered this gem (through my aimless clicking and hyperclick hysteria, of course), on May 19, I did the natural thing: Printed it out so I could read it and [ahem] think about it, since four pages is far too much to read onscreen. I also printed out the response thread, which at the time included eight responses, some of them fairly long. Checking again six weeks later, the comments seem to have petered out after May 24. It’s an odd set of responses. The first talks about going back to “the roots of hypertext.” One applauds hyperlinks because they give the user “control of their destination...not like in a book.” Another says it’s silly to suggest that thinking must take a lot of time and suggests (correctly, in my opinion) that the author has created a silly idea of inevitability and that people who spend all day clicking wouldn’t be reading books anyway: “They’d be out buying snake oil...”

One correspondent says “The web also forces people to think in multi-dimensional means,” which I believe to be as true as the assertion that the web “forces” people to click mindlessly. The last two, I believe, get it right—one way or another. One points out, “if not for the ability to follow an interesting hyperlink, I would never have heard of [the author] or read his depressing and limiting comments.” The other notes that the web is great for specific information, but it “has certainly not replaced books,” and “for me personally, it tends to be harder to read at length on a computer screen than to read at length on paper.” That’s true for most people.

I think M.O.T. didn’t think hard enough about complexity and complementarity. More books are

being written and read than at any time in the history of the world: There is *no* indication that book readers have suddenly become frenzied “clickers.” On the other hand, many of us find interesting articles and books—that we read on paper—through hyperlinks. That’s typically after we’ve read a paragraph or two about the article or book, thought about it, and decided to click on the link.

People are not pigeons. I flat-out don’t believe that most internet users with more than a month or two of experience feel compelled to click on links or that *anybody* clicks automatically or involuntarily. In the end, this is a silly little article with an entirely unwarranted doom-crying attitude. Not that there’s anything wrong with that.

## Quicker Takes

- Noted for the record: A May 19 *USA Today* story touts HyperSonic Sound, a “new sound technology” that uses mixed ultrasonics to create focused sound spaces. Theoretically, this could be a Very Big Thing: One Greek advocate says, “I am certain that in time, HSS will be used everywhere.” The invention received *Popular Science*’s grand prize for inventions in 2002, beating out the Segway. Will HSS be more significant than Segway? (Is that a trick question?) The technology makes good theoretical sense, but that’s not the same as working in the marketplace or being a viable replacement for existing sound generators. I don’t have an opinion on this one.
- For some reason, I’ve always thought that around 60,000 to 65,000 new book titles are published each year in the United States. According to a Bowker news release, my numbers are off slightly: 150,000 new titles “and editions” appeared in 2002, 5.86% more than in 2001. And, for those concerned about the hegemony of a few big publishers, note that 10,305 *new* publishers emerged in 2002; *Books In Print* reflects 73,000 U.S. publishers at this point. How many book titles are “in print” at this point? The press release doesn’t say, but 131,611 books were declared out of print or indefinitely out of stock last year. (Hmm. A week or two after writing this bullet, I read a fine Adair Lara piece in the *San Francisco Chronicle* about the “glamorous” life of all but a few authors, when trying to promote and sell their new books. Lara says something like 55,000 new books appear each year. A lot must depend on how you define new titles.)
- Here it comes again, with a different name: a CRT replacement that uses CRT principles differently. This time, it’s called SED, “surface-conduction electron-emitter display,” and it’s done using a *film* of huge numbers of electron emitters coated on a glass plate, firing to phosphors on another glass plate a few *millimeters* away. The result can be large, flat panels less than four inches deep, using about half the power of CRTs or one-third the power of plasma displays (did you know plasmas are power hogs?), and with ultra-high resolution. This time, Canon and Toshiba have been doing joint development, and Toshiba plans to introduce SEDs next year. The best use would seem to be large-screen high-definition displays, where plasma consumes too much power and *no* technology except CRTs provides true blacks and the widest possible color spectrum. Variations of this technology have been promising for quite a few years; I hope it’s finally ready for real-life use.
- Forrester has a new report out, “Migrating users from free to paid.” I’m not likely to spend \$675 for the 16-page report, but I found some pieces from the “quick view” at Forrester’s website interesting. “It’s time for content providers to charge for content.” The market overview shows that 18% of online users “have paid for online content” and that “two of three online users say that the content they get for free is good enough.” One note is that “Uncle Sam protects an inalienable right to (some) content,” a seemingly plaintive note that could either refer to copyright law (Federal government work can’t be copyright-protected within the U.S.) or the fact that free speech and other U.S. provisions make it unlikely that people like me can be forced off the Internet. One figure’s caption seems to sum up Forrester’s attitude: “Exclusive content stands the best chance of enticing freeloaders.” Not people who haven’t been convinced that something’s worth paying for, but *freeloaders*. Oh well, that’s better than treating your customers as thieves.
- Joe Schallan ran a little poll on Publib, asking public librarians whether they made CD burners available to the public. Thirty-one libraries responded; nine of those libraries offer CD burners. Most of those libraries serve relatively small populations—six of them serve 29,000 or fewer. One library serving 16,000 people has 11 workstations with CD burners; one library serving 740 people has a burner, but as of the poll no user had asked for it. His summary of



the poll (posted July 7, 2003 on Publib) includes quite a few choice quotations from respondents. Notably, libraries that *have* them find them relatively trouble-free; those that don't seem to believe they'll be enormously troublesome. I was particularly taken with the library that won't touch CD burners but offers 250MB Zip drives. (Seen any Zip drives on new computers lately? Any guesses as to the installed proportion of CD-RW burners to 250MB Zip drives?) Schallan suggests that resisting CD burners is likely to be futile and is concerned at the number of digital technologies public libraries should be asked to support. "What is a reasonable core of technologies that a public library should be expected to support?" It's a good question. I'm not sure there's a good answer.

- It's amazing what people will register a domain—and pay the fee—for. I almost hesitate to give this domain name: "www.internetisshit.org." The domain consists of a fair number of screens spelling out one message, which is also available in print-ready form. Printed, it runs two pages, with a title identical to the middle part of the domain name with "The" in front and appropriate blanks. The anonymous writer (I suppose you could do a whois) is really saying that there's a lot more to life than the Internet, and that in many ways the Internet has been a disappointment. They seem aware of libraries: "I can walk into any public library, no matter how tiny and underfunded, and find facts, stories, amazing information I would never touch in a month of webcrawling." His key point: "The internet is not the sole basis upon which you can determine existence." And if you Google a blind date and come up empty, that doesn't mean the date is a freak. "A URL is not a mark of quality." The writer even suggests that recognition of the Internet's limitations might encourage journalists to do proper research—and the rest of us to look elsewhere to check information instead of just Google. Not a bad read.

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## Copyright Currents

Most probably, no significant copyright-related bill will be passed this year. That was the conventional wisdom at the start of the year ("unfortunately" if you're interested in one of the balancing or Eldred-related acts, "fortunately" where technological lock-

down laws are involved). My naïve sense is that this is still the case. That doesn't stop legislators from *introducing* new legislation—and, that said, here comes Howard Berman (D-Hollywood) again.

### ACCOPS

This time it's the Author, Consumer, and Computer Owner Protection and Security Act of 2003, the ACCOPS Act. Berman's press release says it addresses the "growing scourge of illegal activity on the Internet," which "run the gamut from identity theft, distribution of child pornography, and unlicensed drug sales to stalking, fraud, trademark counterfeiting, and financial crimes." Lest you think Berman forgot something in that laundry list, here's the next sentence: "Online copyright piracy, in particular, has gotten out of control."

The bill, H.R. 2752, is readily available. It's not very long: eight double-spaced pages in all, with a separate two-page analysis that seems to provide an honest summary of the bill. And look at this: with three minor exceptions, the entire bill relates to only one form of illegal activity: Copyright "piracy." In fact, the bill's statement of purpose doesn't say a word about identity theft, child pornography, stalking, or fraud:

To encourage the development and distribution of creative works by enhancing domestic and international enforcement of the copyright laws, and for other purposes.

So there's a new appropriation—entirely to prosecute criminal copyright violations. The Attorney General is asked to report twice a year instead of once—on criminal copyright cases. The AG will cooperate more broadly with foreign authorities—to prosecute copyright cases. The longest section provides for various "anti-piracy tools." Although the press release might suggest otherwise, one must assume from the bill itself that, in Berman's eyes, peer-to-peer file sharing is *more important* as a criminal activity than identity theft, stalking, fraud, and distribution of child pornography *combined*. Why else would he mention those other activities?

Title III, anti-piracy tools, is where the bill itself gets interesting. I see four provisions worth studying, and a fifth that really clarifies one of the four:

- Section 301 "clarifies" copyright law by stating, "the placing of a copyrighted work, without the authorization of the copyright owner, on a computer network accessible to members of the public who are able to copy the work through such access shall be considered to be the distribution, during a 180-day period, of at least 10

copies of that work with a retail value of more than \$2,500.”

- Section 302 establishes a new crime: Knowingly offering “enabling software for download over the Internet” without clearly and conspicuously warning downloaders that it *is* enabling software and obtaining the downloader’s prior consent. “Enabling software” means “software that, when installed on the user’s computer, enables 3<sup>rd</sup> parties to store data on that computer, or use that computer to search other computers’ contents over the Internet.” The crime is punishable by fine or imprisonment of not more than six months.
- Section 303 provides criminal penalties (fine or imprisonment up to five years) for anyone who “knowingly and with intent to defraud provides material and misleading false contact information to a domain name register [or other registration authority] in registering a domain name.”
- Section 304 makes it a Federal offense to record a motion picture as it is being displayed in a theater, without authorization: “camcording” in the summary’s parlance.
- Section 305 provides evidentiary support for 303 and isn’t that interesting by itself.

I’m not going to discuss sections 303 through 305. Camcording violates the implicit contract in almost any movie theater already and is a prime tool of *real* pirates (although they prefer to get prerelease copies of movies from their friends in studios); whether this *contractual* violation should be made a Federal *criminal* offense may be an interesting discussion, but at a higher level than *Cites & Insights*. Similarly, although I believe there should be a place for anonymous and pseudonymous comment on the Internet, I’m not prepared to argue that section 303 is a terrible thing. (I simply don’t know enough to comment.)

In case the summary of section 301 isn’t clear: “10 copies with a retail value of more than \$2,500 in a period of 180 days” is the trigger that moves copyright infringement from a civil dispute to a felonious crime. In other words, section 301 means that, if you have *any* copyright file on *any* directory accessible to the public, and you don’t have explicit authorization from the copyright owner, this law would make you guilty of a felony: Minimum five year sentence for first offense. Post an editorial, go to jail; quote a line of the song and it’s five years in the slammer for you—unless you’re willing to fight on the basis of fair use provisions.

You can bet this law would not be used to jail someone who posts David Letterman’s “Top Ten” list without permission or copies more than a para-

graph of an op-ed column into a Weblog. It could be, but that’s not what’s happening here. What this law does is to lower the bar for the RIAA to punish an ever-broader range of “pirates.”

One song: That’s all it takes. They don’t have to show that you sent out a message saying, “come and get it.” With HR2752, you’d have more than RIAA’s legal eagles trying to bankrupt you; they could involve the FBI and try to put you in jail. How this reduces actual commercial piracy, the production of millions of unauthorized DVDs and CDs, is beyond me—but it’s a great way to terrorize students and other file sharers. And, intentionally or not, to shut down peer-to-peer file sharing of all kinds: You couldn’t make a directory sharable without being *very* certain there were no copyrightable files on it.

Section 302? Yes, it criminalizes spyware, and that may be a good thing—but what a broad brush it uses. Would Microsoft be guilty of one violation for each copy of an Internet Explorer upgrade that’s downloaded (after all, IE makes it possible for third parties to store cookies)? (For all I know, the endless end-user agreement may already include a warning, but “clearly and conspicuously”?) For Microsoft-haters, substitute the name of your own favorite software maker that offers downloadable browsers, toolbars, synchronization tools, or anything else that allows cookies *or any other data* to be stored on your computer by any third party.

The Los Angeles *Times* report on this bill (July 17, 2003) used a neutral subheading (“Measure introduced by Democrats tries to clarify existing law on file sharing”) but was more pointed in its lead paragraphs:

To some music lovers, paying \$18 for a CD with only one good song is a crime.

To some members of Congress, letting someone copy a song online without paying for it should be a felony.

Berman’s looking for “the substantial deterrent benefits of some highly publicized prosecutions in those areas.” Apparently the four RIAA student stompings so far, and the 75 subpoenas they’re getting each day since, aren’t enough—put some kids in *jail* so those pirates will get the point. (First offenders would be eligible for five-year prison terms.)

*Wired News* had a slightly less neutral headline: “Upload a file, go to prison,” noting the five year prison term and fine of \$250,000. That story notes that Berman’s bill to immunize hacking by copyright holders is “still being debated,” and notes EFF’s comment that the recording and movie industries “don’t care what kinds of collateral damage they create.” In EFF’s own press release, Jason Schultz notes,

“More Americans are using file sharing software than voted for President Bush in 2000” and goes on, “Throwing the book at music swappers makes great political theater, but jailing 60 million music fans is not good business, nor does it put a single penny into the pockets of artists.”

At Freedom to Tinker, Edward Felten notes that Windows would be considered “enabling software”—but that the original Napster client would not be. He has more to say, of course, and his comments are always worth pondering.

A reminder of where I stand: I regard widespread “sharing” of copyright files as unethical (and it is, of course, illegal). Much as I dislike RIAA these days, that doesn’t excuse unauthorized downloading. I don’t do it, and I don’t believe in it. But I also don’t believe in wildly unbalanced damages.

## A Little Collateral Damage

In a related earlier story, Orrin Hatch (R-Utah) surprised even some copyright hardnoses during a Senate Judiciary Committee hearing. According to an AP article, Hatch asked technology executives about ways to *damage* computers engaged in file trading. A spokesman for MediaDefender, a company that builds technology to download files slowly so that other users can’t get at them, said “No one is interested in destroying anyone’s computer.”

Hatch interrupted: “I’m interested.” Later: “If we can find some way to do this without destroying their machines, we’d be interested in hearing about that. If that’s the only way, then *I’m all for destroying their machines.*” Hatch said if a *few hundred thousand* people suffered damage to their computers, the online community would realize the clampdown was serious. [Emphases added.] Senator Patrick Leahy (senior Democrat on the committee) found this a bit much. “The rights of copyright holders need to be protected, but some draconian remedies that have been suggested would create more problems than they would solve.” You think?

Hatch issued a brief press release the next day “clarifying” what he’d said:

I am very concerned about Internet piracy of personal and copyrighted materials, and I want to find effective solutions to these problems.

I made my comments at yesterday’s hearing because I think that industry is not doing enough to help us find effective ways to stop people from using computers to steal copyrighted, personal or sensitive materials. I do not favor extreme remedies—unless no moderate remedies can be found. I asked the interested industries to help us find those moderate remedies.

Edward Felten notes the addition of “personal or sensitive” to the mix—and that the press, among others, should be alarmed by this addition.

Oh, there’s another survey showing that music downloaders buy *more* music than non-downloaders, this one from the UK. But since that’s been the consistent message of every non-RIAA survey, there’s no surprise here. After all, VCRs pretty much doubled the earnings of movie studios, but some of the MPA people *still* detest the Betamax decision.

## The Eldred Act

There’s a lot more to California than Hollywood—and there’s a lot more to California Democrats than Howard Berman. Silicon Valley’s Zoë Lofgren formally introduced the Public Domain Enhancement Act on June 25, “to amend Title 17, United States Code, to allow abandoned copyrighted works to enter the public domain after 50 years.” After three pages of findings (which will be controversial during hearings), the bill gets down to detailed wording changes in the copyright law, which boil down to the following:

- “The Register of Copyrights shall charge a fee of \$1 for maintaining in force the copyright in any published United States work. The fee shall be due 50 years after the date of first publication or on December 31, 2004, whichever occurs later, and every 10 years thereafter until the end of the copyright term.” If the fee isn’t paid within a six-month grace period, copyright expires. Payment of the fee for a work also maintains copyright in ancillary and promotional work.
- “The maintenance fee...shall be accompanied by a form... The form may be used to satisfy the registration provisions...”

That’s the Eldred Act, refined to be as straightforward as possible. One buck, each ten years, *after* the first 50 years. Registration, *after* 50 years. Registration makes it possible to find copyright holders to license their work. No registration, no buck, and work goes into the public domain—after the creator has had fifty years to profit from it.

This *should* be uncontroversial. It won’t be. Guaranteed.

## Miscellany

- UCITA isn’t doing that well. Vermont has now joined Iowa, West Virginia, and North Carolina in adopting a Uniform Electronic Transactions Act—essentially a “bomb shelter” to prevent companies from gaming lawsuits by filing them in the two states that have passed UCITA

(Maryland and Virginia). Massachusetts is hearing a similar bill. One can only hope that many other states will follow—and that DC’s neighbors will reconsider their unfortunate decisions.

- Neither are the state super-DMCAs. The Texas bill appears to be dead, according to Edward Felten. Colorado’s governor vetoed a similar bill, and Tennessee and Oregon bills have been withdrawn. Here’s how MPAA’s Vans Stevenson sees it: “Time is on our side. We have all the time in the world.” Watch for “stealth bills” in your state legislature!
- The Supremes weren’t quite willing to bend over backwards to benefit presumed copyright holders. In this case, it was Justice Scalia who wrote the *unanimous* decision. Years back, 20<sup>th</sup> Century Fox released a documentary video series, “Crusade in Europe.” Fox didn’t create the documentary—Time Inc. did. Fox didn’t renew the copyright. In 1995, Dastar took the documentary, deleted one hour, added a half hour of new material, and released the new set of tapes as “Campaigns in Europe.” Fox sued. The copyright issue was moot: Fox failed to renew copyright, dropping the documentary into the public domain. So Fox sued based on trademark law and the Lanham Act. But Dastar did modify the documentary, used a new name for the documentary, and put its own name on the box. That was good enough for all of the Supreme Court. (It was 8 to 0; Justice Breyer recused himself because his judge brother had been involved in the case.) ALA—and lots of others, including the Bush administration—supported Dastar. Considering that trademarks last forever (when defended), a reverse finding would have been particularly troubling for any sense of a public domain.
- The RIAA has decided that it gets to file subpoenas in Washington’s District Court, no matter where those subpoenas are to be served. That’s convenient for them. As of July 25, they’ve filed at least 1,000 such subpoenas demanding information from universities and ISPs about users of KaZaA. MIT and Boston College apparently don’t intimidate easily: They moved to quash the subpoenas for two reasons: They conflict with other federal laws (the Family Education Rights and Privacy Act) and they were filed in Washington, not Massachusetts. Naturally, an RIAA spokesperson was outraged that universities “have chosen to litigate this in an attempt to deny copyright holders the right so clearly granted in Congress.”

When RIAA says “Jump,” the only appropriate response is “How high?” (On the other hand, Verizon continues to fight the 150 subpoenas it had received by July 22—while Comcast is busy jumping.)

## Articles

deCarmo, Linden, “Checkered flag,” *EMedia* 16:5 (May 2003): 34-41.

This lengthy article on the proposed Broadcast Flag carries a large-type intro that tells you where the writer’s sympathy lies:

The broadcast copy protection flag may be the most misunderstood and vilified concept in the history of digital video. It has been accused of trampling consumer rights, stifling competition, and potentially costing consumers millions of dollars. Yet the digital television rollout may not happen without it.

Whew. Vilified, yes. Misunderstood? After reading the article, I’m not sure I buy that. Of course, the very next paragraph talks about an “unpleasant chapter in digital entertainment: the audio CD debacle of the early 1980s.” The introduction of audio CDs resulted in more than a decade of unparalleled profit for record companies: How was this “unpleasant” or a “debacle”? Because CDs aren’t copy protected, allowing “unsavory characters” like me to “rip tracks from unprotected CDs.” deCarmo admits that “law-abiding consumers have been using the same ripping tools for legitimate purposes.”

After noting the four principles defining Fair Use and the fact that movie studios were “petrified” when Betamax emerged, because it would “ignite a massive increase in piracy,” deCarmo fails to offer the useful historical fact that VCRs ignited a massive increase in studio revenues—but then, that’s not part of the Studio Line. We’re told, *correctly*, that the Supreme Court has so far held that technologies with legitimate applications aren’t illegal just because they can be used for piracy—and then told that copy-protection protocols mean that “there is *no legitimate Fair Use*” of protected materials. This is an interesting reading of law: If technology can *prevent* Fair Use, there *is no* Fair Use to be concerned about.

We read, of course, that high-definition broadcast streams, once captured can be “rebroadcast over the Internet with very little effort,” a statement that’s standard for the MPAA but patently false according to every non-studio technologist I’ve read. The writer goes on to note that “there is no widely accepted Internet Copy Protection standard”—which makes sense, since such a standard would negate the whole concept of the internet!

A bit later, we read that implementation of the Broadcast Flag would mean that “consumers with first-generation HDTV television sets with analog-only inputs will no longer be able to obtain HD-quality images on their display.” That’s called a side effect, but it says to me that “potentially costing consumers millions of dollars” (to replace such sets) and “trampling consumer rights” (to use the devices they’ve paid for) are *correct* interpretations of the Broadcast Flag. Where’s the misunderstanding?

Then there’s the “analog hole,” supposedly “created” through the downsampling required to provide a non-high-definition image for the defrauded set owners. “While the constrained image isn’t as breathtaking as the HD original, it’s a vast improvement over a comparable analog broadcast.” That’s not clear—and there’s nothing new about an “analog hole.” Of course, as every test to date has shown, *any* uncompressed digital video signal is very difficult to send over the Internet.

Here’s watermarking as a way of “closing” the analog hole, claiming that “watermarks can survive the analog-to-digital and digital-to-analog transitions.” But any watermark that can survive such transitions will cause “audiovisual side effects,” probably fairly substantial ones.

Who vilifies the Broadcast Flag? EFF, for one—and, late in the article, deCarmo does repeat EFF’s findings that internet “piracy” of HDTV just isn’t practical. Oh, but “it is likely that the broadband connection speeds and processing restrictions that cumber today’s systems will be alleviated.” So the MPAA’s right after all: Someday, maybe, it might be possible.

This is an interesting article, but enormously slanted toward the industry “doom is us” attitude. After reading it carefully, I’d still vilify the Broadcast Flag—and claim that its opponents haven’t misunderstood it at all. It’s anticompetitive, anticonsumer, and “solves” a nonexistent problem. It’s another in a long line of MPAA bullying tactics.

Fremer, Michael, “Fair use?” *Stereophile Guide to Home Theater* 9:5 (June 2003): 28, and Pete Putnam, *Digital television primer*, 34-42.

Fremer may be a bit of a freak on the superiority of vinyl (primarily in *Stereophile*), but he’s also insightful on some topics. Here he discusses the frantic efforts of MPAA and its allies to prevent or control copying of high-resolution digital video. He notes that existing file-sharing schemes involve *low*-resolution audio “used by consumers for whom quality is a secondary issue” and continues, “There’s nothing Hollywood can do to stop the sharing of lo-

rez video clips on the Web. And why should Hollywood care?”

That’s the point Valenti and comrades just don’t get or won’t admit. As discussed in earlier issues, there’s no plausible way to share high-resolution video over the web—not at nine gigabytes per hour. HDTV is *already* compressed by a factor of almost 100:1; once you recompress that stream to get it down to sharable bandwidth, the quality will be considerably lower than VHS. Unfortunately, the industry approach is to assure that only *uncompressed* (which means decompressed or expanded) HDTV will be available outside of secure devices—and there’s really no way for a consumer to record uncompressed HDTV even for time-shifting purposes.

Consider the bandwidth, assuming a true digital picture with no compression, and disregarding audio or extras. There are two primary HDTV resolutions: 720p, which comes out to 1280x720 refreshed 60 times per second, and 1080i, 1920x1080 but refreshed 30 times per second (because the “i” means interlaced—540 “even” lines followed by 540 “odd” lines). Let’s also assume 3 bytes per pixel for true color. That works out to 165.9 megabytes *per second* or just under ten gigabytes per minute for 720p, 186.6 megabytes per second or just over 11 gigabytes per minute for 1080i. It’s an interesting way to prevent unauthorized copying: Flood the stream with so much data (99% of it generated by decoding algorithms) that no consumer device can handle it!

Kozinski, Alex, and Christopher Newman, “What’s so fair about fair use?” *Journal of the Copyright Society of the USA* 46:4 (Summer 1999): 513-530.

Yes, it’s four years old. It’s also charming and fascinating. Judge Kozinski (Ninth Circuit Court of Appeals) delivered this Brace Memorial Lecture at Fordham’s law school in November 1998. (Kozinski seems to have the habit of asserting that all the best parts in his articles and speeches are inserted by his law clerks.)

He begins by discussing a controversy I’d never heard about, one that involved true censorship: That is, *preventing* a book from being distributed. The book was *The Cat Not in the Hat* by Dr. Juice, published by Penguin. It was about the O.J. Simpson trial and illustrated and written in the style of—well, you can guess. As Kozinski (or Newman?) puts it, “you can just imagine what happened:

Those lawyers for Seuss were so sly and so slick,  
that they wrote a complaint and they filed it real quick:

”We took a look. We saw a book.

We saw a book writ by a crook.

This crook had took our own book's look!  
It looks the same way in a box.  
It sounds the same way with a fox.  
It tastes the same with bagels and ox!"

There's more, but I may already be infringing on either Kozinski/Newman or Seuss. In short, the court granted a preliminary injunction against distribution, agreeing that Seuss was "threatened with the prospect of immediate and irreparable harm to its interests..." and the Ninth Circuit upheld. "The book was never seen again." A footnote says Kozinski once met one of the lawyers and asked if he could get a copy for academic interest. The lawyer's response: "Are you crazy? There's an injunction."

The case has been discussed in several articles. If you know the usual defenses in this sort of situation, the key is that *parody* is protected but *satire* is not. If you wrote a book that actually parodies Seuss, that's OK—but using Seuss' style for some other purpose is (or was judged to be) infringement. And you thought U.S. law pretty much prevented censorship before the fact? Guess again.

It's an interesting speech, essentially saying that fair use as a doctrine may cause more problems than it solves, at least when it comes to derivative works. As you might expect, Kozinski can't keep Seuss' stylings out of his discussion: Talking about fair use (Section 107), he notes that "Many talented thinkers have puzzled and puzzled about Section 107 until their puzzlers were sore."

Here's where it gets interesting. If the authors of the satire decided to get even by writing a *libelous* expose about Theodor S. Geisel, and did so in typical prose with no infringing illustrations, the publisher could *not* be enjoined from distribution. Not even if it was clear libel (find the speech and read the example—I won't repeat it here). "An injunction against speech that had not yet been proven to be constitutionally unprotected would be an unconstitutional prior restraint." But when it comes to infringing derivative works, injunctions are not only possible but relatively easy: "Irreparable injury is *presumed* upon a showing of likelihood of success" in a future copyright-infringement suit. The relevant section of the law even authorizes the court to impound and destroy the books. "Think about this for a moment. Congress has given courts the power to order books burned."

Kozinski's core argument here is that current copyright law goes much too far in preventing derivative works. He believes that it's reasonable for a copyright holder who's unwilling to license a derivative work to be able to sue for *actual* damages—but not to prevent publication of a derivative work, or to get statutory damages. If Seuss Enterprises could

show that the Dr. Juice book actually caused them damages, they should be compensated—to the extent of those damages, and no more.

What an idea. Derivative works have been key to creation throughout history. Today's copyright regime might have cut Johann Sebastian Bach's output in half; it would have damaged many other composers; and it would, of course, have prevented most of Disney's greatest family classics from being made.

"The simple fact is that owners of intellectual property tend to be control freaks, and regard anyone who would erode this control as an enemy." Kozinski believes most copyright holders would be better off in a system that allowed everyone to exploit their work. "When set free to do so, people will find ways to extract value from intellectual properties that original authors, too fearful of sullyng their creations, would never dream of. They do not like this. So they say. Try it and they may, I say."

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## Feedback and Followup

If you haven't already heard—and you care—Steven Cohen (Library Stuff, a frequent contributor to LISNews, and a hot item on the library speaking circuit) felt the need to be alerted to new editions of *Cites & Insights* through RSS, along with so much of the rest of his Internet reading. Since I tend to react with a vacant stare when somebody mentions RSS, he said he'd do it himself if I didn't object. Which I didn't. So he did:

The URL to the RSS feed for *Cites & Insights* is <http://radio.weblogs.com/0124132/staplerFeeds/cites.xml>

Clicking on the link should bring up the PDF for the new issue, with a feed appearing each time I add an issue to the "all issues" index.

Thanks to Steven for doing this. I don't use RSS, but lots of smart folks do. (If the feed doesn't work right, I can't provide technical support—but you can always sign up to receive direct e-mail notification when each issue appears. That happens about ten to fifteen minutes after the updated index is uploaded.)

### Peter N. Glaskowsky, *Microprocessor Report*

In a recent issue, I commented on a *Macworld* piece quoting Glaskowsky saying that IBM PowerPC 970 processors in a future Mac might mean that "Apple could claim performance superiority with more legitimate metrics than the company uses now," and going to say "It's been a few years since Apple has

had a Mac that is competitive with the best you can get on the PC side.” I was fascinated that *Macworld* chose not to challenge such strong language.

Glaskowsky sent this email:

They don’t challenge my comments for the same reason they invite them—they know I know what I’m talking about. They also know I’m a Mac bigot and I wouldn’t say things like that unless they were true. ☺

Not even Apple complains. Ironically, I get better editorial cooperation from Apple than I get from Intel. Ah, well.

When I asked for permission to use the note, he wondered whether it was worth passing along, but thought “you might like to know why some people can say anti-Mac things in a Mac publication, and get away with it. Heck, I didn’t even get any grief from Mac users for that one.” I guess a solid record of reliable reporting has its benefits.

### Greg Peterson, Kyoto Notre Dame University

Peterson commented on two items in the June issue—and suggested that I summarize the second portion, but I think it’s worth running in full.

#### On ALA’s new Web design:

I got quite a shock when I recently (April 21<sup>st</sup>) updated my reference to the ACRL Information Literacy Competency Standards:

Association of Research Libraries. *Information Literacy Competency Standards for Higher Education*. American Library Association. 28 Nov. 2000 (Web revised 14 Apr. 2003). 21 Apr. 2003

[http://www.ala.org/Content/NavigationMenu/ACRL/Issues\\_and\\_Advocacy/Information\\_Literacy/ACRL\\_Information\\_Literacy\\_Web\\_Site/Standards\\_Toolkit/The\\_Standards/The\\_Standards.htm](http://www.ala.org/Content/NavigationMenu/ACRL/Issues_and_Advocacy/Information_Literacy/ACRL_Information_Literacy_Web_Site/Standards_Toolkit/The_Standards/The_Standards.htm)

The new Standards document is actually nicer than the previous one, which had a separate introduction; however, it was hard to find, and that URL is a disaster, especially when I use it in printed handouts.

#### On Wiki:

My experience of Wiki has been quite positive as a reader, but not so exciting as a Wiki setter-upper and teacher.

Some technical support forums use Wiki, for example, DocBook Wiki (<http://docbook.org/wiki/moin.cgi/>). The DocBook Wiki contributors seem to take their writing seriously. I have never seen anything like a flame war on a Wiki. Maybe my timing has been good, but I have never seen anything offensive on a Wiki. I know it is easy for anyone to write anything, but I have been

pleasantly surprised by the quality of Wiki writing that I have seen. On the DocBook Wiki the “RecentChanges” and “FindPage” features are quite helpful.

On the negative side, I set up a Wiki last October for a small graduate seminar (three students), hoping that we would all contribute Wiki pages as we made new discoveries. Although we all thought it was a great idea for collaborative work, the Wiki languished from lack of use because our regular mailing list served our needs. The mailing list was a hotbed of messages. We were all e-mail veterans, four people using four different kinds of e-mail software, and we found that the old quote-and-reply method worked great for us. I was the only one who really used the Wiki, and I very quickly got tired of updating the thing every week.

One thing that I discovered from the experience was that my students rarely used the Web as a means of interactive communication. They could all write Web pages quite well, so it was not a problem of technological skill. They simply did not need such a medium for small-group communication when they already had a mailing list.

I used MoinMoinWiki, the same software used by the DocBook Wiki. It was easy to install and configure, and I found it very easy to learn. One would think software that good has to be useful for something...

No comments appear required on either topic.

## Following Up

Remember Jesse Jordan, one of RIAA’s four whipping boys—a Rensselaer Polytechnic Institute student sued by RIAA for copyright infringement (with potential damages in the \$billions), with the suit settled for his life savings? After he paid the \$12,000 fine, he put up a PayPal link and request for donations. According to a June 26, 2003 AP story, more than 900 people responded—and he’s now put this posting on his website:

Thanks to the many generous people out there, I have recovered my savings. Please don’t send me any more money.

According to his father, a lot of the donations included comments like “I’m sending this to you instead of buying a CD.” I’d guess that at least ten times as many people didn’t donate—but will *also* eliminate a few CD purchases out of outrage over RIAA’s high-handed actions. But Matt Oppenheim of RIAA is happy: “He stared down the barrel of a massive lawsuit. I’d be very surprised if he or anybody else who is familiar with this would want to have to face this again.” If you’re going to be a bully, you *should* be proud of it.

Remember EZ-D? (*Cites & Insights* 3:7). That's the cute new pseudo-DVD that comes in an airtight envelope. Open the envelope and play the DVD as often as you want—for 48 hours. At which point it turns black and is useless. Maybe you can recycle it. But Disney will only charge \$5 to \$7 for it—which the strangely favorable New York *Times* story calls “close enough to the cost of a typical DVD rental.” Whew. The \$15 a month we pay for Netflix, watching four or five movies a month, is sounding like a *real* bargain. The story says that Blockbuster and its ilk get 10% of their revenue from late fines—and that Disney plans to sell EZ-D at gas stations, 7-11, that sort of place. And, of course, keep a higher percentage of the revenue. Oh, they'll wait six weeks after a DVD comes out before offering the EZ-D versions, and the EZ-D version won't have any extras (commentaries, deleted scenes, whatever). Blockbuster sneers and points out that their stores sell used DVDs for a couple of bucks more that can be played “forever.” Most analysts aren't enamored of the idea. One scientist makes the astonishing assertion that so much gas will be saved by not returning discs that it will outweigh the environmental impact of the disposable DVDs. And as for Michael Eisner, Disney's CEO? “I think it probably won't work.” Now there's a hearty endorsement.

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## The Good Stuff

Branscomb, Lewis M., “Science in 2006,” *American Scientist* (November-December 1986), and “Science in 2006, revisited,” *American Scientist* (May-June 2003). (Both downloaded from [www.americanscientist.org](http://www.americanscientist.org) on June 17, 2003.)

Here's something you don't see nearly often enough: A reprint of an expert set of predictions followed by an honest judgment *by the same expert* as to how they worked out. “The short answer is that almost all my specific predictions have already turned out to be simply wrong.” That makes Branscomb no worse than any other prophet—but a whole lot more honest. The original paper is 12 pages long; the revisit, five pages. Both are **well worth reading**.

Some of the failed predictions are unfortunate. Branscomb assumed that the Superconducting Super-Collider *was* completed—and that now experimenters wanted something bigger, a ring 5,000 kilometers in circumference, built a kilometer under the ice surface of central Antarctica. He also predicted a resurgence of pure mathematics and anticipated generally higher educational standards.

Note the word “specific” in the quoted sentence. Branscomb admits that a few detailed predictions were deliberately extravagant “and therefore turned out to be about right”—for example, teraflop computing on the desktop, the mapping of the human genome in the 1990s, the growth of the internet (although he gave it a different name). For most of his broader predictions, it's not easy to say whether things have turned out as predicted. That's one reason both articles are worth thinking about.

Carroll, Sean, “How to find anything online,” *PC Magazine* 22:9 (May 27, 2003): 80-9.

This is a surprisingly good set of notes on using web search engines effectively, combined with reviews of five general-purpose search engines, a somewhat-incomplete graph showing relationships among search engines, a discussion of search toolbars and accessories, and a page of “niche search” possibilities.

While Google gets the Editors' Choice, AllTheWeb earns the same four-dot rating.

I do have one bone to pick with the “Search better” section of search tips. It's wonderful that one major tip is “Go back to the library,” noting that library reference departments “are still great sources of information,” that they have licensed online resources that may not be available from home, and that reference librarians are worth talking to. The oddity, though, is the suggestion that the *only* resources you should use in a library are the online collections. You've already gone to the physical library: Is there some reason using *print* resources is beneath contempt? Particularly for an article appearing in (ahem) a print magazine?

Ernst, Warren, “Building blogs,” *PC Magazine* 22:11 (June 30, 2003): 60-1.

A good brief discussion on how to get started with Weblogs, free of the hype and posturing present in so many pieces from bloggers. The tips at the end are aimed at personal blogs but hard to argue with, including these cogent suggestions:

- “Keep it personal. If readers want impartial, wooden paragraphs and links, they'll go to Yahoo! or CNN.
- “Be honest. Back up all your claims with links.
- “Read other blogs. Yours can't exist in a vacuum.”

Now if only someone would add this tip: “Keep neologisms to a minimum. Blogging is an activity, not a way of life; you don't need to invent a new “bl” term each time you do something interesting with a weblog.” Maybe I just did—but “blogrollers” and



“blawg” creators and the rest will probably ignore me, as will most of Blogaria or the blogosphere.

Magid, Larry, “Looking back on two decades of PCs and tech columns,” [www.pcanwer.com/articles/synd\\_20years.htm](http://www.pcanwer.com/articles/synd_20years.htm), dated July 3, 2003.

“When I first started writing my syndicated column twenty years ago this week the state-of-the-art in computers was the IBM XT.” He offers the modest specs for that \$6,700 computer (with color display and printer): 128KB RAM, 10MB hard drive—and, although he doesn’t mention it, a 4.77MHz CPU. Do note that 128 quantifies *kilobytes*, not megabytes. As he notes, the XT was an enormous improvement over the PC, where you had to store software and data on 360KB diskettes.

This **recommended** brief look back notes the major software companies that have disappeared (MicroPro, makers of WordStar—and Satellite Software, makers of WordPerfect, for example) and some of the big early developments. He notes how much has changed—and how much has stayed the same: Computers “still bewilder and confuse people and they continue to be one of the most troublesome devices that we have in our homes and offices.” He hopes that won’t be true if he’s still writing the column 20 years from now. I may be a Pollyanna, but I’m not *that* optimistic!

Null, Christopher, “How Netflix is fixing Hollywood,” *Business 2.0* (July 2003).

This upbeat article offers real numbers about Netflix, and it’s fascinating. As I’ve noted previously (elsewhere), Netflix is the best thing to happen to indie films in a very long time; the same is true for foreign films. The indie maker has to be able to produce a DVD, of course, but that’s no big deal compared to the other costs of independent movies.

The opening anecdote clarifies that Netflix’ positive influence isn’t entirely passive. It recounts a call from Ted Sarandos of Netflix to indie filmmaker Stu Pollard. Sarandos saw Pollard’s *Nice Guys Sleep Alone* (made for \$800,000, a pittance in Hollywood) and offered to buy 500 copies. He’d only pay \$1 per copy (“about the cost of producing one,” the article says), but he’d pay Pollard a cut of each circulation for the first year. (The article says “rental,” but given the way Netflix works, that’s an odd word.) That first year (2000, when Netflix only had two or three hundred thousand subscribers), 10,000 people saw the movie—and that helped to get it an airing on HBO, as well as returning \$12,000 to Pollard.

Netflix buys a *lot* of DVDs: “60,000 copies of *My Big Fat Greek Wedding*,” for example. When the article was written, Netflix had about 5.5 *million*

discs and was shipping about 300,000 discs each day. (The firm reached a million subscribers in February 2003.) Apparently inventory handling is now so effective that “the vast majority of discs never touch the shelf” once they start to go out—when a disc is returned, the process of scanning the bar code *immediately* prints out a label for the next subscriber with that disc at the top of their list. There are 20 distribution centers around the country but only one real warehouse (in San Jose), because discs so rarely go back to the warehouse. Amazing.

This article refers to an “exposé” (bumped from this issue) in an oblique manner that suggests that it’s true—that Netflix *does* bump very frequent renters to the bottom of the waiting list. Well, good for them. If enough subscribers watch so many pictures that Netflix goes under, we all suffer.

What’s the effect on indie filmmakers? Presumably, only 50 or 60 pictures—maybe only 20 or 30—are the big-studio productions “everybody” wants to see. Blockbuster outlets have 4,500 *copies* of movies; I’d guess a typical outlet these days has maybe one or two thousand titles at most, with video departments in Target and similar stores having a few hundred.

Netflix has 15,000 titles. “On any given day, in fact, 98 percent of the 15,000 titles in Netflix’s inventory are in circulation with customers.” So indies win—and so does Hollywood, since older movies stay in circulation. For smaller distributors, Netflix is becoming the *premier* outlet for DVD versions.

Seff, Jonathan, “Behind the music,” *Macworld* 20:7 (July 2003): 56-67.

Apple’s Music Store may be the most successful attempt to sell music by the song over the Internet and offers a somewhat better balance of consumer and company interests than most other efforts. This “in-depth look at Apple’s Music Store, iTunes 4, and a new generation of iPods” delivers what it promises. Even if you’re a Windows user, there’s quite a bit of thoughtful commentary here, including sidebars on a week’s trial of the Music Store by one of the older staff members, a good sidebar on rights issues and what’s still missing in the Apple equation, and more.

“The perfect PC,” *PC Magazine* 22:11 (June 30, 2003): 77-93.

An interesting space-filler, suggesting ten fairly precise configurations for “perfect” PCs serving different needs. Kenn Brown provides magnificent illustrations that take up most of the space. To my mind, the most interesting single aspect of this whole exercise is that six of the ten “perfect” PCs are desktop boxes—not notebooks or alternative forms.

“20 hot technologies to watch,” *PC Magazine* 22:12 (July 2003): 81-120.

“Good stuff” may be an overstatement, but the annual “future tech” feature in *PC* is always interesting reading. My sense is that the editors have grown more cautious about the “heat” of these new technologies. They note that some of these 20 are “little more than sparks of ideas,” and up front, Michael J. Miller says, “Not all of these technologies will come to fruition.”

I don’t buy the assertion that each of these 20 concepts or technologies “holds the promise of transforming computing.” That’s a distortion used to make them fodder for *PC Magazine*. For example, infrared countermeasures and self-driving cars (yes, they’re being promised *again*—and “just around the corner” is now suggested to be at least 30 years away) may *use* computing, but don’t seem to have power to *transform* computing, any more than using a toaster for a new kind of bread somehow transforms the toaster.

With the load of caveats about timing and probability, there’s little point in gainsaying the choices: They’re just an assortment of interesting concepts. Sure, let’s hope carbon nanotubes, fuel cells, plastic transistors, OLED displays, silicon photonics, mesh networks, grid computing, quantum cryptography and magnetic memory work out: All of these appear to have more promise for good than for damage. Biosensors? Maybe, but “implanted in the body [to] function as a constant onboard doctor”? Hmm. RFID tags on everything? Don’t we already recognize the problematic aspects of that wonderful future? And cognitive machines? Probably about the same time as self-driving cars and realistic national requirements for fuel economy at the expense of being able to drive personal military vehicles.

## Good Stuff Perspective World of Ends: Another Internet Manifesto

Searls, Doc, and David Weinberger, “World of ends.” March 10, 2003. <http://worldofends.com>

How about that! Another domain to hold one brief document—a public domain document at that (it carries Creative Commons’ “no rights reserved” license). It’s a manifesto with the subtitle “What the Internet is and how to stop mistaking it for something else.” As manifestos go, it’s a good one—I find fewer points of flat-out disagreement than in the Cluetrain Manifesto, for example.

I could quote the entire document, legally, but you can get it yourself. I do appreciate that Searls and Weinberger don’t take things *too* seriously, as witness this portion of the introduction:

“The Internet interprets censorship as damage and routes around it,” John Gilmore famously said. And it’s true. In the long run, Internet radio will succeed. Instant message systems will interoperate. Dump companies will get smart or die. Stupid laws will be killed or replaced. But then, as John Maynard Keynes also famously said, “In the long run, we’re all dead.”

Herewith, the ten tenets in this credo (in boldface), including the three subtenets that make up #8, with a few notes as (in)appropriate:

**The Internet isn’t complicated.** “The Internet was designed to be the simplest conceivable way to get bits from any A to any B.”

**The Internet isn’t a thing. It’s an agreement.** That one’s important: In essence, the Internet is “just a protocol,” IP.

**The Internet is stupid.** “The Internet doesn’t know lots of things a smart network like the phone system knows: Identities, permissions, priorities, etc. The Internet only knows one thing: this bunch of bits needs to move from one end of the Net to another. There are technical reasons why stupidity is a good design. Stupid is sturdy.”

**Adding value to the Internet lowers its value.** “If you optimize a network for one type of application, you de-optimize it for others.” Another really important point—you can’t give priority to A without complicating the Internet itself and, in effect, slowing down B. Great if you’re an A provider or user—unless the complication slows *everything* down, as it probably will—but terrible if you’re a B.

**All the Internet’s value grows on its edges.** “If the Internet were a smart network, its designers would have anticipated the importance of a good search engine and would have built searching into the network itself. But because its designers were smart, they made the Net too stupid for that. So searching is a service that can be built at one of the millions [of] ends of the Internet... [As a result], search engines have competed, which means choice for users and astounding innovations.”

**Money moves to the suburbs.** The point here—an important one that runs counter to AOL and MSN—is that connectivity should tend toward commodity status *and should be kept separate* from content and services, which is

where the innovation and value should reside. I'm not sure how the tenet relates to the point.

**The end of the world? Nah, the world of ends.**

"Ends" are, to simplify, IP addresses: Places where content originates, is received, or (frequently) both. Craig Burton describes the Net's architecture as a hollow sphere composed entirely of ends—and those ends can do "Anything that can be done by anyone who wants to move bits around."

**The Internet's three virtues: a. No one owns it.**

"It *can't* be owned, even by the companies whose 'pipes' it passes through, because it is an agreement not a thing. The Internet not only is in the public domain, it *is* a public domain." It tends to be reliable, interoperable (unlike, for example, U.S. cell phones), and so on.

**b. Everyone can use it.** "The Internet was built to include everyone on the planet," even though that's subject to "the miserable inequities of fortune."

**c. Anybody can improve it.** "Anyone can make the Internet a better place to live, work and raise up kids. It takes a real blockhead with a will of iron to make it worse." Or, perhaps, a solid oak heart. Two ways to make it better: "First, you can build a service on the edge of the Net that's available to anyone who wants... Second, you can do something more important: enable a whole new set of end-of-Net services by coming up with a new agreement." Thus, for example, the web—new protocols that *use* the Internet. (This section includes a commentary on the idiocy of current instant messaging systems with their deliberate lack of interoperability.)

**If the Internet is so simple, why have so many been so boneheaded about it?** That's a question rather than a tenet, but it brings in a touch of anti-government, anti-business rhetoric: That "nobody owns it, everybody can use it, anybody can improve it" are antithetical to the views of business and government. I won't get into that particular argument

**Some mistakes we can stop making already.**

While there's a *lot* of technophilic overstatement here—for example, it's simply not true that "the market" has decided that it "no longer wants" prerecorded CDs—it's still an interesting section. It ends, "We have nothing to lose but our stupidity."

The authors wanted discussion. They got it. I've only glanced at some of it, certainly not including however many thousands of Slashdot messages may have been posted. (It wasn't until I browsed re-

sponses that I realized that the coauthors *are* two of Cluetrain's creators.) A few interesting responses:

"World of assholes," [www.emptybottle.org](http://www.emptybottle.org), March 8, 2003.

This satire by "stavrosthewonderchicken" is intended as "good-natured if pointed ribbing, not ideological warfare. Manifestos by their very nature invite a kick in the ass...and I'm willing as always to step up to the plate." The satire deliberately conflates traffic with carrier, seems to say that it's absurd to separate the two, comes from somewhere that "favour" is spelled with a "u," and includes a comment about America's "crumbling society."

When I finished reading the brief sendup and noted the internal contradictions—for example, one tenet seems to say that nothing has value until it reaches the mainstream while another says that adding audience does not add value—I wrote a two letter annotation: "h.s." I won't expand that, and you may find this less fragrant than I do. Maybe there is a pony in there somewhere.

Kling, Arnold, "Suits and geeks," Tech Central Station, March 13, 2003. ([www.techcentralstation.com](http://www.techcentralstation.com)).

When you're at TCS and reading Kling, you're getting the Free Market writ big, with disdain for anyone taking more nuanced stances. Kling asserts his agreement with most of "World of ends" (and views it as "an attempt to give Suits some clues about the Internet"), but feels the need to add his "five clues for geeks":

**Intermediaries add value.** Except, of course, when they get in the way, obstruct interchange, and become more powerful than creators or users. You won't be surprised to find a citation to Kling's own pile, "Content is crap" (see *Cites & Insights* 3:3).

**Property is not evil.** Not that anything in "World of ends" suggests otherwise—except through the twisted logic of Kling.

**Computer animation is not a killer application.** Score one for Kling. What percentage of "geeks" (as opposed to "suits" who want the Internet to become interactive TV) really thinks Flash animations are hot stuff?

**Bashing Microsoft does not make you smart.** Score two for Kling, although—as with the point above—it has nothing *whatsoever* to do with "World of ends."

**Markets are not exploitative.** OK, get back in your seat, drink some water if you need to. A little laughter is good for the soul, but don't go berserk. Not that all markets are exploitative,

but a pure free-market economy is about as equitable as real-world Communism proved to be. (Personal bias: On the whole, I'm a capitalist. I own stock, I work in private enterprise—albeit nonprofit—I believe that many commercial transactions are win:win, I don't believe that property is evil. But to state flatly that markets are not exploitative strikes me as either inane or the same word with an added consonant.)

Beattie, Russell, "The world of ends: thinking like it's 1999," [www.russellbeattie.com](http://www.russellbeattie.com), March 8, 2003.

I have no idea who Russell Beattie is, and my accidental attempt to print all 18 pages of his notebook sent our network printer into a multimegabyte fit, but never mind that. "Even though I think Doc is cool, I don't actually agree with many of his points." As with Kling, some of the disagreements are a bit orthogonal—he's making additional points that don't necessarily undermine the original. Pieces of some of the notes (with modified orthography and correcting a consistent misuse of "it's"):

**The Internet isn't complicated...** It's not complicated like my car isn't complicated. I get in and turn the key, right?... If the Internet wasn't complicated, it would Just Work. But it doesn't—not without a *lot* of effort.

**The Internet isn't a thing. It's an agreement.** Yeah, well so is language. But language is a "thing" as well... The Internet now is as real as a rock.

**The Internet is stupid.** No it isn't. The reason it works is because of all the intelligence inherent in the Internet...

**Adding value to the Internet lowers its value.** ... If I set up a bunch of servers that can route video faster... then that *decreases* the load on the rest of the "normal" internet, improving its value for everyone.

**The end of the world? Nah, the world of ends.** I kinda get this, but the fact is that *some* ends are bigger than other ends. When my PC connects at one end, I'm providing *zero* additional value to the network except as a communication tool for my brain. However, when Google attaches its 10,000 Linux boxes to the network, now *there's* an end that counts....

**The Internet's three virtues: a. No one owns it.** No one owns the Internet protocol, I agree. However: 1) Companies do own the physical lines and the bandwidth. 2) Companies own *other* protocols like AIMs TOC which make the internet *do* something, and 3) Companies own

the DNS, which allows us to function without remembering numbers.

**b. Everyone can use it.** Sure, but how well and how fast?...Bandwidth affects quality of service. Also, hey, you can just blow off socio-economic issues as just "one of those things," but the fact is that "everyone" can't use the internet.

Lewis, Jamie, "Ends and means: Identity in two worlds," posted March 29, 2003 at [www.burtongroup.com/weblogs/jamielewis/](http://www.burtongroup.com/weblogs/jamielewis/)

This thoughtful essay discusses the "world of means" that, to some extent, balances the user-centric world of ends: The real *and necessary* roles of government and large enterprises, and the extent to which (for example) digital identities can't be entirely user-driven. It's not a direct response to the manifesto; instead, it uses the manifesto as a springboard for another important and valid set of concerns. To give a trivial library-centric example: Of course libraries want to—*must*—keep circulation records confidential and should allow users to pursue knowledge and entertainment on their own terms and without library monitoring. At the same time, libraries want to—*must*—allocate scarce resources among a broad community (available PCs, reference books, etc.), and take measures to do so that theoretically impinge on user anonymity and freedom.

I'm sure there have been (and will be) many more responses. That tends to happen with well-written manifestos, particularly from someone like "Doc" who's apparently a luminary among the Web cognoscenti. I **recommend** "World of ends," not without reservations.

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## The Details

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