STANDING UP FOR THE COMMUNITY

PW Talks with Terry Plum

BY SASHA NYARY WITH DAVID MARLIN

When it comes to digital, librarians can sometimes be perceived as awfully cranky—just look at the current debate around e-books and lending rights. But it’s easy to see why, as libraries face historic difficulties in the digital age. To take stock of the situation, PW recently caught up with Terry Plum, assistant dean of technology at the Simmons Graduate School of Library and Information Science.

A veteran librarian and educator, Plum has worked in academic libraries and higher education for nearly four decades, and regularly speaks and publishes on the evaluation of electronic resources and digital libraries. From structural issues, like licensing, to legal challenges around fair use and first sale, values librarians have guarded and sanctified for decades, librarians are standing up for communities, even as new forces shift the ground beneath their feet.

With the digital transition in full force, let’s start with a basic question: how do you see the shift to digital content and e-readers and other devices affecting or changing the traditional role of the library?

To me, that question goes to the heart of what the library is. The library is a shared commons around information. You could look at the library as a community defined by the exchange of books, but it’s more. It is a community defined by the exchange of information to create knowledge. Devices and platforms like the Kindle, however, are not shared. So in
that world, you lose the shared commons. You lose the ability to exchange the material. Licensing abrogates the doctrine of first sale, and under the terms of many licenses you’re not able to give the material to somebody else. You can’t sell the book, or lend it, or give the book to the library, all of which not only made you feel good, but also tied you to the community. Look, for example, at library book sales. In small towns, library book sales are big events. Everybody gives away their old books and buys other people’s books, and you have this whole exchange going on. But in the digital world, the user is increasingly isolated because of licensing strictures.

A recent false story about the actor Bruce Willis’s supposed outrage over his inability to pass his digital music collection on to his children served to remind us again that we don’t own the digital content we buy, we only lease it. Apparently, many consumers aren’t aware that when they buy e-books or MP3s or movies online, they are only purchasing the license, not the actual content.

Well, I’m not certain that consumers are unaware, but, yes, licensing trumps everything. It trumps copyright, it trumps fair use—if you sign it away or, for consumers, click it away. The license is the agreement. That’s why librarians read those license agreements very carefully. Now, the digital experience, such as being able to read an e-book on a high-resolution device, is value-added. But the restrictive digital rights management that comes with that is the price you pay.

On that subject, digital rights management software is the librarians’ nemesis because it stands squarely in the path of fair use. DRM also nullifies the first sale doctrine. What’s your position on DRM and these kinds of restrictions?

The American Library Association has been taking the lead on these issues and is doing a good job with them. First sale is not available in the digital form, which means, as I said, the producer of a digital item can refuse to permit sharing of that item or all of the kinds of exchange that are possible with the printed book or CD or video. And fair use is under threat as well. Because an information provider might just say, per the license, no, you can’t quote or you can’t use a section of this material, unless you pay. Maybe the library can’t interlibrary loan or put it on reserve or do any of the things libraries could do with the print material under fair use. So, an important part of the librarians’ job is to defend fair use in the license, because if they don’t do it, nobody does it.

That said, I would be happy if there were a perfect digital rights management system or at least a pretty good one, so publishers could feel confident about protecting their content, because I believe that if publishers were reasonably confident in their DRM, they’d be more forthcoming in negotiating with libraries. I don’t know if that’s even possible. But let’s say you had a really good digital rights management system that publishers believed in, I think more publishers would make more deals with libraries, because I think publishers do understand that libraries bring a different kind of value than just the sales.

In 2011, HarperCollins announced that the e-books it sold to libraries through OverDrive would only be able to circulate 26 times and then they’d be removed. In response, public libraries, including your local consortia in western Massachusetts, C/W MARS, declared it wouldn’t license HarperCollins e-books. Since then, things have only gotten more complicated for library e-book lending. Looking back, what’s your take on the HarperCollins model now?

From my personal point of view, if a book goes out 26 times and the information
provider wants the library to pay for it again, why not? It went out 26 times! That's pretty good. I can see that C/W MARS was making a statement about principle, and you can tell I'm taking a practical approach. But if I were director of a library, I'd be happy to be in the position to pay for another e-book if I knew the e-book I was buying was going to go out 26 times. I don't mind that.

On the other hand, the HarperCollins model is a screwy one, because it is still based on the print metaphor. Libraries and publishers eventually will have to figure out how to distribute e-books in a way that is not the same as the print book. The print model for digital materials is a bad model. We are in a networked age, and as Metcalfe's Law says, the utility of the network goes up with the square of the users. Thus, the more users you have on a network, the value of the content on the network, however you measure it, goes up exponentially. So models that are really a relic of the print era are fundamentally antinetwork.

**Which raises the question of the Internet service providers' role in the equation—isn't that the bigger battle in the digital age?**

Yes. We tend to look at the discussion as two large industries battling each other, one producing the content and the other distributing it. Library patrons are collateral damage in this battle, but libraries represent far more than simply those patrons who are not the market for e-books.

**Which raises questions about where the library fits in the digital future? Do you think the library needs to be redefined?**

No. I think the library has to grab on to this technology and figure out how to fulfill its mission of connecting people to information, and defining and creating community out of that connection. I realize I just made up a mission for all libraries, which may sound pretty arrogant. As things play out in the digital world, a lot of what we're talking about now is just connecting people to information—but that's only a piece of it. The other piece is defining the community. Libraries have to figure out how, within the digital exchange of information, they can continue to build their communities.

**So what does that mean for the work of libraries?**

Circulating e-books will be a key part of the library's mission. And it's not just about Kindles and Nooks, because those devices are ephemeral. It is the digital file that is important. What we do not want is a situation where publishers regard the library as the place for people who wouldn't be buying e-books anyway. Some people already are asking why they need the library, because they have their Kindles. And the answer is that the library is about more than just getting information. The danger here is that the library becomes the poor folks library, because the middle class can just pay for all the materials they want on, for example, their Kindles. If that happens, then you have the ins and the outs. You create two classes for information access. And that breaks apart the community.

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