State of the Arts

THE PROCEEDINGS OF THE ELECTRONIC LITERATURE ORGANIZATION'S
2002 STATE OF THE ARTS SYMPOSIUM

& 2001 ELECTRONIC LITERATURE AWARDS

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2001: William Gillespie and others launch **Spineless Books**, an independent publisher of printed and electronic literature.

April, 2002: The ELO holds its first "State of the Arts" symposium on the future of electronic literature at the University of California, Los Angeles.

June, 2002: 13th ACM Conference on Hypertext and Hypermedia (College Park, Maryland).

It may be seen as somewhat ironic that so many of the events [mentioned here] consist of paper publishings. —Espen Aarseth

Institutionalizing E-Literature: Choices for the Author and the Editor
by William B. Warner, University of California/ Santa Barbara

New technology has often been applauded for the way it empowers the reader, and democraticizes artistic production and distribution. Here is some commentary on an early form of electronic publishing:

> [It] is electricity invading the world of typography, and it means a total revolution in this old sphere, or this old technology …

> [It] makes the reader both author and publisher in tendency. The highly centralized activity of publishing naturally breaks down into extreme decentralism when anybody can, by [its] means, assemble printed, or written, or photographic materials which can be supplied with sound tracks.[18]

This passage was published by Marshall McLuhan in 1965. The new electronic technology it describes is not the Internet, nor even the computer, but xerography. His words are in fact a commentary upon the wide-spread use by the mid-60s of the Xerox machine by writers, artists, and teachers. While the rhetoric of revolution here used by McLuhan is most enticing—who doesn't want to be at the forefront of a revolution?—it also can mislead those of us interested in instituting a new form of literature. To explain why this is so, I will begin by suggesting what is problematic about Jason Epstein's predictions for publishing.

Esptein's revolutionary model
Jason's Epstein's commentary upon the future of publishing is at once inviting and problematic. Epstein argues that the digitally controlled book printing and binding machine he describes, and promises is heading toward us from just over the horizon of publishing history, will help to solve some of the economic problems that have always dogged print publication. By reversing the traditional temporal order of the publishing—first you print then you sell —publishers need never again print books for which there is no market. Neither does a publisher need to produce books that are never purchased, but instead take a costly journey from publisher to bookseller and back, which, after protracted stays in warehouses, end being recycled for the value of their paper. This new technology offers a wondrous payoff for scholars: through

digital archiving, we are promised that a book need never go out of print.

I am skeptical of the promises embedded in Jason Epstein's account of the future of publication. Firstly, by superseding the trade practices of twentieth century publishing, electronic publication is supposed to liberate us from the big media conglomerates, the still-hectically consolidating Empires of the Word. Secondly, because these changes are driven by the double dictates of technology and economics, this transformation is supposed to be sudden and inevitable. Finally, when the asteroid of electronic publishing strikes, only the dinosaurs die. However, the history of old media when they were new gives me pause. If one reads the predictions that David Sarnoff made in the twenties about radio, Marshall McLuhan issued in the sixties about TV, Bill Gates propounded in the eighties about the personal computer, or John Perry Barlow proclaimed in the nineties about the Internet, you don't have to question the sincerity of these gentlemen to register two caveats. First, with Sarnoff and Gates, predictions are often entangled with a highly motivated commercial "sell." Secondly, media often diverge from the trajectories proscribed by these self-anointed prophets. Like those earlier acts of prognostication, Jason Epstein's prophetic narrative depends upon a highly questionable mytho-heroic interpretation of Gutenberg, and the historical effects of print. This interpretation of Gutenberg makes print the prime mover in the arrival of Protestantism, Science, the Enlightenment, wide-spread literacy, Democracy, the individual, and practically everything else we associate with modernity. There is a metaphor embedded within this account of the "print revolution": culture is the blank substrate, the passive womb, the paper matrix that patiently receives the impress of technology, informative print, the phallic Word. In short, Epstein's is the last in a long line of narratives of media-technology determinism, pitched in the future conditional: "If we would realize the potential of this technology, we will be doing this or that."[19]

Without attempting to offer a full critique of the techno-determinist position Epstein has offered us, I would like to suggest an alternative way to think about the exchange between media technology and culture, one indebted to the writings of Bruno Latour, Michel DeCerteau and Stuart Hall. That alter-native can be articulated with a bald statement of these assumptions:

New technologies express the dreams and desires of individuals and collectivities; they are born out of the labor and wealth their inventors invest in them. However, new media technologies invariably encounter resistance. This resistance should not be construed as "old thinking" fated to be superseded. Resistance results from the positive values and customary material practices that constitute the good inertia of culture.

Because of the enormous material costs and practical human entailments of new technologies, their emergence is the result of strife, and their adaptation is usually incomplete. In sum, mutations in media technology emerge out of the active matrix of culture, where *the forms and practices of new media emerge through the endless negotiations within culture. In this context, agency and decisions matter.*

Lawrence Lessig's interpretation of the recent history of the Internet suggests an alternative to Jason Epstein's account of the emergence of new electronic models of publication. In *Code and Other Laws of the Internet*, Lessig suggests that Internet is not an autonomous force, to which we are obliged to conform; nor in fact, does it have any essential nature or identity. Instead, because the Internet is based on open source software protocols, its software code is open to revision and rewriting. It is also subject to the legal code written by legislatures and reviewed by judges regarding legal concepts that impinge upon every media form and most practices of communication: copyright, free speech, privacy and security. Finally the Internet is an expression of, and subject to, the ethical codes of its users.[20] This summary of Lessig on the Internet suggests that "electronic publishing" is less an object than a complex social process, with many stakeholders. The emergence of new media forms and practices—whether it is electronic publishing or the Internet—will be messy, gradual, and negotiated. So, to invoke one very fraught example, in the debates triggered by the popularity of Napster's peer-to-peer file sharing system, what appears as an execrable act of "theft" to some can be a community-spirited act of "sharing" to others.

The institution of electronic literature is hard to do. But what does it involve? First, it requires thinking through the difference made for literature by moving the acts of writing and reading to the networked computer. Second, we must rethink all of the practices and topics engaged by the panels that have been laid out by the organizers of this conference and collection: the work of writers and artists; interface design; graduate programs, accessibility, and diversity; publication; criticism; university teaching; the journal; and archiving. In each of these areas, what's most crucial is *how* these practices are changed in the wake of the networked computer.

A technological finesse?

Because they are relatively poor and weak, authors inevitably develop a symbiotic and parasitic relationship to new technologies for reproducing their work. Like anyone who engages in "assymetrical warfare", they must go onto the ground of the other (DeCerteau). However, this leads to a paradox. Because of the way literature validates the general value of culture, early modern authors were recruited without their full participation to underwrite an essentially commercial system. History's first copyright law, the English Law of Queen Anne (1709) legalizes a trade monopoly of booksellers, but limits the legal monopoly of copyright to fourteen years plus renewable once for fourteen years. The law invokes a Lockean theory of property to vest original ownership of the book in the author: the author "owns" the original manuscript copy, because his or her labor was expended in writing it. However, even in the eighteenth century there was a catch: in order to have a manuscript published, the author was obliged to sell the copyright to the bookseller, who, because he was a member in the Stationer's Company guild, is allowed to print and distribute it. It is the encumbrances of this publishing monopoly – transmitted and expanded in the nearly three centuries since 1709 – which McLuhan hoped xerography would finesse with technology.

Networked computing endows the author with three new powers: 1) it offers the writers of electronic literature a remarkable array of *new writing techniques and technologies*; 2) the modern computer is the most powerful and versatile *copying technology* in history; and 3) the open source software protocols out of which the Internet is woven configures it as the most efficient *distribution technology* since the angels. Little wonder that the first commentators to conceptualize these powers, like Negroponte and Barlow, celebrated networked computers for offering a technological finesse of the material and economic constraints of modern publishing.

How have writers used these powers? Out of numberless examples, here are three: electronic literature on-line; courses online; and the Napster peer-to-peer file sharing system. First, authors have exploited the powers of networked computing to create new species of electronic literature, and put it on-line. See for example the electronic literature gathered into a searchable database in the *Electronic Literature Directory* <http://directory.eliter-ature.org/>. Teachers at universities and colleges have moved teaching resources onto the Web, and have expanded their pedagogy so as to teach students to compose course projects for Web publication. See for example *Transcriptions: a Digital Humanities Project*. This is a web based teaching system developed by members of the English Department at the University of California/ Santa Barbara, under the leadership of Alan Liu <http://transcriptions.english.ucsb.edu/>. Finally, and most famously, Sean Fanning exploited the openness, versatility and scope of the World Wide Web to write software that weaves a peer-to-peer file-sharing network, with the Napster serve at its hub. Before it was pushed out of existence by the legal action, it coordinated sharing of copyrighted and non-copyrighted music by 60 million users.

After the success of Napster, big media conglomerates have come to see the coupling of computer and network as a dire threat to their business model. Given the ease with which works can be copied and distributed, how does one control the practical right to copy, even if one owns copyright? What technologies are necessary to secure a sold work against redistribution? The entertainment industry is currently working with members of congress like Senator Fritz Hollings to rein in the copying powers of the general-purpose computer, so that the Internet can become a secure platform for the distribution and playing of content. Authors of electronic literature and digital artists face an important choice. Are they to throw their support behind efforts to reign in the copying power of the computer and refashion the Internet into a

platform for profitable distribution of copyrighted works? In this way, profit for creative work might someday come to impecunious authors as well as the wealthy creators of *Star Wars* and *Spiderman*. Alternatively, authors and artists may choose to embrace the open protocols of networked computing and all that it has brought them: an unprecedented power to copy the content and code they find on the Internet, and then "remix" it into new works they freely share with others. [21] If they choose the second pathway, Internet authors and artists may play a crucial role in offering cultural legitimacy to the general-purpose computer and Internet's open source protocols.

Editors and the Internet

The state of the electronic arts will not be solely determined by global decisions about network architecture or whether the most crucial software code remains open source or becomes proprietary. The future of electronic literature will also be shaped by the procedures developed by the editors of electronic journals like those who are on this panel. While I agree with Jason Epstein that authors of electronic literature will continue to need an editor, we still need to understand how the role of the editor is changing by publication on a digital network. Like the print editor, the editors of electronic journals exercise crucial editing functions: **selecting** what to publish, **revising** to improve, **mixing** diverse works together, and finally **publishing** the work for readers. In all these ways, the e-publisher performs an "enframing" function, one that is partly critical (judging what is worthy for inclusion, and how to arrange it so as to produce new meaning) and partly design (shaping the magazine's highest level "interface" so the whole takes on a characteristic look and feel). In designing these journals, electronic editors enjoy many of the expanded entailments enjoyed by the authors of electronic literature.

From the conversations among our panel, it was evident that editors of e-journals are not ready to cede their editing function to authors or readers. Thus, editors often refuse to publish works that cannot be modified, or works that have been already been published in other journals, or on an author's home website. A server linked to the Internet helps to assure the editor's ultimate control in the digital environment: because the editor pays for the server space where the journal resides, the editor can control the use of the file transfer protocol [FTP] by which she or he updates the journal. But once a journal is published, it is open to the digital "cut and paste" endemic in an open software environment. And this confronts editors with a question not unlike the one faced by authors, teachers and media conglomerates. Are editors willing to encourage the sort of belated and involuntary collaboration HTML imposes upon web authors, web teachers, and media producers? Are editors willing to let others link to their site without permission? Are editors willing to allow their content to be stripped from the editors' framing material? Is this a practice they can gladly embrace, because it enriches the general "culture of the remix" described by Lev Manovich? Or should editors of electronic literature online inhibit remixing by readers and users, for example, by using proprietary software programs like Flash, instead of open source software like HTML?

These are the kinds of questions that will be answered by authors, editors and users of networked computers over the next few years. How these questions are answered will, in turn, help determine how companies, legislators, and judges inflect the forms and capabilities of the computers and the networks we use. Our answers and their answers, taken together, will help to determine what sort of electric literature online we will have instituted.