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SERENDIPITOUS DISCOVERIES:

HOW SELF-PUBLISHED CONTENT REACHES THE PUBLIC
LIBRARY

BY
SONJA SCHILLINGS

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Abstract:

When the e-book reader was popularized in the late 2000s, the book industry as a whole soon had to adapt to mass readership of e-books. The rise of the e-book also meant the rise of new sources of content – in particular, digitally self-published works. In the United States, public libraries quickly established cooperative infrastructures that offered patrons standardized access to self-published e-books. These new library infrastructures were developed in the hopes of fostering a greater democratization of public writing and reading, and also had far-reaching consequences for library licensing practices until the present day. Based on a series of interviews with pioneers involved in the process of bringing self-published content into the public library, this work is a contribution to early internet studies and traces the emergence of innovative digital infrastructures in the public library.

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1 Introduction

The practice of self-publishing has transformed beyond recognition since the late 2000s. Before the internet, when mass book publishing was equivalent to print publishing, self-published works were atomized efforts. As the term “vanity press” indicates, the practice was expensive to authors and dubious to everyone else. Typically, such works only had familial, local, or subcultural exposure – if that.

Once digital networking and e-book distribution became possible, self-publishing authors were able to reach mass audiences that rivaled the exposure of traditionally published authors. While various academic forms of “self-publishing” had existed for a long time already, trade publishing reached the tipping point around the year 2010, most notably in 2011, when two originally self-published novels came out that became global bestsellers: E.L. James’s *Fifty Shades of Grey* and Hugh Howey’s *Wool*. These two novels in particular demonstrated the immense commercial potential of self-publishing in popular fiction specifically.

Since then, self-publishing as a form of “indie publishing” (independent publishing, a term that also includes small publishing houses) has assumed previously unthinkable levels of visibility and cultural relevance in the context of trade publishing. Today, many self-publishing authors enjoy global popularity amongst readers, and the publishing world adapts to include them. For example, there are now literary competitions and awards for self-published works; there are reviews of self-published books in respectable news outlets; self-publishing authors form writers’ associations, and self-publishing authors are now also eligible to join writers’ associations from which they were previously excluded on formal grounds. Examples like these point to an increasing acceptance of self-published works as legitimate contributions to contemporary literary and popular culture.

The reason for this seismic shift is tied to the mass popularization of the e-book. Following in the footsteps of print-on-demand services associated with companies like BookSurge (founded by Mitchell Davis in 2000) and Lulu (founded by Bob Young in 2002), demand for self-published works dramatically accelerated with the availability of devices designed to enable *on-screen* book reading. The introduction of e-readers such as the Sony Reader (2006), the Amazon Kindle (2007) and the iPad (2010) created mass access to, and mass demand for, e-books of any kind. It turned out that especially readers of genre fiction did not much care about traditional distinctions between legitimate and illegitimate publishing outlets. E-books in general enjoy consistent, and still growing, demand amongst readers; self-published e-books constitute a significant segment of content within this broader trend towards on-screen reading (Faverio and Perrin 2022).

Organizations with long traditions and deeply rooted investments in print publishing and distribution (such as traditional publishers and public libraries) struggled to adapt to the e-book, a format that disrupted all prevailing elements of book publishing, marketing, and distribution (notably including

practices of book lending in public libraries). In contrast, self-publishing authors in the United States found themselves in an advantageous situation precisely because they had always been too marginal and ill-reputed to have developed any significant collective investment in print infrastructures. Self-publishing authors could embrace the new format of the e-book without baggage or reservation. Creators of content and of self-publishing platform infrastructures (typically, software-as-service companies) together ventured to create *originally digital* distribution chains for e-books. These originally digital distribution chains treated “the book” as an e-book first, and as a print book second (if at all).

I am concerned with the emergence of such infrastructure mainly as they affect the public library. The public library arguably belongs to the “old” institutions heavily invested in print. So, what happens when representatives of the public library seek to work together with self-publishers to integrate originally digital e-book content into publicly available collections? What kinds of challenges, problems, and opportunities do partners in such an enterprise face?

The overarching question I will pursue here is simply: *How does digitally self-published content reach the public library?* How does it work? What does it take to work? What are the things to be mindful of if one is to make such changes last? What kind of policies have worked out well so far, and which have not?

There is, of course, no sweeping answer to any of these questions. Infrastructural change depends on many contextual factors, including good timing. It makes the most sense to look at a model. I have chosen to discuss the United States as my central example because here, pioneering efforts were made that have in fact created operative, sustainable distribution chains for originally digital, self-published content that is available to the patrons of public libraries. I have interviewed eight experts, most of whom personally pioneered and/or contributed substantially to the creation of these new infrastructures. The interviews form the backbone of this text.

The central entity in these distribution chains are the self-publishing platforms where authors create and upload their works as e-books. The historically most influential and innovative of these services in the United States was Smashwords, founded in 2008 by Mark Coker. The company helped establish distribution standards and best practices on behalf of self-publishing authors in their capacity as small entrepreneurs in the book market; Smashwords was also the first self-publishing platform to cooperate directly with public libraries. Smashwords no longer exists as a separate company; in 2022, it merged with the self-publishing platform Draft2Digital in what is widely characterized as a friendly merger, under the name and organizational direction of Draft2Digital. My interview with Mark Coker, who also works for Draft2Digital now, took place only three weeks after the merger.

Smashwords’ various forms of cooperation with public libraries ended up setting the trajectory for the distribution of self-published content to public libraries as a whole. In order to understand the role of Smashwords, I have interviewed its founder and CEO, Mark Coker, as well as John B. Thompson, a

professor of sociology at Cambridge University, who is a leading scholar on contemporary digital publishing as an industry and helped situate Smashwords's singular contribution in the broader development of a consolidating industry.

Next to Smashwords, I will discuss another innovative software company of great interest to the public library. BiblioLabs was founded by Mitchell Davis in 2006, and was acquired by the non-profit Lyris in 2021. BiblioLabs is best known for its library interface, BiblioBoard, and the company's various forms of cooperation with academic libraries. BiblioLabs became a notable force in self-publishing through the Indie Author Project, a library-directed program that focuses on the certification and discovery of self-published content for the public library. The Indie Author Project (hereafter abbreviated as IAP) was first launched in 2014 under the name SELF-e, and has consistently expanded its reach on the basis of a library community engagement model. I interviewed the founder of BiblioLabs, Mitchell Davis, as well as the Indie Author Project's project lead, Emily Gooding.

Public libraries in the United States took note of the cultural rise of self-publishing early on. Some pioneering libraries and library organizations almost immediately sought and found ways to integrate self-published content into their collections; but it was always up to individuals to make a difference here. I interviewed librarians who belonged to these pioneers. They have successfully cooperated with Smashwords, BiblioLabs, or both, in order to provide public library patrons with self-published content. Specifically, I interviewed Henry Bankhead, who was the director of Los Gatos Library (California) in the 2010s, and who helped initiate Smashwords's serious engagement with public libraries. Jamie LaRue was the director of the Douglas County Libraries (Colorado) during the same time, and has overseen the creation of a highly influential, open-source model of e-lending that was geared at the inclusion of self-published content specifically. Paula MacKinnon and Veronda J. Pitchford serve as executive director (MacKinnon) and assistant director (Pitchford) of Califa, a non-profit public library consortium in California that has been crucial for the consolidation of innovative library approaches to self-published content both state- and nationwide.

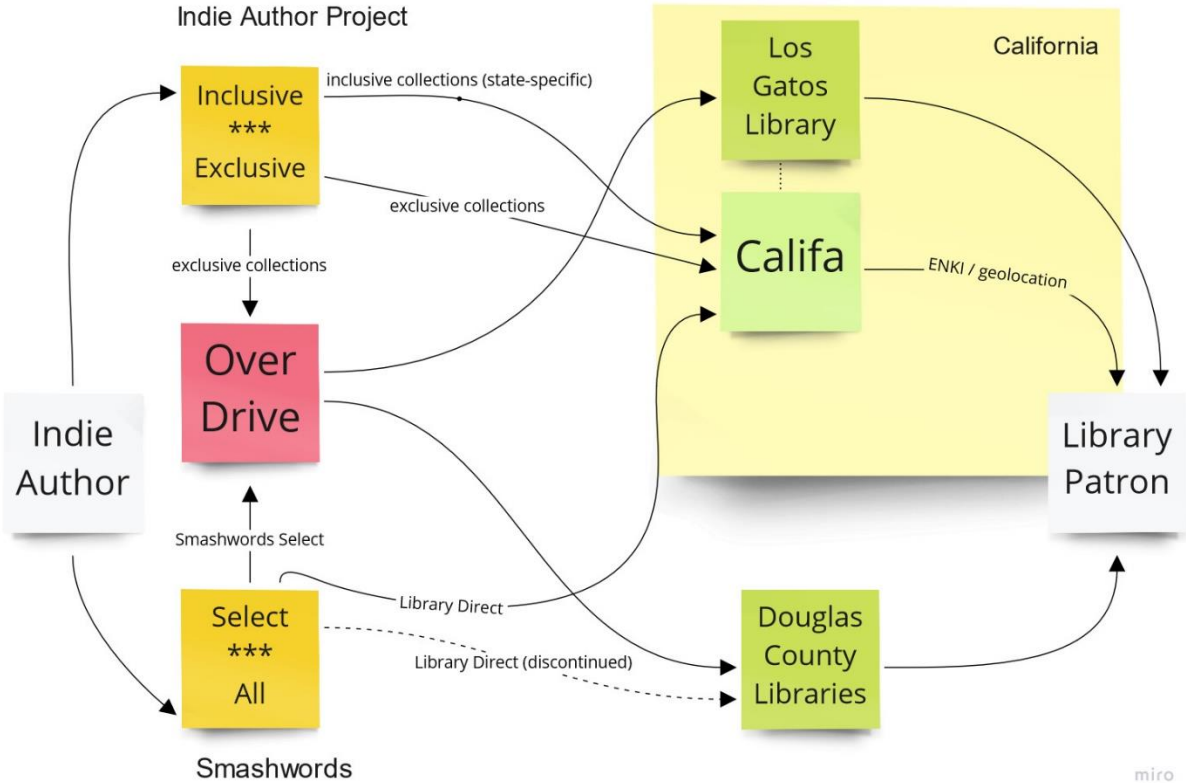
These three library institutions – Los Gatos Library, the Douglas County Libraries, and Califa – were central to the integration of self-published content into the U.S. public library system. They also represent three different organizational levels typically encountered in public library systems – the local town library, the regional library system, and the consortial state level. When it comes to self-published e-book content, the main challenges to libraries at all of these levels has traditionally been twofold: How should libraries choose any single suitable book from an overwhelming mass of content on a multitude of platforms – and once they have found such a book (or collection of books), how should they go about questions of licensing and display, so that patrons could enjoy easy and intuitive access to this content?

In the following chapters, I will draw on these interviews to trace the organizational histories and interactions between central players that have forged the path towards self-published content as library content. In one of these interviews, longtime librarian Jamie LaRue summarized the spirit of this

endeavor, thus also giving this study its title. We discussed the topic of reading in general when he said this about digital librarianship: “Do you want to set up an ever finer list of like algorithms, much like Facebook, that drive you into these little subgenres and keep you there? Or do you want what has always been the great value of the public library, which is the serendipitous discovery? I went into the library and found something I didn't know existed.”

2 Methodology and Research Design

Self-publishing can be viewed a “hidden continent” in publishing (Thompson 2021, 259), in that it is an enormous and relevant, but still understudied field. Methodologically, this thesis stays within the metaphor of the “hidden continent” insofar as my own contribution is mainly to create a rough map outlining two standardized, reproducible ways that leads from the indie author to the library patron:



What the map describes is essentially a distribution chain from the author to the reading library patron. First off, there is a crucial difference between this distribution chain and a print distribution chain. Traditionally, in print publishing, authors have introduced unique manuscripts into a publication system *in order* to have them transformed into mass products that could be bought and sold, i.e., books. This transformation from manuscript to book constitutes the heart of the entire publishing process.

No such transformation occurs when you deal with e-books. E-books are mass products from the start. The e-book enters the chain in a format that is infinitely transmissible and reproducible from day one, which is the day an indie author creates a digital file in a standard e-book format, e.g., EPUB. From that point onward, the author-produced e-book file can move through the entire system (down to the eventual reader) without changes. That is mainly why digital self-publishing can be so much more profitable than print self-publishing.

In the mapped distribution chain designed to service self-publishing authors and public libraries, authors upload their files to a free and non-exclusive aggregator service such as Smashwords or the Indie Author Project. This service then re-distributes the file to online stores, libraries/library distributors, and individual readers (Smashwords) or only to libraries/library distributors (Indie Author Project). Both services essentially differentiate between the best and the rest, a differentiation that underpins their “Select” (Smashwords) and “Exclusive” (Indie Author Project) key collections. The attribute “best” can be based either on the highest sales (Smashwords) or on a selection made by a jury or committee (Indie Author Project).

All files uploaded to these services are publicly accessible, though in ways that differ greatly between the two services. However, the collections of “the best” are the only ones that are actively sold, e.g., as parts of content packages to public libraries.

Public libraries access self-published books for their patrons through bulk purchases of e-book files. Libraries either buy them 1) directly from aggregator services (Douglas County Libraries), 2) indirectly by way of consortial purchases (Califa), or 3) by way of commercially mediated services; that happens, for example, when a library uses the services of OverDrive, and chooses e-books for patrons only from OverDrive’s own collection. OverDrive’s collection contains self-published e-books today, thanks in part to the pioneers interviewed here. Lastly, there is an additional way first successfully pursued by Henry Bankhead, former director of Los Gatos Library. Bankhead experimented with e-books as the cornerstone of a “culture of authorship” at public libraries – that is, to encourage a culture and practice of individual and communal writing at libraries. The culture of

Interviewees:

HENRY BANKHEAD: former director of Los Gatos Library

MARK COKER: founder and CEO of Smashwords

MITCHELL DAVIS: founder and CEO of BiblioLabs

EMILY GOODING: project lead of the Indie Author Projekt

JAMIE LaRUE: former director of the Douglas County Libraries

PAULA MacCINNON: executive director at Califa (public library consortium)

VERONDA PITCHFORD: assistant director at Califa (public library consortium)

JOHN B. THOMPSON, professor of sociology at Cambridge University, expert in digital trade publishing

Abbreviations:

DCL	Douglas County Libraries
DCM	Douglas County Model of E-Lending
DRM	Digital Rights Management
IAP	Indie Author Project
LDP	Library Distribution Platform
SPP	Self-Publishing Platform
USU	Unlimited Simultaneous Usage



authorship turned out to become a central library approach that helped shape the distribution chain's current design.

The design of the map I made loosely borrows from a model found in Clayton Childress's monograph *Under the Cover: The Creation, Production, and Reception of a Novel* (2019). Childress's study traces the story of a single book from the manuscript stage through the various stages of traditional print publishing down to distribution and its eventual reception, for example in book clubs. By organizing his study around the fate of a single print book, Childress is able to illuminate the interplay between authors, agencies, publishers, distributors, reviewers, and numerous other players and stakeholders that typically have a role to play in the life cycle of a work of fiction. Childress's book thus presents a tangible and comprehensive portrait of an industry "in action."

In the map I have created, I have worked with Childress's project as a model. However, there are a few notable differences between his project and mine that also affect the kind of industry portrait one is able to create. First, he was able to do much longer, broader research; my own project should be understood as more of a spotlight. But the projects are also genuinely different in focus. My own interest does not lie in illuminating the interplay between actors in an existing distribution chain, but it is to illuminate how the cooperative efforts of innovators have created a new distribution chain from scratch. In contrast to Childress, my interest in specific organizations and individuals was raised not because they were *typical* but because they were *pioneering*. Consequential cooperative entanglements often emerged between people first, and organizational entities later. This text's empirical foundation thus traces a history of "first movers" that are involved in the story of how indie authors and public libraries first came to make the connections that can be retrospectively visualized in a map.

My approach to the interviews draws inspiration from the tone of many works in early internet studies, in which oral histories are brought into conversation with the written traces of direct and indirect conversations sometimes conducted over ten years ago. Considering the vast time frame and the very different professional careers of interviewees, questions were minimally standardized. They were instead designed to bring out individual philosophies and priorities, as well as strategic considerations at different points of transition. While I had a set of guiding questions prepared for each interview, I generally emphasized the conversational quality of these interviews, hoping to create a natural flow of the conversation that might invite topics and thematic connections that interviewees themselves considered especially relevant.

In total, I interviewed eight individual experts and pioneers in the field for 90 minutes each, on average. They all kindly agreed to be identified by name. Interviews were led with only one person at a time, with the exception of Paula MacKinnon and Veronda J. Pitchford of Califa, who gave a joint interview. All interviews were conducted in English. With the exception of one expert (John B. Thompson), all interviewees are still currently based in the United States, and have reflected on their career in the specific contexts of U.S. publishing and public library management.

Interviews were conducted via Zoom and produced three interrelated data sets. For all interviews, a video/audio recording was made (Data Set 1), which forms the basis of the exact wording in all quotes used in the text; time stamps in quotes refer to this recording. Data Set 2 is a set of automated transcripts made by the Zoom software during the interviews. These transcripts are rough and not especially readable, but they are searchable and provide detailed time stamps that help with the localization and verification of quotes in the videos.

Data Set 3 consists of transcripts that are readable as text. These transcripts were made by a fee-based transcription service, *Abtipper*, that uses the transcription rules by Dresing & Pehl, the current standard for semantic transcription in Germany. Data Set 3 consists of simple transcripts (“einfache Transkription”) whose main purposes are the provision of human-readable data, and the creation of a rough basis for the selection of quotes in the text. Page references to the interviews refer to these transcripts, but I have used these transcripts for orientation only, and have always returned to the video recordings when actually using a quote in the text. The transcripts of Data Set 3 contain numerous mistakes and misunderstandings by transcribers unfamiliar with the jargon used in interviews (think “view find” for “VuFind” or “marked record” for “MARC record”, for examples) which I have not gone through and corrected one by one. If reused, all of the data set other than the video recordings should be used for orientation only. The data sets have been stored on Humboldt University’s epub server.

On the basis of these data sets, I have aggregated recurring themes and topics from the interviews, which directly inform the structure of chapters as well as recurring themes therein – the turmoil in the wake of the e-readers’ introduction in the 2010s, essential questions that digital self-publishing raised about the book as a cultural artefact, best practices established to connect self-publishers and the public library, and the central role that the company OverDrive plays in the development of emergent e-book infrastructures in the United States. On the basis of these core topics, I used direct quotes to curate the text.

I speak of curation because that describes best what I have attempted to do. The model for this approach was Frances Kiernan’s biography *Seeing Mary Plain: A Life of Mary McCarthy* (2000). Kiernan writes about a historical circle of eloquent, successful, and highly intelligent people (as, arguably, I did), and she systematically allows the voices of her protagonists to dominate a text about them. She builds her own text around well-selected and well-organized original quotes, which she presents in a sequence that is both gripping and illuminating. This, to me, has been a most impressive strategy for writing an informative text about real people and their decisions. While it is impossible to reproduce to the breadth of topics discussed in the interviews – and while I have also simplified some of the discussions and solutions in what follows – the idea I took away from Kiernan’s brilliant example has been to let the voices of the experts drive the text, not the other way around.

Finally, a brief comment on an omission that is possibly felt by readers of this thesis, especially if they do not come from a library background but from self-publishing: What about Amazon KDP? Is it not

arguable that it is the biggest and most influential organization, not just in contemporary self-publishing, but in trade publishing, period? Doesn't Amazon set standards for all software-as-service models of self-publishing? Isn't it a fact, even, that no truly innovative service can be developed without Amazon either acquiring the company that launched it, or failing that, headhunting the developers who created it?¹

These are points well-taken, and Amazon certainly does play an important role for the issues and infrastructures discussed here. One would be hard-pressed to find any part of contemporary book culture that is not existentially affected by Amazon's presence on the market, and this is certainly the case for self-publishing in particular. To this date, Amazon virtually monopolizes the market for self-published, originally digital e-books in countries like Germany.²

I do not exclude Amazon because it is marginal to the self-publishing industry, but because I write about the question how self-published content reaches the public library. Amazon doesn't cooperate with libraries. The possibility was explored in the 2000s (van Ullen et al. 2002, Orkiszewski 2005) but for the last ten years, Amazon has adhered to a policy of categorical non-cooperation with public libraries in particular (Fowler 2021). That is why it makes sense for librarians anywhere to look elsewhere for partners and solutions.

3 Smashwords as a Representative of the Indie Author Movement

The first library partner to help create solutions was Smashwords, a California-based, for-profit self-publishing aggregator platform. It was founded in 2008, when the e-book was just starting to turn into a mass medium; it is a software company that generally operates by an SAS-model (software as service) geared towards authors.

“Author,” in this context, neither means self-publishing authors only, nor individuals only. It simply means any copyright holder who has an original work of any kind to publish, using a definition of “the work” that is exactly as broad and diverse as the definition of intellectual copyright itself. Other than being the owner of copyright, there are no hard restrictions for e-book upload on Smashwords.³

¹ Both of these practices came up during the interviews. Davis's company BookSurge was acquired by Amazon in 2005, as I will briefly discuss in the chapter on the Indie Author Project. In the case of Smashwords, “the original Chief Technology Officer quit right after we launched –and about a year later went to work for Amazon, on their Kindle team, thank you very much” (Coker 00:21:15/5).

² Mitchell Davis, who has worked very closely with Amazon, assumes that Amazon's investment in self-published books has peaked. “Amazon is never going to care about indie authors more than it did sometime in the past. That I'm sure of,” he said in his interview with me (Davis 00:28:50/9)

³ While Smashwords does not restrict the languages in which authors publish, there are certain limitations regarding support that do not pertain to Smashwords/Draft2Digital alone, but run across the industry. These limitations pertain to the representation of non-linear alphabets, for example (for an introductory critical discussion of this more general issue in global digital publishing, see Stanton 2021).

Everyone can use the platform to format any manuscript into an e-book (preferably, but not exclusively, in the EPUB format) and to determine sales conditions for these e-books via the platform. The vast majority of Smashwords publications are written in English. Mark Coker says that “about 90% of our sales are from fiction” (Coker 00:30:50/7), the most popular genres being romance/erotica and young adult fiction.

The original foundation of Smashwords is intimately connected to the Indie Author Movement, a movement that lobbies for the recognition for small presses and self-published authors as a relevant and vital part of the publishing industry. The background to this is the massive concentration of the U.S. American book market. Virtually all mid-to large publishing houses are franchises of “the Big Five,” international publishing corporations that dominate the trade book market in the United States (Hachette Book Group, HarperCollins, MacMillan Publishers, Simon & Schuster, and Penguin Random House after Penguin’s and Random House’s merger in 2013; previous to that, the catchphrase was “the Big Six”). In 2015, Thad McIlroy estimated that The Big Five’s overall market share lies at 80% of the trade book market in the United States (McIlroy 2015).

For aspiring authors, this often means that either you publish with the Big Five, or you do not publish at all. An increasing number of authors found, however, that it might not actually be in their interest to publish with the Big Five, especially after the rise of the e-book. Publishing with the Big Five requires an all-encompassing focus on the marketability of manuscripts, and unknown authors that do get through the door can expect a treatment that combines a lack of creative control with little revenue and few tangible benefits in terms of marketing. Indeed, Mark Coker himself reiterates these common complaints; Smashwords was founded when Coker and his wife could not get a book deal for a novel they co-wrote because publishers deemed the book marketable enough (Coker 00:11:53/2).

These complaints are so common because, in the digital age, they are typical elements of a foundation myth – not just of Smashwords as a company, but also of the indie author movement more generally, which uses these arguments to propagate the general creation of better, more equitable, and more diverse alternatives to the Big Five in publishing. Indeed, these claims are not without merit. All interviewees that commented on the topic agreed, for example, that there is an overall better and more nuanced representation of LGBTQ+ topics and experiences in self-published content than is found in the portfolio of traditional publishers. It is also an accepted fact of the industry that there would not be as many racially diverse children’s books on the market if it wasn’t for self-published content’s pioneering role in demonstrating their popularity amongst readers (see e.g., Elliott 2015, Childress 2021, Nankervis 2022). In terms of a democratization of access to publication services, librarian Henry Bankhead sums up why authors may consider publishing on Smashwords instead of a traditional publishing house:

On the base of it, it seems like a good deal, Smashwords-wise. Get your book out there, see how it does, iterate. It doesn't go out of print, you don't have to charge a ton of money. Reach your worldwide audience, keep, sort of, iterating your narrative – versus the, sort of like, send a million letters to the big five publishers and get rejected and feel bad, or they'll

accept you and you're wonderful. It just seems more democratic and emblematic of the power of the word, going directly to your audience. (Bankhead 00:35:06/8)

Next to these general principles that revolve around notions such as intellectual freedom and creative control, the indie author movement also robustly hinges on an entrepreneurial understanding of authorship, along the lines of the American ideal of the self-made man (McGurl 2021, 48-49).

Smashwords rose to become the largest and most visible self-publishing platform in the United States after Amazon KDP because it committed not just to e-books as a medium but also to the values of the indie author movement. On this basis, the company pioneered most of the infrastructural solutions that resonate across the distribution chains until the present day. When speaking of the foundation of the company, Coker says:

The value of books to humanity goes far beyond their commercial merit. My opinion is that, you know, even if your book has a target audience of just one person, if you have the potential to change the life of that one person, your book is important. Even if that one person is your son or daughter, you know, you're passing on family recipes or something. And so, that was kind of the philosophy that I attacked this problem with. (Coker 00:14:40/2-3)

Beyond being unbothered by a very long tail of never-read e-books on the platform on general principle (and because the maintenance of a cloud server tends to be more economic the more content you store on it), and aside from being far less restrictive about permissible content than its main competitor, Amazon KDP,⁴ Smashwords also made a name for itself by politically advocating for the intellectual freedom of authors. Perhaps the most famous conflict was that against PayPal in 2012, when PayPal tried to stonewall payments to erotica authors, but had to backtrack after fierce resistance amongst authors and their allies. Mark Coker helped coordinate these successful efforts (see e.g., NCAC 2012, Meadows 2012, Reitman 2012). Looking back on Smashwords's general contribution to the industry, he says:

I started the company to make the world a better place. I mean, I think there's a lot of opportunity for capitalistic, entrepreneurial companies like ours to put good into the world. And that's what we're trying to do. (Coker 01:37:47/26)

More specifically, what Smashwords is trying to do is to find ways to distribute self-published e-books into the shelves of online retailers and public libraries' e-lending collections. Two elements that are emphasized in communication with authors throughout the platform – the importance of a work's popularity in terms of sales figures, as well as the importance of genre/category – generally structure Smashwords' distribution model.

⁴ Amazon strongly encourages, and sometimes restrictively enforces, authors to behave like entrepreneurs in the spirit of reader/customer service on a content level (McGurl 2021, 47), which Smashwords/Draft2Digital explicitly does not.

In the context of this thesis, it's important to underline that Smashwords is not a company designed to service libraries, but self-publishing authors⁵ – that is why retail, rather than libraries, are the company's central focus in terms of distribution, and also why, in the following, a few comments on the publishing industry as a whole will have to precede the discussion of e-lending that I actually want to get at.

4 Smashwords as a For-Profit Company

While working on this project, I have given some thought on what to call Smashwords – a distributor, an aggregator, a platform, something else? In a glossary directed at Smashwords authors, which also notes that that “aggregator” and “distributor” mean the same thing for the company, the company self-describes as a distributor:

Smashwords is a distributor. The primary reason authors and publishers use distributors are time savings, simplicity, and reach. With a single upload to your distributor, you can reach multiple sales outlets, including many outlets that are only reachable via a distributor. Distributors provide consolidated management and control. At Smashwords, for example, you can centrally manage all aspects of your book across multiple retailers from your Smashwords Dashboard. (Smashwords n.d.)

The issue for me was mainly to distinguish this from another type of platform that is also frequently called both an aggregator and a distributor, namely library distributors such as OverDrive. I have chosen to use my own acronyms: SPP (self-publishing platform) for companies that resemble Smashwords, LDP (library distribution platform) for companies that resemble OverDrive. I do this only for reasons of analytical distinction, since both companies tend to use terms like “distributor” strategically. Indeed, seemingly neutral words and descriptions often turned out to be unstable, and their use was often tied to a host of unspoken conditions and qualifications.

For example, Mark Coker says this about his foundation of Smashwords: “[The] business model that I created is modeled after traditional publishers” (00:27:04/6).

But no. “You have to really characterize it for what it is and not try to find misleading models in the world of traditional publishing,” Cambridge professor John B. Thompson admonished me when I made a similar analogy. “[The vocabulary of print publishing is] inappropriate, and doesn't help you understand the uniqueness of these organizations.” (Thompson 00:10:31/3)

⁵ This does not mean that small presses that may decide to distribute via Smashwords are excluded. Generally, Smashwords operates by a policy of maximized non-exclusivity. Smashwords policy applies to copyright holders who upload content on Smashwords, which may include publishers and author representatives. Smashwords is strict about policing legitimate copyright ownership, and content that does not satisfy this core requirement is routinely removed from the platform.

Is Smashwords' business model modeled after traditional publishers, or is it not? The answer I found was, predictably: It depends on the audience. In his explanation, Coker refers to the Yes of it, as the full quote shows:

[The] business model that I created is modeled after traditional publishers. The money only flows one way, to the authors. So, we take the risks, we take the chances, we go out there and try to sell the author's book to readers. And then if we sell the book to the author's readers, we get a cut of that. So, we get about 10% of the list price. (Coker 00:27:04/6)

This clarifies that the answer depends on the point of comparison. If you compare Smashwords to industry traditions of *self*-publishing, the company does look a lot more like a traditional trade publisher than a traditional self-publisher. Seen in the history of traditional vanity presses, it is a radically new concept to consider self-publishing authors anything other than clients who pay for a strictly limited publishing (often, merely printing) service. To invest in the success of authors, to seriously assist with distribution, and to work towards generating author income, as Smashwords, and Lulu before it, do – only traditional trade publishers ever used to do this for their authors. From the point of view of hopeful authors, then, Smashwords offers the same perks that traditional publishers do. But Smashwords really only resembles a traditional publisher if you take an author's point of view.

When seen from an industry point of view – and focusing on the ways that e-books reach retail and the library – the differences strongly outweigh any similarities. That is the reason why Thompson called the comparison “inappropriate” – it is inappropriate as an *analytical* relation because the conflation of digital and print at this point threatens to generate more confusion than clarity.

According to Thompson's own research, published in his monography *Book Wars: The Digital Revolution in Publishing* (2021) and discussed further during the interview, revenue is generally generated differently online, because the most lucrative source of income is what he calls “information capital accumulation” (Thompson 2021, 433). Very briefly put, tech giants do not make money by providing content, but by analyzing the traffic surrounding content; the aggregated data allows detailed and nuanced analyses of user behavior, and therefore a much clearer understanding of successful business strategies that targets online consumers. Such analyses have a considerable role to play in risk assessments, as well as in marketing and usability. Thompson summarizes this revenue stream for data providers like Amazon and Apple under the keyword of “information capital accumulation” – the more comprehensive the data on user traffic, the more valuable the data. That is why the end customer market is so interesting to tech giants, e.g., the market for e-book readers. Thompson concedes that Smashwords is not itself active in the business of information capital accumulation,⁶ but he insists that this kind of

⁶ Because *reader* traffic on the Smashwords platform is very limited, Smashwords is not in a position to aggregate the truly interesting data, which is data on paying consumers. Thompson explains: “Amazon has a huge customer base, and it's the customer base of Amazon that is the source of its information capital and its power. So, there are many, many active users of Amazon who are registered users on Amazon, have given their credit card details to Amazon, buy things on Amazon, buy books as much as other things on Amazon. And this huge customer base provides the data that Amazon harvests and turns into information capital. And this is a huge resource for Amazon,

business model, rather than print publishing, remains the best reference point for understanding what kind of entity Smashwords is.

His point becomes clearer when contrasting it with business models of traditional print publishing. U.S. publishers have traditionally used the wholesale model of distribution. They sell books to retailers at wholesale prices, say \$10 for a book, with a recommendation to demand \$20 from customers. But retailers are free to sell the book to their customers for whichever price they themselves choose, be that \$11, \$20 or \$35. Those margins neither affect the publisher nor the author, whose percentage of the profits is also tied to the wholesale price (in the example, \$10, an author might typically make 10%, i.e., \$1, from the sale of a single book).

In e-book distribution, in contrast, the agency model caught on in the 2000s. In this model, the list prices (the prices readers pay) are fixed from the start. In our example, the book may only be sold to readers at \$20 anywhere. This takes away some freedom from the retailer and changes the nature of their income: For each sold book at the fixed price of \$20, the retailer gets a previously fixed percentage of that list price (typically, around 30%, or \$6 per sold book).

The differences between the two models – wholesale and agency – became most widely known through the much-noted case of *United States v. Apple Inc.*, 952 F. Supp. 2d 638 (S.D.N.Y. 2013), in which Apple was found guilty of conspiring with five of the then Big Six (Hachette, HarperCollins, Macmillan, Penguin and Simon & Schuster) to fix and artificially inflate e-book prices in the years around 2010. While there was nothing inherently illegal about the business models and workflows that these partners used (including the use of the agency model), the fact that the partnering publishers combined dominated the e-book market (50% of all e-books, 90 % of all bestselling e-books) rendered the deal a competitive distortion of prices for the whole e-book market. It was thus considered to result in an artificially steep rise in e-book prices for readers more generally (Engst 2013).

The lawsuit against Apple was closely watched in publishing industry circles, and shed a very public light on the brutal e-book wars that had been raging between Amazon and Apple ever since 2010, when

a huge form of capital for them, which they can use to their advantage, both in terms of advertising, which they are very active in doing, but also in terms of marketing. As users of Amazon, we're all familiar with the experience of getting emails which say, you may be interested in this book, or you may be interested in this product or whatever. So, this is the source of Amazon's strength and its power. No other organization comes anywhere near it. And this was only possible in the digital age because this data is harvested digitally, it's never been possible before. So, this puts Amazon in an absolutely dominant position, not only in the field of books and publishing but in other fields too. Now, Smashwords is in a fundamentally different position, because it has a very large author base, but has a tiny customer base, because very few people buy their books on Smashwords. And therefore, Smashwords is not in a position to harvest lots of data on their customers, and use that data to improve their sales and to enable authors to market effectively to consumers, et cetera. That is, they can't sell advertising like Amazon does, and so on and so forth. So, they're in a completely different position. And that's a great weakness for Smashwords. And, of course, is a great source of strength for Amazon. They are, structurally, in fundamentally different places here." (Thompson 00:33:38/9). Mark Coker, reiterating the comparison with Amazon along the same lines, concludes with a shrug and another well-observed parallel between Smashwords and traditional print publishers: "We are a low margin business, there's not a lot of profitability in this business" (Coker 00:43:43/11).

Apple introduced the iPad as a competing e-reader to the Amazon Kindle. It is in this context, too, that Coker is able to speak of his business model as a *morally* positive contribution on behalf of authors and readers both.

In the context of this market-overshadowing e-reader war, the agency model became known as a disruptive pricing strategy that was directly associated with the workflows of tech companies. It was a model that replaced, or threatened to replace, the wholesale model publishers had traditionally worked with in the digital sphere in particular. Smashwords has used the agency model since 2008 – in this fairly crucial sense, their general business model cannot be said to derive from traditional publishers at all. But because Smashwords does not prioritize information capital accumulation, it cannot be said to mimic big tech, either.

Instead, Smashwords's particular use of the agency model can be credited with two central, intertwined accomplishments: to expand the agency of authors, and to invest in the e-book as a unique format. John B. Thompson emphasizes: “[Mark Coker] wasn't interested in print, he just was going to do e-books. And he was never interested in print, he never added a printed dimension to Smashwords, it was always understood as an e-book operation.” (Thompson 00:06:48/2) Coker confirms: “I've talked about making the author the center of the universe. Well, we see an opportunity to make the e-book the center of the universe, [to make] the e-book the starting point [for every kind of book publishing].” (Coker 01:43:03/14)

Smashwords uses the agency model thus: An author uploads an e-book – including cover art, prices, details on where (not) to distribute, and additional metadata. If the metadata looks clean, that merits inclusion into the Smashwords Premium Catalog, from where content can be distributed to partners. Smashwords distributes e-book to retailers (e.g., Apple Books, Barnes & Noble, Kobo), to LDPs (OverDrive, Baker & Taylor Axis 360, Bibliotheca CloudLibrary) as well as to Califa's Enki system. In the case of retail, the customer who visits the retail website buys a book at the price originally fixed by the author. The retailer gets a percentage of around 30%, Smashwords gets a percentage of around 10%, and the author gets the rest. Percentages may vary depending on the outlet (sales at the Smashwords store generate the best revenue for authors at 85%, for example). Library sales are different because they usually cover only one or a few sales (that to the library itself, plus additional copies if the book is popular). Smashwords does not currently offer royalty schemes that reflect the number of checkouts, for example.

In any case, herein lie the central differences between Smashwords and large tech companies like Apple: First, from the beginning, Smashwords has insisted on the centrality of content over traffic. Second, it has used the agency model not to maximize profits but to democratize them. The use of the agency model tightly integrates workflows in a way that maximizes creative control for the author across the entire distribution chain. This system, which offers the greatest creative control for authors, naturally maximizes automation. Exemplarily, Coker recalls:

In the very early days of this industry – 14 years ago, when we launched [in 2008] – some of these retailers were operating off of spreadsheets. So, we [...] would send Sony a spreadsheet of price changes. We didn't realize this at first, but they would have somebody, you know, entering in all of those price changes manually on their end. That's insane. You can't do that. Everything has to be automated. So, we worked with all of our partners to create totally automated hands-off systems for these types of updates, like price updates that don't require manual intervention, or [...] shouldn't. (Coker 00:41:15/10)

Ultimately, the use of the agency model plus the use of integrated automation across the entire distribution chain achieves something new for the medium. Says Coker:

If we step back and look at what books used to be like, back in the print world, books were very static, they didn't change very much. You'd publish your print book and maybe if you did another printing, you might update the cover or something. But the content didn't really change that much, prices didn't change that much. With self-published e-books, we created an entirely new beast. The book became a dynamic, living creature where the author could change anything about the book anytime. They could change the price 50 times in a day, and we will propagate that price out to the retailers and libraries. They can change their book description, their book title, the content of the book. For example, Draft2Digital has this really new technology where, like, let's say you're a writer of series, you write series sci-fi, and you just published book five in your series, their technology will go back to books one, two, three and four and automatically update the end matter to mention that you also have a book five in the series. (Coker 00:38:41/9-10)

This “dynamic, living creature” does not just allow for fluid content management across the distribution chain, but also for a great range of experiments with licensing models that tie the e-book back into price structures that make a book market sustainable in the first place. John B. Thompson summarizes Smashwords’s pioneering contribution for the entire industry in these terms:

The key thing about Mark Coker is that Mark Coker took [this] idea of turning the publishing model on its head, that had really been pioneered by Bob Young [i.e., making self-publishing organizations the enablers of authors to sell their work], and combined it with an absolute, total focus on e-books. [...] So, that was the radical essence of Smashwords. It was the combining of those two ideas. And, you know, Mark deserves a lot of credit for seeing that opportunity and seizing that opportunity and building a platform that enabled it to happen. (Thompson 00:06:37/2)

This very particular business model, it turns out, was also particularly suitable to get public libraries out of the predicament they found themselves in during the 2010s. Public libraries, too, were swept up in the upheaval of the publishing industry that came with the introduction of e-readers and the resulting emergence of e-books as a mass medium, and looked for alternatives to the Big Six/Big Five. Smashwords turned out to be an especially strong partner for libraries that experimented with library-friendly licensing models, and is historically tied to the emergence of one such model in particular: the Douglas County model of e-lending (one copy one user).

“For library e-books, we don't support any of the other models currently,” explains Coker, “Draft2Digital does. I think you could expect over time to see us support [...] more models [...] such

as, you know, basically, more patron driven acquisition, [...] the library pays per checkout, rather than having to buy a book that no one checks out ever.” (Coker 01:08:30/18)⁷

So far, Smashwords’s business model is mainly explicable from the point of view of the commercial book market, which remains the company’s central focus, and continues to be defining for its work – even though library distribution has also become a central competitive advantage in the context of discovery that differentiates Smashwords/Draft2Digital from Amazon KDP in particular. But how did Smashwords come into contact with public libraries – what were the conditions for doing so, and what was the rationale behind engaging in this part of the market?

5 “It was the Wild West.” Digital Publishing and Lending in the 2010s

To explain how Smashwords got involved with the world of public libraries, one has to understand that the years around 2010 were generally transformative years for all industries that dealt with books in the wider sense.

“What became obvious around 2010,” Jamie LaRue recalls from his experience as the director of the Douglas County Libraries (Colorado), “was that there was an explosion that was taking place in human writing. And we had gone from something like 300,000 mainstream titles published every year, maybe 50,000 small to medium presses, maybe 10,000 self-published to an explosion, by 2014, to over 350,000 mainstream titles, over 250,000 small to independent, and now today, over one and a half million new titles every year of [...] individual self-published e-books.” (LaRue 00:09:22/1) John B. Thompson calls self-publishing “the hidden continent of the publishing world” for similar reasons (2021, 259).

Like all other library types, public libraries were plunged into a new situation with the popularization of e-content, driven by an explosion of patron demand for e-books. “I really do point to Christmas 2010”, Jamie LaRue says. “This is when many of our patrons walked in with their brand-new Kindles that they’ve gotten for Christmas, and stretched them out to us and said: ‘Can you make this work? Can we put something on this?’ [...] Clearly, our patrons wanted more e-books, that was growing very, very rapidly.” (LaRue 00:11:52/2)

“At that time, around 2010, [the] iPad and the Kindle had become a thing,” confirms Henry Bankhead, who was director of Los Gatos Library (California) at the time. “Previous to that, there was no real e-reader, and e-books had been somewhat abstract. But with new devices, it seemed more plausible that e-books would actually take off as a convenient format.” (Bankhead 00:03:05/1)

⁷ At the Indie Author Project, a variation of this PDA-based model is already realized (Gooding 00:17:33/6).

The introduction of e-readers pulled libraries into the orbit of the turf wars between Amazon and Apple, since libraries were directly affected by the steep price increases that, as we recall, Apple had illegally negotiated with big publishers. Jamie LaRue recalls:

Around that time [2010], the American publishing industry came out to say they had long disliked the fact that libraries are in the book business at all. Their concern was that we were cannibalizing sales, that we were stealing sales. And our first response was to dig into this and say, well, is that actually the case? And we found out that it at least three or four different cases, there was a Pew study, there was a Bowker study, we did a study, Brisbane in Australia did a study. And consistently, we found that, in fact, the people that checked out e-books were purchasing every other copy. We were not stealing sales. We were making sales. We were exposing e-books to our patrons. So, we began to look around to say, how do we get on top of this? (LaRue 00:12:14/2; see also LaRue 2013)

“At that time, it was the Wild West,” Veronda J. Pitchford of Califa summarizes. “I say that because publishers were afraid that libraries were going to give all their stuff away. Distributors [LDPs] weren’t sure, because we were consortial, [and] they hadn’t yet built platforms that libraries could share. And did they want to? Because that might cut into sales of resources! So, we were all kind of looking at each other from different corners.” (MacKinnon/Pitchford 00:30:17/11)



This explosion in e-publishing put immense pressure on everyone involved in the business of trade books, notably including public libraries. RAILS, which may be described as a kind of substate, regional consortium in Illinois (founded in 2011), offers the adjoining visualization of a “Reading Ecosystem”⁸ as the basis of its own emerging e-book strategy for public libraries (its architect, Veronda J. Pitchford, was interviewed for this

thesis).

What is notable about the model, especially when considering the aforementioned e-book wars after the introduction of the iPad, is that this visualization is centered around the needs of the *reader* – a perspective that tech companies had pioneered, but for other reasons than public institutions would. For large tech companies, user orientation was and is about measuring traffic and monetizing the analysis of traffic. The resulting imperative of intuitive and interactive usability was reinterpreted for the

⁸ Image courtesy of the Reaching Across Illinois Library System (RAILS). It is available on the RAILS website, <https://www.railslibraries.info/services/e-content-strategy> last accessed June 16, 2022.

different purposes by public libraries, and led to an interesting differentiation *within* library systems that became visible during the interviews.

Two central library perspectives on e-usage became discernible during interviews: one, to follow Pitchford's lead in this model and to view patrons as *readers* of e-content – the other, following Henry Bankhead's lead, is to view patrons as *authors* of e-content. In the library system as a whole, patrons may take both roles of author and reader – as do Bankhead and Pitchford, as individual librarians. Nevertheless, it makes sense to distinguish these practices at an organizational level.

In practice, foregrounding patron *readership* of e-content requires the handling of access to content – meaning bulk purchases, the negotiation of licenses, as well as the maintenance of central and shared library services that organize questions of access and readership. In other words, these are all topics that are tailor-made for large library organizations like consortia, as all libraries benefit from a centralized expert handling of negotiations with commercial publishers and service providers. Publishers and service providers, as we have seen, prefer this too; for them, a few expert negotiators who buy in bulk are always preferable to a mass of inexperienced negotiators who each buy very little.

For libraries at the state and consortial level, orientation towards readership is thus not abstract, but a well-defined bread-and-butter concern that speaks directly to their everyday work and their everyday contacts across a whole ecosystem of different organizations. In unbroken continuation of time-honored public library traditions, most technological e-book solutions exist as a way to guarantee patron access to content.

The e-book is a cheap format, however, and thus allows libraries to go further: They might be hubs to allow patrons to write back, as it were. It is at the local level that the perspective on the patron as an *author* is most usefully pursued and systematized. Where librarians interact with patrons daily and directly, they can foster a culture of authorship that is tangible for patrons and tailor-made for local communities. When it comes to authorship, an extreme focus on the local is indeed key: Communities can be activated, for example, by cooperating with schools for student writing projects, by taking up specific concerns of a local community as topics for community writing challenges, by providing standardized resources in preferred local languages, and of course by creating a network of support in the writing process, e.g., by offering writing workshops, networking events, and local author readings.

There is thus a visible tendency of larger library organizations to prioritize cultures of readership, and of smaller library organizations to prioritize cultures of authorship. These two outlooks do not represent conflicting perspectives on patrons, however, but demonstrate a division of labor in the service of patrons who are invited to read *and* write. Veronda J. Pitchford is personally a good example of such a unified perspective; she is an associate director of Califa today, a public library consortium in California that is highly invested in equitable access to library resources. Yet Pitchford consistently pushes programs that enhance the *voices* of underserved communities, and to provide resources that facilitate

the spirit of a “culture of authorship,” as Henry Bankhead calls it in the context of his own work (Bankhead 00:04:32/1).

Larger library systems stand a better chance at impacting larger infrastructures of e-book distribution, which is why the question of licensing models, which involves negotiations with SPPs, LDPs and traditional publishers, tend to be the more relevant topics at larger libraries such as the Douglas County Libraries or even more commonly – and, as interviewees agree, typically with better and more sustainable results – at the consortial level.

Smaller library systems or even individual libraries have a crucial role to play when it comes to locating and supporting practices of writing in the library community. In the case of Los Gatos Library in California, it was a local town library, and an individual library director, that opened doors for local authors and, in the case of Smashwords, for local businesses.

6 Making Introductions: Smashwords at Los Gatos Library

When asked about the reasons why they see a place for self-published content in public libraries, several of the interviewees draw on the same kind of cultural parallel. Representatively, Emily Gooding of BiblioLabs, project lead of the Indie Author Project, suggests:

I think that [it] almost reflects kind of the Buy Local movement [...]. We're encouraging people to support their own local businesses, small businesses, local creatives across the board – that translates pretty nicely into supporting your local writing community and author community. And having the library being such a pillar of the community, getting involved in that, I think makes it a really natural progression for other patrons and community members, in general, to [...] hop on board. (Gooding 01:16:00/24)

While the Buy Local Movement is not an entirely novel concept in the history of the United States, and pops up here and there throughout the twentieth century (see e.g., Graham 2012), the movement is directly connected to the story of digitally self-published content through serendipitous timing. The Buy Local Movement started to organize in the 1990s and became a notable force in the mid- to late 2000s (see e.g., Buy Local Coalition n.d., MDAR n.d.). It is typically characterized as an organized grassroots reaction to an increasing concentration of everyday businesses (e.g., restaurant or grocery stores) in the hands of national or even global chains.

In this sense, the Buy Local movement’s framework for action visibly mirrors the basic logic of “local and independent actors in publishing versus the Big Five Publishers” that motivated the Indie Author Movement, and generally informed the e-book debate in the 2010s. The Buy Local Movement was indeed a convenient and widespread reference point in all of these emergent contexts of digital publishing. Public libraries in particular picked up on it in their efforts to support local authors that live in the communities they themselves serve, and to invite their book donations to the library (for example, the Scottsdale Public Library’s “Arizona Author Collection” references the Eat Local Movement on its

website; cf. Scottsdale Public Library n.d.). Henry Bankhead situates the use of this analogy in the context of heterogeneous public library cultures, some of which celebrate local authors as part of their patron community, and some of which scoff at them as amateurs unworthy of inclusion in collections:

I would say that it varies from community to community, state to state. [...] The, sort of, "traditional approach" [makes air quotes, S. Sch.] that supports a stigma, a kind of marginalization of local authors, is that they need to go to the Big Five in New York City and get through that gateway and then we'll look at them. So, the pivot or the variation on that is, "They're our local community. We should celebrate them. We should be hyper-local. I don't care if their book is good or not. We're just going to take it from them if they give it to us in print, and put it out on the local author shelf," which we had at Los Gatos. (Bankhead 00:12:20/3)

Bankhead notes continued resistance to the idea of local authors as contributors to local library collections. Indeed, librarians may have complicated feelings about local authors, caused (as Bankhead, LaRue and Coker all more or less delicately implied during the interviews) by sometimes overtly clumsy and intrusive attempts to maneuver their own work onto public libraries' bookshelves. By so doing, persistent local authors may become part of a particularly unloved demographic of patrons: the dreaded patron who raises a stink over the presence or absence of an individual title in a public library's collection.

Local Author Shelves are one way in which librarians have turned this particular bug into a feature, and have formalized a steady stream of awkward negotiations into a standardized format of respectful inclusion. Take the example of Scottsdale in Arizona, a politically and demographically heterogeneous region where Republicans lead by a narrow majority. Collection manager Rebekka Jones of the Scottsdale Public Library, who answered a few questions about the Arizona Author Collection by e-mail, wrote:

Our local author collection has been a part of our library for longer than I have worked here, which is more than 12 years at this point [in 2022]. We currently have 1066 items in the collection and the collection as a whole achieved 907 checkouts this past year. While the collection is not generally productive of large circulation numbers, it does produce a great deal of goodwill among the local author community. In years past, we have hosted an event for authors who are a part of collection to have a table at the library, giving them a chance to speak with our patrons as well as sell their materials. In general, local authors and local writers groups are very excited to have the opportunity to get their works onto library shelves and in front of a potentially wide audience. We have never had any negative feedback regarding the collection from the general public (Jones 2022).

Jones's evaluation, which is based on many years of experience, emphasizes a few key points: that these collections generate goodwill in the author community and are not usually subject to controversy amongst patrons generally, that they are helpful in creating library events which are beneficial for the library and local authors alike, and that all of these positive outcomes do not hinge on massive circulation. This is a robust summary of what to expect from a Local Author Shelf. They are unproblematic to maintain and cause a spirit of goodwill amongst bibliophile patrons – that is why many U.S. public libraries have introduced them in the past, and routinely maintain them.

A shelf like that existed in Los Gatos Library, as Henry Bankhead had mentioned, but Los Gatos was able to expand on the print-focused success story of the Local Author Shelf for good reasons. The town of Los Gatos, located near San José in California, is part of Silicon Valley. Currently, the most important employer in town is Netflix (Office of the Town Manager 2021, 147). More importantly for us, Smashwords has been based there since foundation.

From a public library perspective, it feels almost poetic that Smashwords's first serious involvement with public libraries did not result from a strategic concept developed in the abstract on the basis of systematic research and data crunching. It began instead through the event-oriented community relations that so often characterize public libraries' approach to community outreach. Following Christmas 2010, library director Henry Bankhead, in a typical move for a public librarian, looked for speakers on the topic of e-books for public library events. Coker recalls:

A lot of it started with Henry Bankhead. So, he wanted to bring someone in to talk about e-books. And he was pleased to discover that there was this company in his same town, Los Gatos, that was doing just that. So, he brought me in, and I did a talk on e-books. And that's how we got to know each other. And then we started talking about collaborating. [...] He's representative of the best of librarians in my mind. [...] He loves books. He loves readers. He loves exposing readers to great books. [...] And Henry understands that patrons need access to this amazing content coming from self-published books. And I think Henry shares my same frustrations that the industry has been slow to really get up to speed. Retailers have figured out how to work with self-published authors, libraries haven't. (Coker 01:03:51/16-17)

Henry Bankhead elaborates on the shared frustrations Coker mentions, and how the connection with Smashwords might help librarians disentangle the conflicting challenges of the information age on the one hand, and the institutional traditions of the public library on the other:

Mark is not a library guy. And that keeps it real, and I think that offers a contrast to "traditional library thinking" [makes air quotes], [which] is very sort of circumscribed within the culture of the public library. [...] I think the culture of public libraries has been severely impacted by the information age, and it's still reacting. [...] And we're still sort of feeling the pain of not controlling anything anymore, but we're still trying to do that, and [are] very suspicious of self-publishing. Like, librarians today – I was in a meeting two weeks ago [in 2022] where someone openly trashed self-published books. They acted like they were joking, but it's all this self-published trash they don't want to see. It's like, you know – that's acceptable. [...] So, from the outside, from working with Mark, is that he thinks of things without the [...] cultural baggage of being a librarian. (Bankhead 00:24:19/6)

With Coker and Smashwords specifically in mind, a certain envy for the flexibility of managers in the private sector is detectible in Bankhead's statements:

I'm a public employee. I work for local government. I swear to uphold the constitution. Most of our people, the bulk of our workforce, are union-represented and that's true for most public libraries on the West Coast and the East Coast, not so much in Texas and places like that. But it leads to a certain organizational... Well, it leads to lack of nimbleness. We have a lot of protections for workers and we have a lot of political considerations in terms of what we can do. Generally, that doesn't filter down to the front

line, but for someone in my role [as director], it does. [...] With a private company, they can do whatever they want. They could fire this person, do that, decide this, decide that, whereas we have a ton of rules, which leads to a lack of fluidity. [...] Well, we can learn a lot, particularly about customer service. (Bankhead 00:30:28/7-8)

In order to place such statements better, it is helpful to know that Bankhead subscribes to a very specific managerial outlook in the private sector: the notion of “the cathedral and the bazaar” in software development. The analogy goes back to Eric S. Raymond, who published first an essay (1998) and then a book under this title (1999). Raymond’s work is considered an intellectual cornerstone of open-source software development. But what do the cathedral and the bazaar stand for? Writes Raymond:

I [once] believed that the most important software (operating systems and really large tools like Emacs) needed to be built like cathedrals, carefully crafted by individual wizards or small bands of mages working in splendid isolation, with no beta to be released before its time. Linus Torvalds’s style of development [at Linux] – release early and often, delegate everything you can, be open to the point of promiscuity – came as a surprise. No quiet, reverent cathedral-building here – rather, the Linux community seemed to resemble a great babbling bazaar of differing agendas and approaches (aptly symbolized by the Linux archive sites, who’d take submissions from anyone) out of which a coherent and stable system could seemingly emerge only by a succession of miracles. [...] Linus was treating his users as co-developers in the most effective possible way: Release early. Release often. And listen to your customers. [...] Given a large enough beta-tester and co-developer base, almost every problem will be characterized quickly and the fix obvious to someone. Or, less formally, “Given enough eyeballs, all bugs are shallow.” I dub this: “Linus’ Law” (Raymond 1998, n.p.).

This perspective brings together the elements that may otherwise appear like contradictions in Bankhead’s thinking – the almost neoliberal devotion to managerial flexibility (along with the characterization of library culture as a culture devoted to dusty, creaky, union-friendly cathedrals) coupled with his generally cheerful glee about not being a slave to profit margins and quarterly profit and loss reports. What brings these two seemingly contradictory sentiments together is, again, the primacy of library patrons, not only in the sense of a community to be activated, but also as representatives, indeed epitomes, of a value system. Like the other librarians interviewed for this thesis, Bankhead sees the library as a place that ideally reflects the entirety of human life in all of its glorious, sprawling complexity. It is precisely the conviction that the librarian’s job is to safeguard the entire cultural wealth of a people that causes Bankhead’s impatience with the fact that, in the information age, software companies do a better job than public libraries at listening to users, responding to them, and, most excitingly of all, integrating them into the inner workings of the most central aspects of user-directed organizations.

Bankhead and Coker went to work to change that. In partnership with Smashwords and Los Gatos High School, the Los Gatos Library’s approach to self-publishing was squarely based on the idea of patrons as a kind of co-developers. Bankhead defined his approach as “having the library [...] move from a culture of readership to a culture of authorship. So that, specifically, was the initial goal.” (Bankhead 00:04:32/1)

While the utopia of an inclusive culture of authorship was the initial vision of the cooperation that followed, I briefly want to address the most important point of criticism of this vision, which almost none of the interviewees discussed unprompted. When one gets rid of gatekeepers, this has advantages: most relevantly, one dispenses with a narrow vision of literary taste that has been proven to be a discriminatory cultural practice which is classist in particular (Childress 2021) – a particularly important consideration for public libraries that have a particularly strong traditional mandate to enable cultural access for economically disadvantaged populations in the United States. On the other hand, there are reasons why gatekeeping has always been a particularly important element of the publishing industry in particular, and why there are few other industries that discuss “that which can/cannot be shown” with as much publicly voiced passion as the various players that assemble in and around the distribution chains of book publishing, selling, and lending. Public libraries enjoy widespread public trust. Representatives of the public library are thus right to be reluctant when they sense the danger of the public library as a potential platform for extremist propaganda and disinformation, for example.

While Bankhead and Coker do not prioritize this lurking danger in their vision, they do have two central answers to the concern. These two answers have also been given by all other interviewees, and seem to represent a certain basic standard that works well and is essentially taken for granted by now. First, technological solutions that help distribute self-published content to public libraries heavily prioritize fiction. They do so in order to weed out the most straightforward – and thus the most dangerous – forms of propaganda and disinformation from the start. A typical example might be a book tagged “non-fiction” that argues, say, for the futility of vaccines, the non-existence of climate change, etc. on the basis of flimsy and falsified data. The exclusion of self-published *non-fiction* is not fool-proof, of course, but it does manage to create a certain standard of accountability in library selection processes.

The investment in fiction is complemented with a reporting system that library patrons can use if they still stumble upon a resource that doesn’t meet standards. It has always been the prerogative of library patrons to complain about content they find in the public library; the complaining patron is dreaded by librarians just as the hopeful self-published author is. In both cases, the bug can be turned into a feature. While quarrelsome local authors can be integrated into active library communities with the help of local author shelves and digital participation (more on that especially in the chapters on the Indie Author Project), quarrelsome local readers who complain about unseemly content can be approached differently, as well. Especially in the context of e-content, patron attention can become an invaluable tool to evaluate content according to transparent parameters. Such integrative treatment of active readers relies heavily on Raymond’s model. The cooperation between Coker and Bankhead relied on it more explicitly than most, simply because they were the first to cooperate at this level.

The program established by Bankhead involved the creation of workshops for aspiring local writers (who were taught how to format e-books by Smashwords staff, or learned further tricks of the trade by Smashwords authors) which proved to be very popular and well-attended. Most importantly of all, the

public library supported an extensive high school project: the creation of a student-written volume of poetry that was assembled, formatted, and published on Smashwords by the students, and that was then made available on a co-branded library platform that represented the library and was run by Smashwords (Bankhead 2015).⁹

Bankhead did not just cooperate well with Coker (the two of them are still in touch and occasionally present at conferences together) but also emphasizes the importance of Raymond for this kind of work. Interestingly in this context, the book version of Raymond's article includes a foreword by Bob Young who, as we recall, is the founder of the self-publishing service Lulu, and who had pioneered the agency model for print-on-demand self-publishing. The relevance of Raymond's work for the context of digital self-publishing is thus immediately apparent. Both Raymond and Coker consistently emphasize a user-centric, interactive bazaar approach to self-publishing with its characteristic, massive tolerance for heterogeneity and complexity. It is this basic philosophy that is shared by all advocates of self-publishing in the library interviewed for this thesis.

Bankhead's extensive experiment at Los Gatos Library transported this approach to the public library for the first time. Los Gatos Library demonstrated that the bazaar approach does not only have a possible place and future in software development, but also in library community management. Indeed, the high school project at Los Gatos in particular was so successful that Bankhead was honored as a "Mover and Shaker" by *Library Journal* in 2014, specifying that they considered Bankhead's contribution that of a "communicator" (Library Journal n.d.). To help understand what it was, exactly, that Bankhead pioneered, it is helpful to remember that John B. Thompson writes this on the very basic forces that motivate digital self-publishing:

[T]he very existence of a large pool of would-be books and aspiring authors meant that there was a demand to be published that outstripped the willingness or ability of established publishing organizations to meet it (and possibly outstripped the demand to be read, too). And it was this pent-up demand that provided the driving force behind the self-publishing explosion (Thompson 2021, 217).

In cooperation with Coker and Smashwords staffers, Bankhead was able to demonstrate that public library patrons are a significant part of the population that drives this pent-up demand, and that can make self-publishing organizations a success. Bankhead references his frequent experience at authors' talks: "[T]hey all say, 'Oh my gosh, the public library is so awesome. It helped me write my book. I was there all day,' or, 'I researched it there,' whatever. So, it's kind of a thing." (Bankhead 00:08:10/2) He saw an opportunity there – an unrealized, pent-up potential of the patron community, ripe for becoming a driving force behind library collection and community development.

⁹ Bankhead has written a detailed and comprehensive article about this project (Bankhead 2015). I will refrain from re-narrating it here, but recommend the article to any reader further interested in a pioneering project that already foreshadows many of the most successful community outreach strategies also used, for example, by the Indie Author Project.

But Bankhead did not just introduce the bazaar approach to public library management, he also introduced Coker to librarians in the early 2010s. At conferences, Bankhead was generally an important mediator for Coker (as both note in their interviews for this thesis), and made many introductions that helped enhance Smashwords's visibility in library circles.

At one point, Bankhead made a particularly consequential introduction. Steve Potash, founder and CEO of OverDrive, regularly participates in library conferences, and at one such occasion Henry Bankhead introduced him to Mark Coker. Neither Bankhead nor Coker have had much more to say about the beginning of the OverDrive/Smashwords cooperation, other than that the collaboration was set up quickly and straightforwardly. The speed and facility of the agreement might be at least partly attributed to Potash's awareness of emerging library platforms at the Douglas County Libraries and at Califa, which will be discussed in greater detail in the next sections. It soon became evident, anyway, that OverDrive did not engage with Smashwords as a champion of self-published content.

When OverDrive first included Smashwords content in 2014, one could only access it if one actively opted into being shown self-published content (in other words, OverDrive treated self-publishing authors more or less in the same way that Smashwords treats the most taboo and hardcore of erotica on their own platform). An incensed Bankhead, who actually *is* a champion for self-published content in the public library, agreed with critics like Nate Hoffelder about a "ghettoization" of self-published content on OverDrive (Hoffelder 2014, Bankhead 2015).

In an article published around the time of OverDrive's introduction of Smashwords content, Hoffelder in fact sees this ghettoization of content on the OverDrive platform as Smashwords "dropping the ball" (2014). Not making double and triple sure that self-published content will actually appear in the main catalogue by default might indeed be an unintended result of speedy negotiations with an extremely desirable, but also famously shrewd and careful, business partner (Coker and Bankhead were generally reluctant to share any details of past negotiations, so these musings are mainly speculation on my part). But whatever happened exactly and in which order, Bankhead didn't forget it, and pointedly spoke of superfluous, "leeching" "middlepersons" in the distribution chains of e-lending, somewhat ahistorically claiming that OverDrive was the product of a bygone era:

Not to be too dramatic, but the system as promulgated before had reasons, there wasn't an internet. People didn't have the ability to just kind of publish books. Like the Electoral College, people couldn't communicate. They had this way of transmitting votes. If that outlives its usefulness, if we don't get rid of it, then we're kind of shooting ourselves in the foot a little. So, I'm not against OverDrive, but [...] they're in business to make money, right? That's not why I'm in business. I'm not in business. I'm in an idealistic profession to vouchsafe the commonweal of the people, to conserve their value, their wealth. I'm not going to be flushing it down the toilet just because that's the way that we've always been doing it, right? So, if I can improve the commonweal from an idealistic perspective... in no way am I kind of idealistically devoted to a system that has a profit margin outside of me, because I'm not a profit margin, right? Government is not-for-profit. Hooray! (Bankhead 01:02:35/15)

In explicitly referencing OverDrive at this point, Bankhead refers to an issue that repeats itself and even becomes more pronounced at the “higher” levels of library organization: Public libraries gradually discovered that publishers and big tech retailers like Apple were not their only problems when it came to e-lending. They also came to realize their closest partners in e-lending specifically, LDPs, were not neutral entities but required the same astute attention as other negotiation partners. Bankhead experienced this firsthand, and remembers it with noticeable anger; during the interviews, he was certainly not the only librarian to do so (nor was he, in fact, the one to use the strongest language).

It is entirely possible, too, that this is an OverDrive issue rather than a general LDP issue. Other LDPs that were discussed during interviews, however briefly, did not nearly ignite comparably strong reactions amongst librarians in particular. Nevertheless, OverDrive will generally be used as the central example for library distributors here. Founded by Steve Potash in 1986, “OverDrive refocused” on e-books in the 2000s, and rapidly and aggressively expanded within the library distribution market (Genco 2009). It was by far the most dominant public library distributor in the 2010s, and still is. Thanks to its cooperation with Smashwords since 2014 and the Indie Author Project since 2019, OverDrive is also the LDP with the most self-published content in its portfolio. OverDrive thus plays a considerable role in the increasingly normalized availability of self-published content in public library collections today.

Considering the initially rather performative nature of this inclusion, however, it is high time to discuss in greater detail why Potash may have jumped at the chance to cooperate with Smashwords in the first place, and have OverDrive offer self-published content, however covertly, since 2014. What happened to make that kind of maneuver a no-brainer for a company like OverDrive? Two crucial parts of the answer might be: the Douglas County model of e-lending in Colorado, and Califa’s Enki platform in California.

In order to understand these two initiatives, we have to return once more to the years between 2010 and 2012, and start out once more with the Big Six – this time, in the context of the specific e-lending conditions that they offered to public libraries once patrons had their new e-readers and wanted libraries to deliver.

7 Harper Collins’s 26-Checkout-Policy

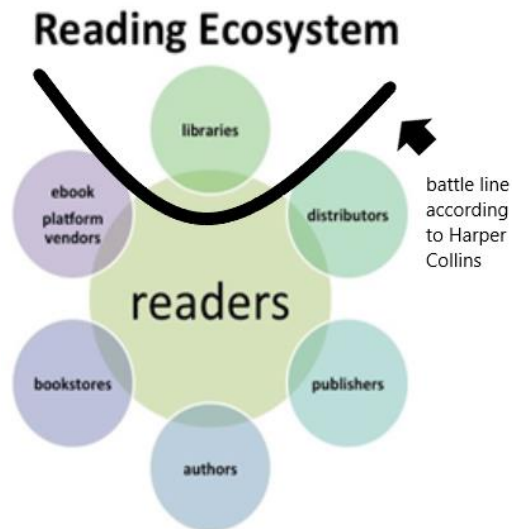
Everyone involved with debates on e-lending in the 2010s tended to know at least two models of e-lending: HarperCollins’s 26-checkout-policy and the Douglas County model of e-lending (hereafter abbreviated as DCM, an abbreviation not to be confused with DRM/Digital Rights Management). Everyone knew these two models because of the drama that the HarperCollins policy unleashed (and, in a sense, epitomized), and because the Douglas County Libraries under Jamie LaRue stepped in with a solution that is now a worldwide licensing standard.

HarperCollins, one of the Big Six publishers implicated in the lawsuit against Apple in 2013, instituted a revised library checkout policy in early 2011 that required libraries to repurchase an e-book after 26 check-outs. They would use digital rights management to automatically delete a library's file after the last of these check-outs. If the library wanted to keep the book available, HarperCollins would be happy to sell them a new copy again, to be checked out 26 times, then the cycle would repeat. In a press release explaining policy, the publisher argues:

Our prior e-book policy for libraries dates back almost 10 years to a time when the number of e-readers was too small to measure. It is projected that the installed base of e-reading devices domestically will reach nearly 40 million this year. We have serious concerns that our previous e-book policy, selling e-books to libraries in perpetuity, if left unchanged, would undermine the emerging e-book eco-system, hurt the growing e-book channel [sic!], place additional pressure on physical bookstores, and in the end lead to a decrease in book sales and royalties paid to authors. (HarperCollins quoted in Kellogg 2011).

HarperCollins's position was understandable insofar as the publisher tried to stay on top of its core business (content) while juggling its relationship with the tech giants that provided reading devices and that proved to be a very different business partner than, say, your average printer. It was also not unreasonable, in and of itself, to say that licensing models had to be adapted when a hyper-marginal segment of the market had suddenly turned mainstream and into a booming source for revenue. The difficulty regarding libraries was, ironically, that publishers and libraries had always been so intimately interwoven: "As institutions, libraries have relied on publishers to act as bellwethers for the building of collections; and, as a result, publishers and their distributors have been tightly integrated into [library] workflows in a highly efficient system of physical and intellectual bibliographic control" (Grobelny 2015, 171). Henry Bankhead quipped: "[Big 5] Publishing is our God." (Bankhead 00:26:05/6)

Precisely due to libraries' sensitivity to developments involving their core suppliers, big publishers essentially just expected their pricing policies to be consolidated into infrastructural normalcy over time. The logic seems to have been that, in times of unpredictable transformation, it was better to establish a restrictive position of financial strength first, and to adapt to whatever was coming from there – rather than having to come back from a policy that turned out too lenient to be profitable. Potential financial dangers lurked elsewhere, too, since HarperCollins was one of the first big publishers to even tackle the problem, which made it prone to making mistakes that latecomers could watch and avoid. Indeed, other major publishers strategically held back to wait out responses to the HarperCollins policy initiative: "Is HarperCollins the biggest issue?" journalist Carolyn Kellogg asks. "Not really. Macmillan and Simon & Schuster – two other of the big six publishing houses – have not yet offered ebooks of their titles to libraries at all" (2011).



HarperCollins responded to the (predictable) outrage of, and conflict with, public libraries in two ways, as this brief snippet from the 2011 press release already indicates. First, HarperCollins strategically lined up participants in the market against each other. If we return briefly to the RAILS Reading Ecosystem as our basis, HarperCollins suggested that the battle line regarding e-lending was neatly drawn: The press release cites authors, bookstores, e-book retailers, and LDPs as the allies of publishers who would likewise have to fear losses from the spread of overtly lenient library lending conditions. SPPs like Smashwords were not on their

radar, not least because they were not part of traditional distribution chains.

If one discounts SPPs such as Smashwords, as HarperCollins did in 2011, it would certainly appear that the libraries were isolated in a conflict not just with publishers, but with the entirety of the publishing market – an impression that was, of course, entirely intended by HarperCollins. But the fact that HarperCollins forgot to consider SPP platforms (and with it, “indie” publishing in general) would prove strategically crucial for libraries, as we will see in the discussion of the Douglas County model.

The second important element is that HarperCollins’ policy doubles down on the idea of the e-book as a print-like thing (rather than a “new beast” that is dynamic and alive, as Mark Coker had it). HarperCollins’s specific strategy of allowing for 26 checkouts is designed to naturalize and protect existing, print-oriented workflows and distribution chains: Only if e-books resemble print in significant ways can workflows and distribution chains based on print remain the standard for publisher-library-interoperability. The 26-checkout-policy creates a situation in which e-books are systematically treated “as if” they were print books capable of wear and tear. To derive e-book licensing conditions from selected features of print objects is a typical characteristic of infrastructurally conservative positions on e-lending. The general strategy of using “as if” analogies is a fairly familiar practice from U. S. common law generally, and is known as a “legal fiction.”

Legal fictions are “the growing pains of the language of the law,” as Lon Fuller memorably quips (Fuller 1967, 22). The concept is simple and hinges on the two words “as if.” The concept of the legal fiction is used, for example, when a new technology must be fitted into existing organizational workflows and the legal categories that govern them. If existing legal categories don’t quite fit the defining properties of this new technology (which was the case for the “new beast,” the e-book, in the 2010s), the idea is to determine which existing category best describes the relationship created by the new technology, and to use this analogy until laws appropriate for the new technology can be formulated (Fuller 1967, Schillings

2017, 3-4). In times of transition, it is typical for contractual agreements to manifest fairly experimental uses of the concept, as is demonstrated both by HarperCollins and, indeed, also by the DCM.

At the same time, and especially in these experimental contexts, legal fictions can be risky for those who propose them. The choice for or against a specific category transfer requires sensitivity for competing views on the most suitable as-if scenarios. If the choice for a specific analogy is too transparently self-serving, the use of a legal fiction isn't merely dismissed – instead, it tends to backfire spectacularly. That is exactly what happened with the 26-checkout-policy, which had to be retracted in 2012, less than a year after it was first introduced.

For one thing, the timing was bad. HarperCollins chose a time of massively rising e-book prices (which they themselves had helped institute) to essentially punish lively e-book circulation in libraries. For another, libraries were in an uproar over the idea of external digital rights management in their collections, and rejected the very notion that publishers might presume to interfere with the integrity of library catalogues. Exemplarily, consider an article entitled “HarperCollins to libraries: we will nuke your ebooks after 26 checkouts” that includes sentences like: “You have exactly one weapon in your arsenal to keep yourself from being caught in this leg-hold trap [of DRM]: your collections budget” (Doctorow 2011). The tone was fairly normal for the debate.

But the chosen legal fiction itself was just as bad as the near-sacrilegious idea of digital rights management, and was immediately identified as naked profiteering by libraries. Illustrating the general direction of the response, two librarians recorded a much noted-video that called on librarians and patrons to contact HarperCollins in protest against the policy. In the video, the librarians show a number of popular print books from their collections. They lovingly demonstrate their perfect condition, then show how many times the books have been checked out, and calculate how many replacements they would have had to buy by now if these were e-books (Pioneer Library System 2011). The video drips with an icy sarcasm that only thinly veils the librarians' rage; the video also demonstrates what an easy target a badly chosen legal fiction actually is.

At the same time, it is important to note that there are, embedded within HarperCollins's clumsy use of the legal fiction, two assumptions that were uncontroversial in the context of e-lending. First, it was uncontroversial to model any treatment of the e-book after the treatment of print books; it was actually in the libraries' interest to do so. Since distribution chains (especially on the public library side) were slow to adapt to digital workflows, it made absolute sense for both publishers and libraries to treat e-books like print books at least to a degree. The use of this analogy actually helped decrease pressure on library acquisition workflows in particular. Librarians thus accepted and even supported the idea of “e-book = almost print book” in e-book licensing agreements.

Second, because the e-book is an inherent mass medium (infinitely replicable and inexhaustibly accessible) and the print book is not, it was also fairly uncontroversial to impose some artificial

limitations on the unchecked flow of e-books between publishers, libraries, and patrons, in order to protect publishers' commercial interests. Librarians did not oppose that; they did not expect publishers to provide content for free. On the whole, librarians tend not to be copyright pirates but prefer regulated, legal, and long-term relationships with content providers.¹⁰

One would not necessarily have known of this common ground from the tone of the debates. U.S. public librarians were furious, and eager to reproduce the battle line rhetoric that HarperCollins had used in the press release. That was not least because they were helpless – after all, patron demand for e-books was relentless, and publishers like HarperCollins controlled access to popular books. Libraries depended on them.

But then, did they really depend on the Big Six that much? This is what the Douglas County Libraries began to explore very seriously, and that, in turn, is how Smashwords managed to make headway into the deeper infrastructures of the public library distribution system.

8 The Douglas County Libraries Model of E-Lending

“I think what people [...] forget is that in that year 2010, through 2012, libraries felt beleaguered”, says Jamie LaRue, one of the architects of the Douglas County Libraries model of e-lending (abbreviated here as the DCM). “We had many grievances with the publishing world. And everybody was angry and didn't know what to do about it. And I, frankly, think that one of the real results of the DCL [Douglas County Libraries] model was just restoring some modicum of hope and optimism that librarians had agency in a changing publishing environment.” (LaRue 00:38:24/9)

LaRue's basic attitude then and now still noticeably deviates from the polarizing rhetoric that otherwise characterizes the e-book debate of that time. Indeed, all of the pioneers interviewed by me for this thesis share a preference for strong and pointed views combined with an equally pronounced distaste for the lazy and reflexive targeting of agreed-upon villains. “The thing that frustrates me about the narrative in the US around e-books and publishers is [that it is] like, ah, publishers hate libraries, libraries hate publishers,” Mitchell Davis of BiblioLabs scoffs. (Davis 01:04:01/18) “We're not hammering manifestos to church doors, you know,” Paula MacKinnon of Califa dryly remarks, when asked about her negotiations with publishers and library distributors [LDPs]. “It's a cooperative conversation. It's like, trying to understand their pains and their pressure points, so that they open up to what ours might be.” (MacKinnon/Pitchford 00:47:48/16)

¹⁰ Says Jamie LaRue: “I was invited to go to Moscow for a big book publisher conference some years ago, I wouldn't go now. But when I went there, I would talk to various publishers. And they said that there is no e-book market there at all. Because the minute anybody puts anything up, it is stolen and distributed. And so, they're actively suppressing their e-book market, because the minute it was out there, they lost all control. And of course, the authors didn't get paid either.” (LaRue 00:53:48/13)

The creation of the DCM, then, was a master class both in avoiding the simplistic contraposition of libraries versus publishers, and in easing the “pressure points” of other market participants for the benefit of the public library. The DCM essentially consisted of a self-made, open-source licensing, storage, and distribution system created by the Douglas County Libraries themselves. Its main architects were Monique Sendze, Mary Minow, Valerie Horton, and Jamie LaRue. LaRue was the person who coordinated the work, and who would become the public face of the initiative. Sendze was the architect of the IT side of the model; Minow of the legal side; Horton, who was then then executive director of CLiC, the Colorado Library Consortium, coordinated the first batches of public domain content and lent further consortial support to the experiment.

The DCM introduced three crucial new elements at the same time. First, it provided an alternative legal fiction that tied e-books into print book distribution structures more constructively than the HarperCollins model. Second, the DCM structurally recognized that the library world’s problems with e-books might not exclusively be linked to near-monopolies in trade publishing, but also to near-monopolies in tech, specifically in platform infrastructures and interface management. Third, the model immediately integrated self-published content as a self-evident resource on equal footing with traditional sources of publishing.

As LaRue explains it, the trigger event for the creation of the model was a standard public library interaction with a successful local self-publisher who suddenly ran into unexpected problems:

There was a local author who lived in Douglas County who said: “Oh, well, I have a copy of my book, not digital rights protected. Here’s the file, you may add it to the library collection.” And so I turned to Monique Sendze, who was my IT director at the time. And I said: “Monique, can we accept this free book?” And she said: “No, we have no way to display it.” And I felt that now we had a series of fundamental existential challenges to librarianship: [first, the] books that were most in demand we could not purchase at all at that time, [or only] under punitive prices. And the second thing was: What kind of library can’t accept a donation? So, it was clear to me [...] that the real trigger for this was our inability to accept a donated e-book, even knowing that it would be popular. (LaRue 00:13:45/3)

“We have no way to display it” – the display of e-books had nothing to do with publishers. Instead, it had everything to do with LDPs that aggregated the content provided by publishers, and provided libraries with the e-book service platforms that their patrons used. This commercial platform structure could theoretically be linked back to publishers as well (since publishers fixed prices in the agency model), as this contribution by Claire Martin in the *Denver Post* argues:

Here’s how the publisher-library relationship worked for decades: Publishers sold their quarterly crop of books to libraries at a 40 to 45 percent discount. The library bought new versions if a book was revised or was worn out. But as the demand for e-books rose, publishers introduced middlemen into the formula, distributors who owned e-book publishing platforms, which made e-books accessible to library patrons. The distributors offered libraries a single e-book for, say, \$72 to \$120, and limited the number of times (typically, 12 to 26) that e-book could be virtually checked out (Martin 2013).

Even if one accepts the (dubious) assertion that publishers conspired to introduce middle men as the straw men of traditional publishing services, it does not follow that library distributors have any reason to act as straw men. Indeed, the prices that Martin cites probably include healthy provisions for the LDP in question. After all, they are also for-profit organizations pursuing their own interests and bottom lines. LaRue, for his part, concludes:

[I have been very critical of LDPs], in part because they were the primary purveyors of these punitive market terms. One of the things that we learned is that many libraries actually don't have direct conversations with publishers, we deal with our distributors [LDPs]. And what I learned was that they're not always honest. What they say about publishers to us isn't always true. And what they say to publishers, the things [they] allege comes from us, isn't always true. (LaRue 00:25:21/6)

This sense of frustration with LDPs, which also crops up in other interviews and especially prevails at a higher level of library organization where direct contact to both publishers and LDP is most intense, points to something important. The “dishonesty” LaRue describes is the power of entities that are aware of the advantages and privileges of their situation, interested in expanding their sphere of influence, and professionally unbothered (to say the least) by antagonistic relationships between the partners that the LDP connects. If publisher and libraries don’t speak with each other, that puts LDPs in a position to mediate between them to their own advantage. This renders LDPs extremely relevant *active* players in the question of e-book distribution: It is central *not* to view them as mere points of neutral transition. That mistake is often made, as is demonstrated by the fact that LDPs are fairly rarely studied critically in their own right, and are, in current practice, frequently accepted as honest brokers by publishers and library alike. It is a perception that is, naturally, actively encouraged by LDPs; equally naturally, there is generally not a lot of information forthcoming from within these entities about their role.

For LaRue and his team (and not only for him, but also for BiblioLabs, as they worked on alternative solutions in parallel), the most urgent problem to be fixed was thus libraries’ reliance on LDPs. Both the Douglas County Libraries’ and BiblioLab’s ideas were to create their own platforms for e-book display, and to offer an alternative to OverDrive specifically. LaRue and his team identified three general business problems for library-owned e-book collections:

One of them was [...] whether or not [publishers] would sell to us at all. The other one was, say if they would sell to us, you know, the cost. But the third one was the interface. And people don't remember that back in the day, if you wanted to sign up for OverDrive, it took 23 different steps to register. And so, even if the library had the book, OverDrive would transfer you over to them, and you would have to log in again. And so we said, this interface – particularly when you're competing against the Amazon one-click-purchase: "Oh, I like that, click" – you know, we have to make it easier to find the book. (LaRue 00:34:43/8)

That was when Monique Sendze went to work.

Monique Sendze was our information architect. [...] [She] quickly identified that the Adobe content server was about the only acceptable industry standard solution at that time. [...] And it took us about a year and a half of testing of, you know, first saying, we can host the

content on the Adobe content server, but then we have to integrate it with our catalog. And so, we stepped into new open-source tools like, you know, Solr, VuFind, a number of different free discovery tools, and [it] took us a while to get all that going. (LaRue 00:14:48/3)

In order to integrate server and catalog, the Douglas County Libraries cooperated with the Colorado Library Consortium, working closely and directly with their executive director, Valerie Horton. The idea was to start with e-books from Project Gutenberg, since copyright and licensing were non-issues for public domain books, and the workflows could be tested in their entirety without issue.

Working with Monique and Valerie, our first experiment was, first, we downloaded all those [public domain] books, we put them on a mirror server, then we created – through CLiC, the Colorado Library Consortium – MARC records for each of the titles that we downloaded. So, pristine MARC records. And in those MARC records, we included a link that would take you directly to our backup server. So, you look up the copy of the book, you know, War and Peace by Leo Tolstoy, you click on that, it shows up in our catalog, there is a field: “Click here to read it.” And there was a new screen. So, that was our first attempt to say, how do we integrate content? And by pushing that [in cooperation with the consortium], we made the entire Project Gutenberg available to most of Colorado’s libraries. (LaRue 00:35:47/8)

But of course, the two other business problems – both pertaining to the issue of obtaining current, copyrighted material – still remained. The basic condition for the DCM to work was that libraries could perpetually own and preserve e-book files. They wanted to avoid having to access them via a commercial platform like OverDrive, and also wanted to prevent publishers from accessing the library collection via DRM. OverDrive was no longer a concern with the creation of the Adobe platform, but what about the publishers? How could one get them on board to develop stable e-content streams, and at what cost?

We reached out to the Big Five to say: “Okay, now we have a model, can we purchase from you at our old discounts?” And the response from publishers was: “Well, that’s interesting... Is there anybody else who’s doing this...? Is this a model that has some market share...? Is this the way in the future is going...? And so, well, I don’t know...” [...] And so, we said, “Okay, well, if you are so reluctant with this, [...] let’s just start going down the list and talk to every other midsize publisher down to small publishers, from whom we purchase e-books.” And we said, “Would you like to sell to us directly, cut out that middle man?” And what we found was there was an immediate overwhelming enthusiasm, because these smaller publishers had been trying to crack the library market for a long time. But they couldn’t get past our great dependence, exclusive dependence almost, on the big five. [...] And at first, we tried to negotiate a separate contract with each publisher – so much work, so many legal fees to do all that. And so, finally, we said, well, let’s just make it simple. And I contacted Mary [Minow], who [...] had started a business called LibraryLaw.

And I said: “Can you just write a common agreement, where we say, we want a discount for these materials, that we’re volume purchasers, and we help people find your books? We will accept one copy of a file; we will always check it out [...] to one person at a time. If more people want copies, and we have a threshold – when four people are waiting, we will add, we will open up another copy and send you a cheque. There’s nothing that you have to do, we will keep track. And you can audit us at any time, because right there on the computer it says how many copies and how many holds.” (LaRue 00:15:52/3-4)

The “common agreement” that Mary Minow wrote was the birth of the “one user, one copy” model of e-lending, which should grow to become a standard model for e-book lending globally. The agreement is still freely available online (Minow and LaRue 2012), and visibly relies on the conservative strategy of using a legal fiction, i.e., a print analogy.

The standardized licensing agreement took the two uncontroversial elements in the highly charged debate over e-lending – that it was permissible to use a selective print analogy for e-book licensing agreements, and that the revenue streams of publishers should be protected within reason – and then simply used a better analogy: namely, the print book as an object that cannot be in two places at once. This analogy addressed the most pressing concerns of publishers and also satisfied librarians’ professional sense of proportion.

And [...] that loosened a logjam. And many people said: “Great, that’s exactly what we wanted to know, we understand how that model works.” And they began to sell to us. And so, after about a year of that collection development effort, we rolled out our online platform [in 2012] with about 10,000 OverDrive mainstream publishers, about 10,000 small to independent e-book titles that we’ve got from the smaller publishers, and 10,000 self-published titles that we purchased directly from Smashwords. [...] So, that was the beginning. That’s why we did it. That’s how we did it. (LaRue 00:18:05/4)

The establishment of the DCM, and especially Mary Minow’s legal contribution, opened up the public library for digital collection management that was able to include all publication outlets equally, including self-published content via Smashwords. At this point, Smashwords is mentioned almost in passing by LaRue; indeed, Coker and LaRue met at a library conference, and thus in the same way that Coker and Potash met. The Smashwords CEO was already an integral part of the professional library community by that time.

In LaRue’s case, the reason behind the inclusion of self-published content was not strategic, but substantive. During the interview, we discussed the general centrality of intellectual freedom in his work, and LaRue said that he considered the acquisition of self-published content a way to help realize the core values of the public library: “After a lot of thought, I finally decided that my definition for what a public library does is very simple. We gather, we organize, and we present to the public the intellectual content of our culture. So, that’s the whole shebang, the human story.” (LaRue 00:09:04/1)

But it can go even deeper than that. In their discussion of self-published content and the library’s responsibility to create equity, MacKinnon and Pitchford weave a thread that goes from the history of the Buy Local Movement to a profound sense of historical responsibility:

Pitchford: As people eat local and shop local, it’s great for them to read local, and to read about their neighbors and friends across their community’s experience. The other piece of that is around equity, [...] diversity, and inclusion. [...] A lot of times indie content, because it’s direct – you know, it’s not going through several filters – more represents the lived experience of people. And having access to that lived experience puts you closer to it, and gives you the ability to – especially if it’s in your community – to connect to it, and hopefully make the impact of people understanding their neighbors’ lives and experiences better. So,

and since, as I said before, equity is [at the heart of] the ethos that all libraries do. It's unlike other parts of local government, where you only go to get your driver's license here, you only go to pay your taxes there, et cetera. We're touching people throughout their lives. [And] there we have a role of being trusted. You know, and I always say it's fractured trust in terms of the US. You know, the government segregation and racism and you know, inequities that occur today, but in terms of...

MacKinnon: *[The public library] was not always a great place for Black people.*

Pitchford: *Exactly. [Libraries] were clearing out the same BS everybody else was. But generally speaking, as it relates to other departments [of local government], I feel like [...] public libraries are committed, [...] in a bigger sense, [...] to rectifying that in lots of ways, and I think indie content is a great way to do it. (MacKinnon/Pitchford 00:14:08/6)*

All of these visions and perspectives are central context to understand why public librarians have undertaken the considerable work of bringing self-published content into the public libraries. But all of these insights and values, no matter how profound or noble, would have remained abstract non-issues without the development of infrastructures and operative workflows that actually help patrons access this content. So, how does this content actually reach the public library, once the library has not just formulated a vision to legitimate it, but has also created an interface to display it?

9 Library Direct: Smashwords Sells the first Opening Collections

The Douglas County Libraries had opened a way for self-published content to reach the public library. But how was this content stream organized on the Smashwords side? Other than a mainstream or small publisher, Smashwords did not hold the copyright to any of the e-books hosted on their platform, but required each and every one of their authors to individually offer their books to libraries. Also, not all e-books hosted on Smashwords were desirable to public libraries, for reasons ranging from very low-quality content to some titles' gory, potentially disturbing nature.

On the Smashwords side, an automated solution had to be created so that authors could opt in to and out of library purchases of their books. On the library side, criteria had to be developed to help determine which e-books could be purchased by libraries in the first place. The Smashwords solution to these two central problems was called "Library Direct" and it is still active today, though Califa is the only library organization that still uses it.

Smashwords authors can organize everything pertaining to their e-books through their personalized Dashboard. They can agree to library purchases of their e-books on their Channel Manager, where they have always been able to opt in and out of specific distribution channels. They can also set library prices that differ from retail prices in their Pricing Manager, which includes pricing books to libraries at \$0 (in other words, offering them as donations).

The new library distribution channel was specifically created with the DCM in mind, which, as Coker had mentioned, has remained the only lending model that Smashwords has supported for these last ten years. An entry on the Smashwords blog from August 8, 2012, reads:

Smashwords today announced Library Direct, a new service that allows libraries and library networks to acquire and establish large opening collections of e-books, direct from Smashwords. Library Direct is available to libraries that host and manage their own e-book checkout systems, typically using Adobe Content Server, and that are capable of acquiring a large opening collection.

We have already received purchase commitments from three library systems, each of which will acquire some variation of our top 10,000 best-selling titles. The purchase commitments approach \$100,000 in total. The first delivery is on schedule to occur next week to Douglas County Libraries in Colorado, which will purchase an opening collection drawn from the top 10,000 best-selling titles at Smashwords. Douglas County, under the leadership of director Jamie LaRue, has been an outspoken proponent of what is becoming known as the "Douglas County Model." [...] The other two library systems expected to acquire similar-sized collections include Califa and The Internet Archive[’s Open Library]. (Coker 2012a)

On the Smashwords blog where this was published, there is a comment section that Smashwords allows authors to react directly to the news, and Coker generally answers such comments and queries very speedily. An author called Andrew Levkoff writes in the comment section: “Good to hear, Mark, of the ever-expanding reach of Smashwords. One concern – the libraries are picking up ‘best-selling titles.’ Is there no thought to quality? Such as award winners? Well-reviewed works? Best-rated by readers? If I were out for a Sunday drive and passed a building called Library of Best-Sellers, I would keep on driving.” To which Coker replies, also in the comment section:

@Andrew [...] I think it's best to think of this as one of many approaches to curation. It's an approach I'm really excited about, however, because it's reader-driven. It doesn't involve Smashwords, or a committee, or a reviewer, applying their individual judgement of whether a book is quality or not. It doesn't place us in a position of having to decide which literary awards are legit, which are influenced by pay-for-play (some pay for play are legit, and some aren't), or which are influenced by politics, favoritism or membership in an organization, or having to argue with anyone over the merits of their proud award. It's tough to imagine anything more democratic or useful than reader-driven curation. These large catalogs leverage the wisdom of the masses to identify what readers want to read, yet it still captures the wisdom of micro-focused reader communities who have interest in obscure or experimental books that are still outside the mainstream. If a library purchases our top 10,000 or 20,000 bestsellers, they're getting the true commercial bestsellers that occupy our top 1,000 or so titles, and then they're also getting a healthy chunk of the long tail, and in that tail are many great titles that aren't selling thousands of copies each month, but they are selling. Because [Library Direct] is only available for large opening collection purchases, it encourages libraries to invest in a large and diverse catalog of indie works. Because our average library price for each title will likely come in under \$3.00, these low prices allow libraries to establish massive collections at very little cost. (Coker 2012b)

This “reader-driven” approach to library acquisition is generally the preferred modus operandi at Smashwords, and Coker is a great advocate for patron-driven acquisition at public libraries for that reason (Coker 01:26:21/23). This preference logically corresponds with the bazaar approach to

collection development, and is facilitated by the fact that self-published books tend to cost a lot less than traditionally published books, which makes patron-driven acquisition more affordable to libraries (Coker 01:10:21/18).

For the moment, what is interesting is simply Smashwords's basic set of criteria for creating an opening selection, which is strictly sales-based. There is not much transparency for authors whether or not they personally make the cut. The "top 10,000 or 20,000 bestsellers" fluctuate over time, so there is no guarantee that a title will consistently remain in the batch. In addition, libraries, LDPs and retailers can exclude certain genres and titles from the start. Libraries don't *have* to exclude these, as Jamie LaRue emphasizes (LaRue 01:04:16/16), but they do have decisions to make, and Smashwords has since made it easier for libraries to add nuance to the process. For example, Smashwords introduced an erotica classification system in 2017 that differentiates "taboo" content in e-books discoverable at Smashwords; subcategories include age play, bestiality, dubious consent, incest or pseudo-incest, nonconsensual sexual slavery, rape for titillation, and "others not mentioned" (Coker 2017). Journalist Chris Meadows explains:

These categories are intended to add more clarity than the relatively uninformative categories for erotica used by BISAC [Book Industry Standards and Communications] and other classification systems. They will also help Smashwords determine which e-books to place with partner retailers such as iBooks and Barnes & Noble, so they can hold back those that would run afoul of those retailers' own policies and end up getting removed (and, presumably, causing more friction between that retailer and Smashwords). [...] Something [...] that I think could be just as important going forward, is that these taboo classifications could also help readers specifically looking for those taboos locate works they want to read. As long as such works remain unclassified, discerning readers with specific taste in taboos will have a hard time finding works that do contain them, just as more conservative retailers will have a hard time keeping them out of their stores. (Meadows 2017)

These questions concern libraries, as they are expected to vet content to a certain degree. This was especially the case for pioneering libraries that went out on a limb trying to justify the inclusion of self-published content to stakeholders and colleagues who might consider "self-published" a synonym for "dreck." LaRue recalled how, once a larger acquisition of Smashwords content was decided, he sat down with Coker to find out which of the books the library would actually take.

When I was working with Smashwords, I said: "Okay, so how do I choose these first 10,000 titles?" [Coker] said, "Okay, well, here are our bestselling titles..." Genres, the typical stuff about cookbooks and dog books. And he says, "I'm assuming that you don't want the incest stories." And I said: "Excuse me?" And he said that in the world of self-publishing, probably like the world of mainstream publishing, erotica accounts for about a quarter of the sales. And erotica is also a continuum. Within that, you'll have everything from romance down to [...] the subgenre of incest books. And I thought, okay – so imagine that I'm a public library director trying to demonstrate the value of this new source of publishing. And I put out something that is going to offend and disturb most of my community. And so that, too, is an intellectual freedom issue, right? And so, if we're going out to self-published material that didn't go through all of the filtering of an acquisition editor and publishing catalogs, but it goes directly to the people who want to use that book,

you're going to wind up with far more extreme niche, fringe content than is typically found in our libraries. But if we're serious about offering the story of mankind, and what people are actually writing and thinking about, that seems to me to be part of the cost. (LaRue 01:03:05/15-16)

Smashwords did not have these exact questions of legitimacy to worry about. “The authors love libraries,” Mark Coker says. “Self-published authors especially are much more library-friendly than traditional publishers.” (Coker 00:55:48/14) But there were other questions of legitimacy to consider at Smashwords, and they had to do with revenue. Coker writes on his blog during the first big library sales in 2012:

We're in the very early days of this. I think the important thing to recognize is that no one [sic!] really knows where things are headed. I do know that libraries will account for a very small portion of overall sales for Smashwords authors in the short term. Longer term, though, I'm really excited about both the platform-building potential and the sales potential. We wouldn't be making these big investments if I felt otherwise. As I mentioned earlier, everyone should keep their expectations low. (Coker 2012c)

The comparison to retail sales is an important one. In retail, hosted books are sold to any number of end customers who select the title, thus potentially generating considerable and/or consistent revenue. With library sales, that is not the case. At the time, at least, library sale generated only one sale on Smashwords, irrespective of the number of times a title was then borrowed by patrons (unless several patrons tried to borrow in parallel, as LaRue had said, since this would lead to the purchase of additional copies). Coker thus consistently cautioned Smashwords authors not to expect much revenue from library sales, but to see library distribution either as a marketing and discovery tool, or as an act of giving back to the community by way of supporting the public library as a community space.

Regarding the organization of Library Direct, Smashwords initially encountered issues with libraries very similar to the initial issues with retailers that Coker had described (with Sony operating off of spreadsheets, for example). Again, in Coker’s view these problems boiled down to a lack of sufficient automation:

It was not easy for librarians to select titles from the catalog. So, it required us [...] to do a lot of data science [...] [to understand] what the library wanted, what types of books they wanted, and what books they've previously purchased to help them identify the books that they're going to want to add to their collection. So, just a lot of data crunching, a lot of reviewing, manual reviewing on our end and on their end. So, very time consuming for the library to acquire the titles. There wasn't a system where the librarian could say, oh, Kristen Ashley has a new book out, I want to click a button and add it to my collection. They couldn't do that because it was so manual. And that's why we set a minimum catalog price. You know, it didn't make sense for us to go through a lot of manual effort to sell you a \$3 book. You know, that's why we [...] put a minimum of... I think it was \$20,000 or something for each collection. So, that manual intervention, anytime you've got manual intervention required, you slow everything down and you break it. (Coker 01:19:32/21)

On the library side, things did not go entirely swimmingly after the first opening collections were sold. First of all, after a strong start with the very public sale of opening collections to Douglas County

Libraries, Califa and the Open Library (see e.g., Hogan 2012), Library Direct did not catch on. The purchase of opening collections meant a considerable investment, as Coker had said, and libraries did not only have to buy the e-books. Library Direct also requires that libraries can host their own e-book checkout systems, and most individual public libraries lack staff, time, and financial resources to do so. Two out of three initial partners did not pull through, either. Today, the Douglas County Libraries no longer offer Library Direct. The reason for this is simply that LaRue left the public library in 2014:

Before I left, we set up a statewide model, [...] all the pieces were in place, some of the content was in place, all they had to do is flip the switch. And as I was leaving, it wasn't clear whether it was going to be CLiC, this Colorado Library Consortium, that would operate that central facility, or if it would be a library. And [...] when I left, Douglas County was no longer the onsite cheerleader for this vision, and for this goal. People went back to the old systems, and much to my great disappointment, they never turned on the statewide [...] system that we had created. (LaRue 01:10:29/17)

The mention of the Open Library was treated with shrugging indifference by interviewees. At the Open Library itself, there is not much of an institutional memory of the acquisition either. In an e-mail response to an interview request, it became evident that the persons involved with the acquisition no longer work at the Open Library, and further information on any part of this activity would require something bordering on forensic research by remaining staff; the sole public resource the Open Library still has available on the cooperation with Smashwords is a short blog post (Haubner 2011).

And then, there is Califa.

10 Califa is Out for Mischief

By 2014, Smashwords had become a fixture in the world of public libraries. Following the acquisition of large opening collections by Douglas County Libraries, Califa and the Internet Archive's Open Library through their Library Direct program, Baker and Taylor's 360 access platform started including Smashwords content in 2012. In 2014, OverDrive followed suit. Today, most of the important LDP (including, for example, Bibliotheca Cloud Library since 2017) are represented as partners of Smashwords/Draft2Digital. But Califa wanted more.

Califa is a state-wide, non-profit public library consortium in California. Beyond the typical work of consortia – negotiating for collective licenses and providing training to librarians – “we see our role as research and development for libraries,” as Veronda J. Pitchford emphasizes (MacKinnon/Pitchford 00:23:01/8), which notably includes the creation of innovative library solutions for e-books.

The DCM took off as a *legal* model of e-book licensing, but it did not take off as a solution to replace LDPs as platform hosts. Califa never lost sight of this objective; others very much did. The experience of the discontinued cooperation in Colorado after LaRue's departure stands in a larger context of library reluctance to abandon their reliance on LDPs, and particularly on OverDrive. Mitchell Davis, whose

company BiblioLabs heavily invested in creating an alternative to OverDrive in parallel to Smashwords's creation of Library Direct, recalls:

[OverDrive] didn't have [the app] Libby then [before 2017]. No one's ever really liked OverDrive's pricing and business terms and all the rest of it. So, you know, we very naively listened to libraries. They said, we want an alternative to OverDrive. [...] They said they wanted to, but not so much when it comes down to that. [While we started creating an alternative, we realized] we were going to fail. I mean, we had spent several million dollars of our own money and, you know, had a team of 25 people, and we were going to conquer the world, and realized: Oh, we're going to fail. The libraries aren't actually going to move off of OverDrive, no matter how much better the tech is or how much better the business model is. (Davis 00:41:58/12-13)

But why?

"I think it goes back to something like inertia, the unwillingness of libraries to risk," says Jamie LaRue, and echoes Mark Coker's warning to authors that nobody knew, at the time, how this new technology would actually consolidate into infrastructure: "You know, I used to tell my staff all the time, if you know what's going to work, it's not an experiment. [But] we're at a time where we have to conduct experiments, because we don't know what's going to work." (LaRue 01:09:32/17) Mitchell Davis agrees that libraries tend to shrink back from risk, and elaborates:

[W]hat OverDrive did, that was incredibly smart, was [...] they have cultivated the users like a tech company, like a consumer tech company. The OverDrive that [a] particular patron uses may have the library's logo in the corner, but make no mistake, it's OverDrive running that tech. So, they kind of own that, right. There is no way to, like, pull all that back and start [over]. I mean, libraries have tried, and it's usually a debacle because their e-book usage, if they go off of OverDrive and move to something else, their e-book usage drops, you know, 80% month over month. And now somebody's got to go to the county council meeting and explain to the funders and the trustees why their e-book usage has dropped off 80%, and explain to those trustees why the new system is so crappy, you know? [...] I mean, in a world of problems to solve, this is one you can throw money on. So that's what they do. (Davis 00:45:53/13-14)

In addition, OverDrive adapted very quickly to emerging competitors by making their service better and broader. On the display side, Davis concedes that OverDrive has considerably evolved especially after the introduction of Libby in 2017 (OverDrive 2017, Leighton 2021) and is now "the best service the library offers from a digital standpoint. [...] In any library, there are 7,000 things that are broken and OverDrive is not one of them." (Davis 00:45:15/13)

This, as we recall, includes providing interested public libraries with self-published content, since OverDrive had started to partner with Smashwords in 2014. "Credit to OverDrive for stepping in to try to steal the competitive advantage of our platform by working directly with Smashwords," LaRue dryly remarks, before immediately returning to the bigger picture: "In a larger sense, I think that could have been a good thing. Because the other thing I learned through this process was that libraries are risk averse. It's very difficult for us to adopt new business models and new business terms. And so, if we could say: 'Oh, well, here's a new content stream, but our old supplier that we already know how to deal

with, OverDrive, can provide those things.’ That’s great. However, [...] [t]hey didn’t market any of these new materials. They just made them available if you knew of them.” (LaRue 00:26:03/6)

In 2014 – the year when Jamie LaRue retired from his post as director of the Douglas County Libraries, and OverDrive first introduced self-published content in their own catalogue – Califa created another splash by introducing the library-created LDP Enki. It did so in partnership with Contra Costa County Library, which took the role of the peer-motivating champion on the ground in California that the Douglas County Libraries had filled in Colorado. Paula MacKinnon, executive director of Califa, notes that the timeline of Enki’s development and launch is not an accident:

Califa had access to grant funds and so embarked on the creation of [...] the Enki platform, [named after] the Sumerian god of mischief. That’s exactly what it came from, mischief. You know, I was like, “What if we did this? What if we just did this and people had access, what would happen?” So, it was informative. We went from publisher to publisher. It’s like, here’s the problem we have with OverDrive. They won’t work with consortia and large libraries. They’ll only allow a group of small libraries to get together, but consortia can’t be involved. So, they kicked us out of the picture because Califa was running an e-book platform, at the time, for OverDrive – but was a shared platform for any library in California [that] wanted to participate. And then they [OverDrive] said, we’re shutting it down. So, this was also the impetus. So, it was like, “Douglas County: Oh, look at that!” So, we got the same open-source software that they were using and built our own platform. And just, yeah, we just kind of tried it out. We started out with one publisher, Workman, and went from there. Workman is one of the best publishers ever because they will always jump in the game, man. (MacKinnon/Pitchford 00:38:24/13)

In developing Enki, Califa explicitly “took inspiration from Douglas County (Colo.) Libraries, which pioneered e-book ownership in 2012,” as Heather Teysko and Tanya Novak of Califa wrote in 2014.¹¹

¹¹ This “inspiration” is extremely visible in the realization of Enki. Exemplarily, Teysko and Novak write in the same article (the following quote is one long, continuous quote with my own comments in-between):

“We currently have a shared collection of nearly 20,000 items in which the libraries are participating.”

This number includes the number of titles in Smashwords’s opening collection, especially since Smashwords did not deliver all of these in one batch, but kept delivering for a considerable time.

“The publishers represented have all agreed to ownership of files rather than a lease, and include some great names such as F+W Media, Workman, Independent Publishers Group, McGraw Hill, Smashwords, and University of California Press, among others. As word gets out, each week we are approached by more publishers wishing to make their titles available on our platform, and we are incredibly proud of the collection that we have put together.” What we see here is the signature element of the DCM, namely library ownership of e-books. Also note that Califa observes the same thing the Douglas County Libraries had observed: overwhelming positive interest by small publishers who had difficulties getting into bestseller-oriented public libraries.

“The platform works similarly to the other products out there. A patron may view the titles and read a synopsis, but in order to check out a title they need to log in and be authenticated with their library card. Once there, they may view their account, read titles online (useful for titles such as recipe books, where they may not wish to download the whole book, but just bring their tablet into the kitchen while cooking), return titles they are finished with, and place holds.”

This, too, is exactly the workflow LaRue and Sendze had set up for the Douglas County Libraries.

“We are providing participating libraries with a series of reports which, in addition to circulation information, include the most popular titles and most popular searches (romance, fiction, and cats).”

Recall that LaRue’s sales pitch to publishers included the promise that they could audit the library at all times; the reports mentioned here similarly indicate a high level of automation sorted by circulation activity, publisher, and category.

“Many times librarians ask what the point of ‘another platform’ is; it can get lost in talk of publishers and features and holds ratios. But the point of Enki is that right now patrons with new holiday gifted e-readers are checking out consortium-owned titles on a consortium-owned platform, and we think that’s pretty cool.”

The technical realization was done in collaboration with BiblioLabs, but Smashwords remained a go-to resource for content. Califa still uses the Library Direct model for Enki, even though MacKinnon calls the system “clunky” after ten years of use (MacKinnon/Pitchford 00:55:20/19). However, she added during the interview, there is something interesting to be said about the partnership with Smashwords and the kind of circulation that is noticeable on the basis of Enki-aggregated user data:

From the get-go, we were working with Smashwords. They were one of the first out of the gate [that] we could give – put a deposit account on, go get grant funds, put it on deposit, and buy stuff from them. And they were really, really helpful and cooperative with helping us make selections because they have so much. And we need to be careful about what we're buying. But we want to buy a lot. [...] We're buying, like, 100,000 books at a time. [...] So, yeah, they were a really good partner from the get-go, and also continue to be the highest circulated. [...] As we learned, here were certain publishers and series that were just hot to trot. And so, those were the ones that we had to keep buying more copies of. It was always Smashwords and McGraw Hill. What do you think of that? What a pairing. [...] It's like, you know, [the patrons,] they're trying to get all those study guides [from McGraw Hill] and get the latest on... whatever Amish romance is happening [on Smashwords]. (MacKinnon/Pitchford 00:53:23/18)

Enki is plagued with the same issues as the DCM – mostly, issues of maintenance and a more limited selection than OverDrive – but it exists and is still consistently used. Also, it has led to other things. Throughout this study, it was interesting to note where people go next; Veronda J. Pitchford went from RAILS to Califa, Monique Sendze went from the DCL to Bibliotheca, and Heather Teysko is currently the “Palace Implementation Strategist” at the Palace Project, “having been the Assistant Director: Innovation and Development at the Califa Group, California’s largest library consortium, where she led the project to create enki, the first statewide shared eBook collection built on a platform owned by the consortium with content purchased directly from publishers rather than through a vendor middleman” (Palace Project 2022).

The Palace Project was launched in 2017 and is, essentially, the implementation of what the Open Library originally intended to do (as far as I can discern). The Palace Project is “a division of LYRASIS, working in strategic partnership with Digital Public Library of America (DPLA). The Palace platform was initially sourced from the Library Simplified platform [an alternative to OverDrive’s Libby app], an open-source code base originally designed and developed by the New York Public Library” (Palace Project, n.d.). Like Califa, the DPLA and Lyrisis are still very much devoted to the dream of creating a library-led, global alternative to OverDrive (May et al., 2017).

The reason why it is interesting to mention the DPLA and the Palace Project as an addendum is threefold. First, they negotiate with Smashwords. Coker mentions that “DPLA has amassed funding to create

Here, again, we find an allusion to OverDrive as well as a casual reference that indicates the importance of formative personal experience and intense professional exchange rather than a drafting table-style strategy. The fateful Christmas of 2010 also clearly casts its shadow in this sentence.

basically the Douglas County model on a broader scale as a service as, almost, an alternative to the OverDrives of the world. [...] We've been in discussions with them.” (Coker 01:15:55/20)

Second, there is a very tangible contribution of this project in the context of e-book support as a way to protect intellectual freedom specifically, says Paula MacKinnon:

It's, in some ways, funny though, too, because they [political actors who ban books] are so ignorant of the fact that... libraries are the first, kind of, [to] fuck around and find out: “Oh, you want to ban that book in that particular place?” Then, you know, New York Public Library buys that book and makes it available to everybody for free on their app that is available for free to everybody in the nation. Well, how do you combat that, South Carolina? You can't. (MacKinnon/Pitchford 01:03:55/21)

This remark pertains to e-books in general, but considering the often-controversial content in self-published works, it is particularly important to note here. After all, “controversial” may pertain to more than sexually explicit or even taboo content. On the flip side, it may also refer to content that celebrates diversity and non-normative lifestyles, or features the perspectives of minorities. Since polarization in the United States is typically amplified by hyper-concentrated homogeneity in smaller communities, this aspect has larger, long-term implications for the role of the public library as a hub for locally banned voices.

Veronda J. Pitchford of Califa underlines this point as a threat to the spirit of the public library itself: “I'm sure [you] are aware of the banning that is going on in so many ways in the [United States]. I mean, it is ridiculous here. I mean, it's like the fricking *Handmaid's Tale*.” (MacKinnon/Pitchford 01:03:42/21) It is in this context that librarians see the big-picture contribution of self-published content in the public library. In this climate of polarization and growing extremism in the United States, self-published content can be a tool for balancing the scale, and to help the public library being an advocate for intellectual freedom in the face of censorship. This is directly in line with the American Library Association's definition of the concept of intellectual freedom, which places intellectual freedom in direct opposition to the notion of censorship and book bans on the basis of the 1939 Library Bill of Rights (American Library Association 2008).

This does not mean that self-published content cannot also be a tool for extremism; both Mark Coker and Emily Gooding are acutely aware of the threat of disinformation on SPPs, and seek to counter it with a variety of measures too intricate to discuss in depth here. But the entire topic draws attention to the importance of library sales as a consciously directed tool of collection management for self-published content. Paula MacKinnon of Califa underscores this point:

We're pulling all of it in. It's just that libraries end up being standard bearers for the people who don't have voices. And so, you know, that's who you end up advocating for, or, you know, seeking out. And so, ensuring that all of the people are heard from is, kind of, spending your time wisely, looking for the people that aren't heard from often. (MacKinnon/Pitchford 00:12:39/5)

Next to the larger societal plurality that multi-level access helps guarantee, there is an organizationally interesting detail to the Palace Project, which ties it back directly to the topic of *organizing* the inclusion of self-published content at the public library. The Palace Project is a division of Lyrisis, “a global nonprofit serving libraries, archives, museums and research communities” (Lyrisis 2021a). In 2021, Lyrisis acquired BiblioLabs. BiblioLabs, until then a for-profit company, had been in the self-publishing game since 2014 (more on that in the next section), and was already partnering with libraries and consortia across the spectrum and in that specific context. Veronda J.Pitchford describes BiblioLabs thus:

[BiblioLabs] is more of a startup and not like other established library vendors. So, they were looking for people who were out [of] the gate, ready to work with [...] non-traditional library resources. Unfortunately, it's not that a lot of libraries are Mavericks. [...] So, you know, all of us, you know, who were doing early shared platforms – they became aware of us. And we all kind of came to them around the same time. But we knew each other separately already. (MacKinnon/Pitchford 00:57:40/19)

Again, infrastructural innovation tends to return to the same set of people over and over again. Like many of the other interviewees, BiblioLabs founder Mitchell Davis foregrounds the chemistry between people as the centerpiece of his long-term business strategy in times of transformation: “For me, it's always been about the people you're working with and not being under the illusion that you actually know how things are going to work out, right? [...] I mean, you know, there are like values, I guess, or philosophies that might drive [software development], but you can't pretend that, you know, how things are going to happen, you know?” (Davis 00:13:50/4-5)

In this case, personal connections between and within organizations situate innovative projects like the Palace Project in a culture that already considers self-published content a normalized, established resource for public libraries – a culture that Califa, in particular, is very active in fostering and maintaining as a national cheerleader.

11 Unlimited, Simultaneous Usage and the Indie Author Project

Smashwords and the Douglas County Libraries developed their distribution strategy together. But as was indicated at previous points in this thesis, the Douglas County Libraries were not the only ones trying, and failing, to establish a sustainable alternative to OverDrive in the early 2010s. BiblioLabs, founded by Mitchell Davis in 2006, “has used its BiblioBoard discovery platform, initiatives like the Indie Author Project and their community publishing tool, Creator, to create local digital content workflows for all types of cultural institutions and the communities they serve” (Lyrisis 2021b).

BiblioLab's perspective on the question how self-published content reaches the public library is necessarily different from that of Smashwords. Smashwords's business model never hinged on library

distribution, BiblioLabs's always did. But Mitchell Davis was the founder of Book Surge, an organizationally lean print-on-demand service that was sold to Amazon in 2005 (Smith and Ryan 2005). At Amazon, the service first evolved into Create Space and eventually into Amazon KDP. When asked why he went into experiments with alternative business models after that, Davis deadpanned: "I mean, once you've sort of built a self-publishing company and sold it to Amazon, the trajectory's kind of set for that industry. [...] Your instinct is not to go [and] create a competitor to that, I promise." (Davis 00:13:12/4)

Instead, the instinct was, at first, to create apps to facilitate library patrons' access to public domain content – most famously, in cooperation with the British Library in 2011. This joint project was so successful that it evolved into the launch of BiblioBoard in 2012, which is still the most well-known library interface produced by BiblioLabs (BiblioLabs 2012). But then, as was mentioned, BiblioLabs tried to create an alternative to OverDrive. To return to Mitchell Davis's statement from earlier:

[We] realized: Oh, we're going to fail. The libraries aren't actually not going to move off of OverDrive, no matter how much better the tech is or how much better the business model is. And that's really when we kind of changed to the community engagement. [...] And then we heard library saying, oh, there's all these Indie books out there, but we don't know what we should buy. And so that's when the SELF-e thing happened. (Davis 00:43:17/12)

SELF-e was launched in 2014, and soon rebranded as the Indie Author Project (the Indie Author Project is hereafter abbreviated as IAP). As is evident from Davis's remark, the IAP responded to different needs than Smashwords did. Some of the central elements are the same: Authors retain their copyright at all times, participation in the project is non-exclusive as well as non-binding, and the e-book is a living beast (authors can add, change, and withdraw their work at any time). The remaining, quite fundamental, differences between the two organizations will be discussed in the following.

Considering the importance of the DCM for Smashwords in its ability to service libraries, it makes sense to talk about e-lending models first. Smashwords/Draft2Digital is laser-focused on the needs of self-publishing authors, and derives the treatment of libraries from that. The benchmark of success is the *financial* success of self-publishing Smashwords authors; hence the secondary importance of library in comparison to retailers, the company's focus on distribution on the basis of a book's popularity with readers, and the marked preference for patron-driven acquisition models of collection development.

BiblioLabs, in contrast, is laser-focused on the needs of libraries, and derives the treatment of self-publishing authors from that – hence the centrality of *discovery* (for librarians) and *access* (for patrons). The first thing that makes the IAP different is, indeed, the licensing model that BiblioLabs developed and newly introduced to the market. Rather than focusing on patron-driven acquisition that foregrounds the financial benefits of authors, readers were the first consideration.

When discussing the 26-checkouts-policy as well as the DCM, I mentioned the concept of the legal fiction, an "as if"-construction that allows publishers and libraries alike to treat e-books as if they are a

variation of print books. I had also mentioned that legal fictions are (ideally) transitional solutions until more appropriate frameworks for a new technology can be found. In the case of e-books, legal fictions in e-lending were based on the assumption that unlimited simultaneous use of e-books would be possible, but organizationally unthinkable for public libraries because such usage was rendered equivalent to e-book piracy. However, BiblioLabs found a solution squarely based on one of public libraries' most defining properties: They are long-term local institutions. Geographically, they are not going anywhere.

BiblioLabs used the geographically determined situation of public library systems to counterbalance the dynamic properties of the “new beast” that, within the territory of a public library's catchment, was able to unfold *all* of its properties and no longer required legal fiction-based restrictions to become accessible to patrons. BiblioLabs used geolocation as a restricting frame that enabled a lending model based on the *unlimited, simultaneous use* of e-books (hereafter called the USU model of e-lending).

It all goes back, ultimately, to Davis's original plan to replace OverDrive which, as you may recall, was a very expensive investment. It was so expensive precisely because this model was developed:

[Libraries] said, we want an alternative to OverDrive. And that was the beginning of our life. [...] We built a technology that used geolocation instead of library cards, much more democratized, easy, frictionless. We went out and convinced several hundred publishers to sell e-books in a simultaneous-use, perpetual ownership model, which people told us was impossible. (Davis 00:42:19/12)

Unlimited, simultaneous use means exactly what it says. As is technologically appropriate for an e-book (and, more importantly, intuitive for the reader), e-book files can be accessed whenever, wherever, and by whomever at the same time, provided that this usage occurs within the catchment of the public library – typically, an entire state (USA) or province (Canada). All one needs is an open browser and enabled local services on any electronic device (e.g., a tablet, a laptop or a cell phone).

In other words: Under the USU model, everyone who is in this state and uses geolocation data to access the public library collection is the equivalent a walk-in user in an academic library. The entire state is the campus of the public library, as it were. Emily Gooding who heads BiblioLab's Indie Author Project, elaborates:

One of the main missions [...] across the board has always been to minimize barriers to access digital content through the library, and try to make it as easy as possible for patrons who might not typically be digital users of the library to access this content. And so, unlimited sim use is one of the ways that we do that. Another one is with our authentication method. We utilize geolocation authentication, so that if someone doesn't have their library card on hand, they can easily click on a title, if they're in their library service area. So, any given county, town, city, they'll just be dropped right on in, start exploring that collection or reading that book without needing to authenticate with their PIN number or library card number, just trying to make it as easy as possible with that level of access. (Gooding 00:34:43/11)

The benefits seen by public librarians mainly concern would-be patrons who otherwise might find themselves excluded from library services, as Veronda J. Pitchford emphasizes:

If you have fines on your card, if you're someone who may not have the means to pay for some fine on your card, you lose access to your public library, [...] if you're unhoused, if [...] you're a foster kid, in the system [...] – only a few libraries have made provisions for people who may not have a traditional residence to have access to library resources. So, we're just talking about... if our role is to serve up content, and there are barriers to the key, which is the library card, to get that content, we're lost. We've lost in the process. Because they are scared. [...] So, for folks who may have fines, or may not have as much access to their library, this is an opportunity. [...] Many libraries are going fine free in the States. So, if they're not fine free, [people] still have access to content with geolocation.
(MacKinnon/Pitchford 00:20:10/8)

At the same time (and as with self-published content as a related but separate phenomenon), responses to the USU model remain mixed and often reluctant in the library world. The USU model “is controversial [amongst librarians],” Paula MacKinnon explains, “because, Holy Christ, libraries want you to have a library card. ‘And what if you don't need a library card anymore? Oh my God! Then we don't need libraries!’ It's like everybody's Henny Penny and the sky is falling, you know?”¹²
(MacKinnon/Pitchford 00:19:38/7)

“It has been unbelievably complex to get libraries to understand that the geolocated usage is their usage,” Davis agrees. “It's not my usage. Right? Unbelievably complicated to go, No, we're going to tell you exactly how many people in your county have read things, and what they read. Not them as people, because our entire system's anonymous, but at an aggregated level, like what was being read. You need to take that and add it to your OverDrive usage data. And now you've got a new number, which is bigger that you can report about your e-book usage. Remarkably difficult to get libraries to take ownership of that data.” (Davis 00:56:02/16)

Public librarians indeed found it hard to wrap their heads around this model of e-lending. To a person socialized by print workflows, the USU model soon becomes counterintuitive on the level of details, and also it does not *actually* get rid of the library card completely. Nevertheless, one may usually depend on OverDrive to identify promising and sustainable models of the future, and to secure their ability to service library needs in those respects.

In 2019, OverDrive began to partner with BiblioLabs in order to offer the self-published content the IAP distributed, via BiblioBoard, to public libraries. OverDrive wanted this content, and conceded to offering unlimited, simultaneous ownership as one of the models in which self-published content could be distributed to public libraries (BiblioBoard Pilot Review 2019). This time, the acquisition and availability of self-published content was marketed heavily (OverDrive 2019). What had changed?

¹² MacKinnon refers to a folktale about a chicken who panics and believes the sky is falling because an acorn has fallen on its head.

12 Discovering Self-Published Content: Exclusive and Inclusive Dimensions of the Indie Author Project

The Indie Author Project explicitly started out as a discovery program for public librarians who were trying to identify suitable self-published content for their patrons. In 2014, SELF-e launched as a cooperative program with *Library Journal*, generally a trusted resource for acquiring librarians who seek guidance and inspiration for their collection development. The approach became so successful that the IAP soon began to partner with *Publishers Weekly*, as well. The journal had established their own review segment called *BookLife* that focused on self-published content (Publishers Weekly n.d.), which was integrated as an equivalent to the *Library Journal* collection as the *BookLife Elite* collection in the IAP (Indie Author Project n.d.). Emily Gooding elaborates:

When the [IAP] started out, it was initially just designed to be a discovery program for these independent authors, not necessarily a direct revenue generator or a career development step. And then of course, over the years, it's expanded as we've had more and more library partners come on board. So, our flagship pillar of the Indie Author Project is still that year-round curation and discovery program, where we have local, inclusive collections that feature all the submissions from any given state or province. And then we have [...] our curation partners, who are going through and identifying the best of the best out of all these submissions. The libraries can have a bit more confidence in promoting these independently-published works, knowing they've gone through a trusted vetting and selection process. (Gooding 00:05:05/2)

She mentions a few things here that are worth disentangling. One is the distinction between inclusive and exclusive collections, which is the structural cornerstone of the IAP. The IAP is essentially a two-tier service. Authors who sign up with the IAP are automatically included in the “inclusive” collections, which has the same low bars of entry as Smashwords submissions, and which typically only reflect the submissions coming from one state – say, someone from Missouri who seeks to publish their grandmother’s recipes will be able to do that without restriction, but the recipes will only be visible to patrons in Missouri.

Starting from these localized inclusive collections, self-publishing authors can submit their e-books for a vetting process at the IAP. In contrast to Smashwords, not all books are eligible on formal grounds; for examples, genre (fiction, ideally novels) and language (English only at first, now also Spanish) constitute formal requirements for the IAP’s exclusive collections. Committees and juries composed of librarians and a variety of partners act as gatekeepers: They select the range of books that eventually become part of the “exclusive” collections. The exclusive side of the IAP is based on this certification process that has since been substantiated with an expanding system consisting, for examples, of competitions and awards (these are also open to authors who are not citizens of the United States or Canada), book reviews in partnering outlets, as well as IAP-organized workshop- and speaking engagements for particularly successful authors.

I have summarized the basic differences between the exclusive and the inclusive collections in a table (below); both collections are accessible via the USU model, the main difference being that the

grandmother’s recipes from the inclusive collection in Missouri is not automatically accessible to partnering libraries in California, whereas the novel of a Missouri writer in the exclusive collection would be.

Exclusive Collections (IAP)	Inclusive Collections (IAP)
Inclusion based on selection as “best of the best” by juries and selection committees	Inclusion based on formal grounds (correct formatting, no spam, etc.)
Reserved for fiction (thus far; the inclusion of (auto)biography is currently planned)	All original and legal forms of writing are welcome
Selection programs exist for authors writing in one of two languages (thus far, English and Spanish)	Program extends to authors writing in all languages, so long as these languages can be represented by automated systems
Available in North America, and potentially globally through LDP distribution	Available statewide (USA) or provincewide (Canada)
Target audience: the reading public at large	Target audience: the local community

An interesting pattern emerges; essentially, the inclusive collection operates by the standards that Smashwords had already normalized for the self-publishing sector, only on a local instead of a global level – and more importantly, at a level that public libraries specifically can access and manage (as Coker, LaRue and MacKinnon had explained, libraries only acquire “the best of the best” of Smashwords content, but not the longer part of the long tail, which is what the inclusive collection represents). Gooding describes the inclusive element as an explicit continuation of the Local Author Shelf in local libraries:

So, on the more inclusive side, [...] we didn't want to be turning authors away, especially when we're talking to libraries and telling them that this is an avenue opportunity they can kind of redirect people towards, when some local authors come into the library with their physical books and want them on the shelf right away. [...] So, that's where the local Indie collections come into play. So, for example, we have Indie California, which contains all of the submissions to the Indie Author Project from authors in California, once they go through a very basic QA-check, where we're just making sure they're technically sound, or the correct file [is] submitted, an intentional literary submission... Once they go through that very brief vetting process, they're added to their local collection – so in this case, Indie California. And then that's available to all participating libraries throughout the state. So, kind of right off the bat, a nice little increase in potential new readership and exposure for these authors, just by submitting to the program and clearing that initial hurdle. And since it's non-exclusive, and the authors still maintain total ownership of their work, they can always request to have it removed at any time. [...] And those state-wide or province-wide collections can be thought of as kind of, like, an archive of independent authors in that state or region, so that those voices are being captured, they're being made available. And that's great for things like books that are coming out of classrooms or youth writing programs, things like that. We also offer a book file creation tool. So, we see some libraries do kind of community creative work that they're submitting and making available in that collection. (Gooding 00:13:38/5)

Here, we can see a direct continuation of projects and approaches that we had previously seen in the context of Smashwords's approach to the public library, notably including local writing projects in the style pioneered by Los Gatos Library in cooperation with Smashwords. Indeed, the Indie Author Program encourages patrons to engage in an inclusive "culture of authorship", as Bankhead had called it, along extremely similar lines, but at a much larger scale:

We have a new program we just rolled out with the Indie Author Project called Communities Create, which for us is about lowering the bar of participation. Like not forcing a local patron [to] have to complete a self-published book in order to participate. It's basically, you know, we have one for veterans' memories, we have one for immigrant stories, we have one for, you know, [a] pandemic time capsule... and the library can brand it, put it out into the community and collect individual stories into a book. (Davis 00:21:03/7; see also Davis 2022)

In classic public library fashion, the exclusive and the inclusive parts of the Indie Author Project come together during the events, especially at the IAP-instituted Indie Author Day, which is celebrated by libraries across North America and brings together authors of all stripes and levels as one community. This is, in essence, what the IAP is supposed to be, says Emily Gooding:

I think that the first time someone called it a community and not a program – that really clicked with me. It was someone who was asking a question at a presentation I was doing in this community. And yes, "Why are we not saying that from the beginning? It's more than just a program. It is a community of all these different actors, or curators, or libraries, or authors themselves, or partner organizations." And I think that's just so much more reflective of what the Indie Author Project does, rather than just being a program or a service, which makes it sound like it's specifically for libraries or just for authors. But there is a multitude of different ways that people can get involved. So, calling it a community, I think, does it a bit more justice in terms of how flexible it is, and the different initiatives that are going on at any given time. (Gooding 01:19:16/25)

However, the flagship element of the IAP remains the "IAP select ebook selections" as they are called by the project. In this context, we are not talking about community outreach anymore, but about the discovery of professional independent writers. In this context, the focus shifts, and concerns other than inclusion become relevant. One of these issues is the question of royalty payments to authors. After the original launch of SELF-e, publishing consultant and journalist Mick Rooney discusses how the program measures up in comparison to Smashwords specifically:

Authors who sign up [with SELF-e] will be automatically included in a state anthology list, which means your e-book will be available to your local library. Authors then have the opportunity to have their work curated by Library Journal and if the e-book is selected, it will be offered to libraries nationwide. Authors also have the opportunity to use the SELF-e curated stamp of approval on their e-book cover. [...] I understand that some authors will take issue with the fact that while the program charges libraries a fee for inclusion, submissions from authors are free, but there is no royalty lending fee paid back to authors. Authors can rightly argue that free submission to a platform like Smashwords gets them access to some library channels with paid royalties. But I think that misses the point of the SELF-e program. SELF-e is not intended as a sales channel with paid revenue, but a

curated discovery channel into a statewide and national level of library access for e-books.
(Rooney 2015)

Even though Rooney does his best, he is clearly on the defensive when it comes to the non-payment of authors. A solution was eventually found that first capitalized, and then expanded, on the model of SPP-LDP interoperability normalized by Smashwords. Emily Gooding explains:

For the Indie Author Project Select authors – so, for those authors that are chosen as the best of the best – those titles, in addition to being available on our library platform, BiblioBoard, we've also made those available on other popular library e-book platforms [like OverDrive] for libraries to be able to purchase. And they're all available with unlimited simultaneous use. So, there are never any holds or waits, there are no limitations [on usage]. So, you can really see a surge of usage there. And the authors are paid – their royalties are split 50/50. So, half of it is based on just the sale of this collection. So, no matter what, if their book is included in a collection sale, they'll receive a portion of those proceeds. And then the other half is based on the actual [...] usage of their book and these collections, so the checkout of the e-books themselves. (Gooding 00:16:58/6)

Needless to say, the checkout data capture and the derived calculation of royalties described by Gooding are automated, thus fulfilling both the conditions formulated as crucial by Coker (fast and therefore affordable workflows) and LaRue (auditing of the library is possible at any time). Indeed, Mitchell Davis sees considerable potential for the public library as a public institution in creating this revenue stream:

I just saw a quote the other day that was a massive signpost for me [...], which was an author who said, you know: "I've been trying things for years. I've been paying companies to promote my book, and I make more money from you guys than I make from Amazon, you know, marketing my book in libraries." And I said: That's the goal. Like, not just that the author should make more money with the Indie Author Project than with Amazon, but that the local library should be the support structure for those authors, including economic. [...] It made me realize that it's possible, right? Amazon is never going to care about any authors more than it did sometime in the past, that I'm sure of. [...] The opportunity is there. [...] We are a little, you know, dipshit nothing right now, in terms of like what we're selling, and we're still generating more money for the authors than Amazon can, and they connect to their local library. And that is the point, really. (Davis 00:27:53/8-9).

Mitchell Davis also expects further possibility of income for authors by establishing partnerships with acquiring editors at major publishers (even though he concedes that they are just as reluctant to ease up their traditional strategies of acquisition as librarians are reluctant to ease up on the primacy of library cards):

I don't know if you'd know, in the US, the way professional baseball works. But like you have major league teams and then you have, [...] farm teams, is what they call it. They call it farm team, which is where you send players to develop so that eventually they end up in the major leagues, you know? And a very small percentage of the people ever make it through that farm team system [...] to the top. But that's why it's there. And I always sort of felt like in its perfect expression – that this work we're doing within libraries would be like a farm team. It would be the libraries and the publishers cooperating in a whole new way. [...] The publishers don't know what to publish. I mean, they don't. They're guessing like everybody else. So, like, I've been wholly unsuccessful at convincing publishers to do this, but to look at this work we're doing as the library, as a farm team for their efforts, you know. Like Harper Collins, Simon and Schuster, Holtzbrinck, Random House, they should

be looking at these winners of these [IAP] contests, which have now been vetted by dozens of librarians and have gained all this exposure. They should be offering those authors contracts. You know, this is taking a tremendous amount of risk out of the process, you know? But, I think, the rub is that publishers feel like the art of their entire business is selecting books. So, you know, they're not anxious to like, well maybe the CFOs anxious to do this, but no one else is anxious to like outsource that to a community. (Davis 01:20:46/23)

Davis is sure that “the CFO [Chief Financial Officer]” of any traditional publisher would certainly embrace the minimization of risk that the farm team approach represents, thus bringing out the argumentative big guns in a volatile economy. But it is not necessary to depend on the force of his rhetoric alone to argue for this kind of approach. The farm team approach is already a well-honed and established practice in publishing precisely because of this minimization of risk, though not as visibly and explicitly as Davis envisions it. Literary agents are the *de facto* primary discoverers and selectors of the traditional publishing system, and they have operated with the farm team approach to digital self-publishing since e-books were on the map – notably, even before *Fifty Shades of Grey* and *Wool* officially cracked the ceiling in 2011 (see e.g., Rinzler 2010).¹³

Reinforcing points repeatedly made during the interviews, and by Paula MacKinnon and Veronda J. Pitchford in particular, current research suggests that the farm team approach might be preferable to the current system of manuscript acquisition in traditional publishing from an equity point of view. That is mainly because literary agents – the central gatekeepers of the publishing system – are overwhelmingly of the same demographic background (white, middle class) and are therefore unlikely to intuitively connect with books that do not reflect their experience, thus skewing the market especially to the disadvantage of minorities and lower-class writers (for research on this topic specifically, see Childress 2018 and 2021). The readership-based success of self-published individual titles has already proven its ability to counterbalance such structural inequality, as was mentioned in the introduction to this thesis. It is possible that the more radically reader-driven approach to e-lending represented especially by Smashwords/Draft2Digital might turn out to remain more successful than the IAP model, because committees and juries might bring their own biases to the table. However, the IAP’s community focus, and its reliance on local librarians from all regions, represents a great improvement over the need to spark the enthusiasm of an individual, established literary agent in New York City.

One thing is certain, though: Thanks to the interplay of all of the individuals and organizations discussed in this thesis, digitally self-published content has established a still small but quickly growing place for itself in the public library. There are established workflows firmly in place, and different recipes of

¹³ Both of these novels are global success stories that originate in self-publishing. They were both repeatedly referenced by interviewees when it came to the topic of legitimating the acquisition of self-published content on the basis of their potential popularity amongst readers. *Fifty Shades of Grey* and *Wool* were both published in 2011, just when public libraries were actively looking for alternatives to overtly expensive e-books from their traditional suppliers, and the runaway popularity of these two novels was important for making the case on behalf of self-published content’s merit more generally.

success have proven their sustainability at different levels of library organization – ranging from the local to the global – that reinforce the presence of a stable minority in library culture that can confidently advocate for digitally self-published content as a cherished and important presence in the library.

It is arguable that nothing could have replaced the contribution of Smashwords at several key points of this journey towards this point; but it seems that, when it comes to library lending in particular, the Indie Author Project may have benefited from the same second mover advantage that benefited Draft2Digital in the commercial sphere. The IAP is tailor-made for public libraries and carefully anticipates the habits and anxieties prevalent in a risk-averse professional environment like this. At the same time, it has been successful in satisfying the expectations of self-publishing authors who, after having been “cultivated” by Smashwords for many years, have come to expect more than just being included as community voices, or even being patted on the head as “good” writers. They have come to expect to be taken seriously as professional artists and entrepreneurs, as voices not just to be heard but also, at a certain point, to be compensated for their contribution to an organization’s success. The sustained self-confidence of writers, too, seems like a particularly valuable contribution that belongs to Smashwords’s legacy, and that is now assisted by the discovery services of the IAP. Since both services subscribe to the primacy of non-exclusivity, they are able to reinforce each other’s impact for authors.

13 Conclusion

Regarding the question of how digitally born self-published content reaches the public library in the United States, what have we learned from these eight conversations with experts? The first thing to note is that there is a fairly stable distribution chain in place at all. We find strong evidence of existing, operative infrastructure, and a growing professional community that is invested in its maintenance and expansion. There are established standards and best practices. We have noted a tacit division of labor in public library systems, a practice of emphasizing cultures of readership at higher organizational levels, and cultures of authorship at a more local and communal level. The interviewees emphasized, however, that these are just two sides of the same coin: an increasingly shared understanding of the patron as a consumer *and* producer of content.

There are also broader trends visible within the publishing industry that manifest in these still-emerging library infrastructures. Pioneering companies like Smashwords have extended an enormous cultural influence over the ways in which self-published content came to be seen in the age of the e-book, and also legitimated as content befitting the public library. This influence has helped reshape parts of the public library sphere in the United States. Nevertheless, it soon became evident that public libraries require one thing most of all: partners that are compatible with the public library. That includes partners mindful of 1) the public library’s comparatively slow pace of operation, 2) its chronically limited funds, and not least, 3) its overarching public mission. When in doubt, public libraries will flock to e-book

partners that make it their own mission to be perfectly library-compatible in at least one of these three ways.

Companies like OverDrive specifically excel at satisfying the demands of a library profession that is slow to react to new circumstances. OverDrive provides a dependable, clearly defined, full service when providing library access to e-content. Libraries can buy into OverDrive services without having to worry about surprising hidden costs – a familiar phenomenon for those trying to keep up with the internet via original library resources, especially when staff expertise in IT is uneven. Not every library can boast to keep a Monique Sendze on their staff. Using OverDrive solves problems in that it allows librarians to delegate e-book issues wholesale.

The Indie Author Project, a successful and growing avenue for the integration of self-published content into the public library, does it differently, and uses a more interesting approach for our purposes. The IAP zooms in on the library's public mission, and identifies it as a mission of equitable access to knowledge and of supporting local communities. The community model of the IAP, combined with BiblioLab's introduction of the USU licensing model, supports public libraries in their core mission as a public institution in the service of democracy. The demand that drives the IAP is not the demand of librarians who want to get rid of an organizational problem, but the demand of patrons who want to write and be read. BiblioLabs did not succeed in replacing OverDrive, but the IAP has all but replaced Smashwords as the go-to partner for public libraries that seek to engage directly with indie writers and self-published content.

There is good reason to pursue the path forged first by Smashwords, and then expanded by BiblioLabs and the Indie Author Project. As Thompson emphasized, there is a greater demand to write and be read than traditional publishers are able (or, indeed, willing) to satisfy. As many of the interviewed experts have observed and pointed out, writers in the United States already spend a lot of time in libraries; they are already a part of the community, and often just need to be energized to participate more fully.

The IAP helps doing that by providing both a digital infrastructure – again, at a predictable price for libraries, and including expert support both for librarians and writer-patrons – and a multilayered framework of engagement that makes it easier for writers to entrust their work to libraries. Whether writers are simply interested in making their memories available for future family generations, or are eager to boost their national reputation via book selection processes organized by the IAP, libraries are able to engage with all of these different forms of e-book content as originally library-organized content. Whether IAP resources become fully accepted as providing a kind of farm league or not, the IAP already allows public libraries to become an active part of the trade publishing landscape. Resources like the IAP's help situate the public library at the center of authors' local networking strategies and offer a low bar of entry for writers of almost any kind.

Smashwords and the IAP use the same strategies to keep out the only kinds of writers that are not welcome in these emerging infrastructures of publishing, namely criminals and extremist authors. Criminal behavior (for example, copyright infringement) can be weeded out comparatively easily, and both companies claim a good track record here. Discomfort with the issue of extremism has mostly manifested in focusing on specific ‘genres’ of writing, i.e., on fiction, lest a non-fiction book should propagate misinformation in ways that can be read as instruction. However, a focus on fiction is not a fool-proof bulwark against extremist propaganda, as Arthur Danto has observed (and beautifully analyzed) long before e-publishing existed (Danto 1987). Scholars working on right-wing online networks have also noted that extremist thinkers on the right are often partial to dystopian fiction, as the totalitarian worlds depicted here can be read as blueprints for action from their point of view (Frisch 2019). There are, in other words, some unresolved issues still in place that automated infrastructures can only help address when they are combined with a robust alert system that might borrow from the marketplace approach introduced by Raymond and reinterpreted for the public library by Bankhead.

Perhaps not surprisingly, deeper structural innovation is achieved when emerging e-infrastructures *cooperate* with libraries (as Smashwords and the IAP do) rather than *complement* them (as OverDrive does). In the contexts discussed here, this was especially evident in the context of licensing practices. I would like to underline two central innovations in licensing practices that were the result of a cooperative approach based on a new understanding of e-books: an understanding of e-books as originally digital resources that are brought to the library by a multitude of sources, rather than an understanding of e-books derived from print and delivered through only a few centralized sources.

The Douglas County Model of E-Lending (DCM) was established in order to directly accommodate the kinds of micropublishers that Smashwords represented and negotiated for. The model was at first created by librarians in order to support original library e-book infrastructures which were discontinued in Colorado after Jamie LaRue left his post. The licensing model of “one user one copy” took on a life of its own. It was simple, intuitive for e-publishers and mindful of print-oriented library infrastructures – the model was able, in other words, to accommodate both heterogeneous publishers and heterogeneous library systems.

The DCM was successful because it is a strictly legal solution that allows publishers and librarians to transfer their experience with print in their handling of a new medium. Its strength lies in the ability to create legal security in the context of heterogeneous library systems, regardless of uneven technological advancement and even differences in the finer points of existing copyright regimes. For this reason, the model was widely adopted across library systems worldwide, and became the de facto international standard for e-book lending.

BiblioLab’s newly established licensing model of unlimited simultaneous usage (USU) is the second innovation in licensing that came out of this context. The USU model breaks with the print analogy altogether, and offers a licensing model that emphasizes those elements of e-media that are not

transferable: unlimited access (no need for login via a library card) and simultaneous usage (no need to wait for a “checked-out” e-medium) allow people living in the region to use library resources without barriers. The model promises – and, in the cases where it is already implemented, successfully creates – new opportunities of cultural participation for people traditionally disadvantaged by library lending structures (for example, the unhoused and the undocumented).

The USU model is not a model developed by libraries, but by a library software provider. Its success relies a lot more on dependable tech solutions than the DCM does. For example, it is imperative that content always shows unproblematically (and securely) on all devices that attempt access, but that content is also only shown in a specific region and not elsewhere. Individual libraries cannot ensure this on their own. The USU model, once adopted, does imply delegation of services; while it is not altogether impossible to think of open-source variations, the stakes are probably too high not to delegate the security and operability of USU-governed e-lending to an external service provider, in this case BiblioLabs. This willingness to delegate is a chance for companies like OverDrive, which have already included it in their portfolio of supported licenses.

In the end, however, cooperation does not necessarily need to result in delegation, and libraries are not forced to submit to the pull of these currents. One thing this study has constantly shown is the possibility of renegotiation. An interesting practical example has been provided by MacKinnon and Pitchford, who have personally been driving forces of the National Ebook Summit in 2018, a heavyweight round of the most influential players in e-lending that resulted in the “National Agenda for Ebooks” (cf. MacKinnon et al. 2019). The future of libraries as more organically interwoven, and more active players in digital publishing infrastructures is thus still open and full of possibility. To quote Mark Coker one last time: “What are libraries waiting for?” (00:53:21/13-14)

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