



A Year of Publishing & Platforms

Special guests include

- legal scholar [Lina Khan](#)
- author [Stephen P. Williams](#)
- Trident Media Group literary agent [Mark Gottlieb](#)
- poet, scholar, and book artist [Amaranth Borsuk](#)

For podcast release

Monday, December 23, 2019

KENNEALLY: Welcome to Copyright Clearance Center's podcast series. I'm Christopher Kenneally for Beyond the Book.

In the final weeks of the year, Beyond the Book is looking back at the past twelve months of our programs.

In this edition of our three-part review for 2019, we see the paradoxical role that technology plays in contemporary publishing. Big tech platforms may dominate to the point of monopoly yet those same platforms also lay out a banquet of new ideas and new voices.

At the end of the 19th century, many local railroads in the United States became consolidated into giant iron networks. The anticompetitive practices that resulted soon made these trusts, also called monopolies, a hot political issue.

More than a century later, a new rebellion is gathering strength against domineering players on the digital network – the digital network that is our new railroad for e-commerce and much more.

In 2019, the so-called “hipster antitrust” cohort now have Amazon in their sights. A leader in that effort is Columbia Law School academic fellow Lina Khan, who was recently named to the Politico 50, a list of thinkers whose ideas are driving politics. Her award-winning piece, *Amazon's Antitrust Paradox*, published in the *Yale Law Journal*, argues that the e-commerce giant has amassed a level of market control that is damaging not only to its competitors, but also to society.

KHAN: Amazon has become a form of infrastructure for 21st century commerce. So, if you're an independent merchant, an independent producer, and you want to reach consumers in the 21st century digital markets, you have to ride Amazon's rails. Amazon now captures \$1 of every \$2 spent online, and that share is growing significantly. Over 50% of all American households are Prime consumers, are Prime members, and around 99% of Prime customers stop engaging in any real price comparison. So Amazon's capture of online commerce and of the infrastructure of



online commerce is quite significant, and it's able to use that dominance in ways that I argue are bad for competition.

In the piece, I really review how our approach to antitrust enforcement, which used to really focus on competition broadly and the process of competition and used to look at how markets are structured and whether there are certain conflicts of interest baked into certain businesses' business models, that approach has now instead given way to an approach where antitrust enforcers really focus on what they call consumer welfare. Consumer welfare ends up in practice meaning are prices high or are prices low? And in the piece, I argue that viewing Amazon through the prism of price exclusively really misses the structural dominance and the structural market power that the company is amassing.

KENNEALLY: In your piece, you say that that approach has meant – to sort of pick up on your title, Lina, *Amazon's Antitrust Paradox* – a paradoxical result, which is that antitrust law is promoting concentration in businesses and not opposing it. You're concerned that the short-term interest in price is overlooking these other long-term interests for businesses and society.

KHAN: That's exactly right. I think there are tradeoffs, but it's important to remember that if the goal of the antitrust laws is to promote competition, then you need to be thinking about that not just in the short term, but also in the long term. So if you're enabling consolidation, if you're enabling concentrations in ways that allow a single company to control 60%, 70%, 80% of the book market – of the ebook market – that will have hazards down the line. So it's important for antitrust to be thinking about the long term as well as some of the short-term effects.

KENNEALLY: What if the next big thing turned out to be the next everything? It would need to be a technology so powerful, yet so pliable that it could find a place in every industry, any activity, and all manner of creativity.

Blockchain is the next everything, asserts author Stephen P. Williams. His latest book portrays a superpower technology that could transform our online world.

WILLIAMS: The basics of blockchain are that it's a digital ledger that records information in a way that can't be hacked. So the information is permanent. But it goes way beyond that in that it's a foundational technology that people can use to build other applications on top of and use it in all kinds of ways.

The thing that I find most exciting is the fact that it's a distributed technology which is a new way of looking at the world for us. We generally respond very well to hierarchical systems, top down, president, father, mother, teacher telling us what to do. With blockchain technology, it allows a distributed system where everyone who participates in the system has an equal say in how that system works. And I think there is huge potential for designing new ways of doing business, of creating, of communicating.

KENNEALLY: In fact, it sounds like we almost are having a second crack at the Internet because the way you describe blockchain is very much like what the Web or the Internet really



is, which is a place that people can build on, and this is what blockchain does. It's an opportunity for people.

WILLIAMS: Yes, I would actually say it's our third crack at the Internet. We had the Internet of the '70s and '80s that was very, very difficult to use, and then the Worldwide Web came about, and people were able to build applications on it, and that's what most of us use now. It was a web that was based on information –the flow of information. So this third Internet that's being developed with blockchain and other distributed technologies is a web of privacy and transparency, which is a paradox, and also a web of transfer of value, so that we can use it to transfer anything of value, including intellectual property, money, ideas, everything.

KENNEALLY: And what's interesting about this, for those of us in the media is this ownership of data can also include the ownership of our creativity, of our expression of ideas, whether it's journalism, such as you practice, whether it's a novel, whatever it could be, this ownership that extends to all of our digital output.

WILLIAMS: Yeah, very interesting aspect of blockchain technology is that it allows for rare digital property rights, so that right now if you're an artist and you have a photograph that you posted on the Web, anyone can copy it and paste it or print it and put it on their wall, and it tends to diminish the value of the original. It makes it very hard to have original property. Now with blockchain, you can take an image, you can make a cryptographic, what's called a hash, of that image which is a cryptographic code that represents that image, and you can register that on the blockchain. It's sort of like putting metadata onto a blockchain. Then, in the future, only that original image will have that code attached to it. And any other copy you'll be able to see instantly that it was basically stolen or copied, and so those copies have less value than the originals. It's very valuable for artists now, and it's opening up a whole new world of something called rare digital art, where people trade art that it has a code that shows that it was registered on the blockchain.

KENNEALLY: Long ago, the Web emerged as a major launching platform for creative careers. Audiences around the world go online to enjoy music, art, performances, and storytelling of all kinds. Literary agents go online, too, in search of future bestselling titles. And not only the written word is source material.

Literary agent Mark Gottlieb of Trident Media Group explains how he has struck literary gold in everything from tweets and GIFs to comics and podcasts.

GOTTLIEB: The retail landscape has put a lot of pressure back on book publishers to really look for one of two things – either that very, very hopeful debut, which might come with some feathers in their caps. A lot of publishers are overpaying for debuts, hoping something breaks out. And then in the opposite end of the extreme, that proven bestseller. If their last book was a bestseller, chances are the next book is going to be a bestseller. So it leaves very little room for any error in between. Sort of the midlist, what we called in publishing for a long time, has really kind of bottomed out. So new authors coming into book publishing really need to have something of what we in the industry would call a platform.



KENNEALLY: Indeed, this is true not only for the book business, but for many creative businesses. It's an interesting reversal of fortunes. Today, when it comes to music, for example, artists themselves are the launching pad for songs and not the other way around. So it seems that this is now becoming true for novelists and journalists and others, as well.

GOTTLIEB: That's right. Book publishers have put a lot of the, I would say, marketing and publicity pressure back onto authors in order to help get their book out there. Historically in the space of nonfiction it had been this way for a while, where publishers wanted to hear from authors who were really saying something from like a Broadway stage, not from a soapbox, but people who really had a very big audience, whether that be millions of social media followers or a huge visitor list on their website or subscription base, or maybe they do speaking engagements across the country to hundreds, if not thousands, of attendees, like someone who might give a TED Talk or something like that.

KENNEALLY: Now, Mark, the old-time image of a literary agent is somebody with a stack of manuscripts in envelopes that have come in through the mail and having to read those deep into the night. But it sounds to me like you could do your work looking at your phone.

GOTTLIEB: There's a whole mixture, I would say. There are still – like in the olden days, you might picture someone in a tweed blazer and the elbow patches, and, yeah, manuscripts coming in through the transom. We still get query letters through our website. People certainly know our agency and the work we do, and

We do a lot of work traditionally in reaching out to MFA programs and attending prestigious writers' conferences and workshops and things of that nature. But you're right that a good chunk of my time now is spent perusing online, looking for new talent in that way, because the internet has just opened up that world.

KENNEALLY: And certainly, it's not just the internet, but the devices we carry. People become obsessed with some of these creators and can't wait for their next post on Instagram.

Another medium that has emerged because of the phone, of course, are podcasts. Many people may even be listening to us now on their phone as they're riding in to work on the subway or something like that. And you have found podcasters who have had the strength of creativity to jump from podcasting into books. Andrew Klavan, who began a very successful serial podcast that led to a fantasy novel.

GOTTLIEB: That's right. Andrew is a good example. He had begun with the help of a professional actor who could provide voice acting in the podcast he created. He created a podcast called Another Kingdom, which was about sort of a screenplay writer in Hollywood who's down on his luck. He walks in through a backstage door one day. The door closes behind him, and suddenly he's in a medieval world. He doesn't know how he's gotten there. But he travels back and forth between that time and our time. It's something of a portal fantasy. And it works really well chapter to chapter, because every episode sort of ends on a cliffhanger to really carry the listenership through to the next episode.



Because Drew had tens of millions of listeners and downloads of his podcast, and it had shown up in places like the iTunes top 10 for podcasts, I was able to go to book publishers and really insist that there's a built-in audience for this book.

That's a little bit more unusual, because it's something from the world of fiction. Normally, publishers aren't looking for those kinds of things in fiction, but the podcasting world and the stories told there have opened up a lot of possibilities like this one.

KENNEALLY: Considered as technology, a book is an interface, a device for communication. A book is a form factor, too, a physical and metaphorical container, suitable for holding any imaginable human expression.

For centuries, books have existed in a form that has come to be universally recognized. Few of us ever bothered to give the book very much thought – either as object or idea – any more than we might ask what is a chair? The answer just seems so obvious.

Poet, scholar, and book artist Amaranth Borsuk has taken up the challenge and begun a thoughtful interrogation of the book as object and idea. As we prepare to enter the second decade of the 21st century, Borsuk's latest book, *The Book* from MIT Press, raises this essential question for publishers and authors: What exactly is a book?

BORSUK: When we talk about a book, we can be talking about an object or content at the same time. That slipperiness – if I say have you read *Middlemarch*, you're not necessarily picturing a physical artifact, you're picturing the content of *Middlemarch*, the idea of *Middlemarch* – that very slipperiness is actually a positive thing because it then lets us think about e-books as another form of book. It lets us imagine potential futures for the book that involve different physical formats than the one that we're so used to and so acclimated to.

KENNEALLY: So where we end, then, Amaranth Borsuk, is this notion that what is beyond the book is still the book. As not only a historian but a poet and a book artist, yourself, what does that mean? Where do you want to take the book next yourself?

BORSUK: Oh, those are two, actually – I feel like there are two important questions there. I do agree that what is beyond the book is still the book, meaning that the book is something that exists in perpetuity and that our relationship to it will continue to change and shape shift as the book itself changes and shape shifts. In my own creative practice, I'm interested in exploring embodied interaction with book forms and what kind of reading experiences can be created that remind the reader of their own body, that in fact the book as a body that is scaled to the human body, and that different bodies encounter books in different ways, based on their ability, based upon their wreaths, (sp?) based upon however they're situated in the world.

So I've, as an artist, created a number of collaborative projects that are experimental books using technologies like augmented reality, where the reader has a book of poems they can't actually read until they open it up in front of a webcam, and then the poems appear in 3D space, or books that are created for iPad that are remixable and that are changing and mutating on their own as soon as the reader opens up the text. I'm interested in experiments like that that allow us to



revisit books through the lens of our own body and see that any book fundamentally takes shape in the hands and in the mind of a reader, that books are not created by authors. In fact they're this interesting performative experience that happens when the reader steps into the picture.

KENNEALLY: 2010 opened with the introduction by Steve Jobs of the iPad, and with that innovative device, new hopes for a digital business model more favorable to publishers.

As 2019 closes, the prospects for e-books have faded, and audiobooks – as heard on smartphones and in Bluetooth-enabled automobiles – instead shore up many a sagging bottom line.

The decade now ended has proven a transformative era for publishing. Technology has become the platform on which we must stand. Discovery, creativity and prosperity are all impossible without it.

Beyond the Book is produced by Copyright Clearance Center. Our co-producer and recording engineer is Jeremy Brieske of Burst Marketing.

Subscribe to the program wherever you go for podcasts and follow us on Twitter and Facebook. The complete Beyond the Book podcast archive is available at beyondthebook.com.

I'm Christopher Kenneally. Thanks for listening. Best wishes for the coming year. And join us again soon on CCC's Beyond the Book.

END OF FILE