

*New Media, Teaching and Learning, Seminar #683*  
*Chair: Ryan Kelsey, Professor Frank Moretti*

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*Rapporteur: Veena Vasudevan*

***The Googlization of Everything***  
***Google, Digitization, and the Future of Books***  
***Siva Vaidhyathan, New York University***

Siva Vaidhyathan, associate professor of culture and communication at New York University, discussed the newly deployed Google Book Search project at the University Seminar held by the Columbia Center for New Media Teaching and Learning. His talk considered the implications of Google's Library Program and what impacts this program would have on the quality of reading, writing, and research.

Professor Vaidhyathan began by describing Google's Book Search project and its implications on information access, noting that he would focus on the Google Library Program throughout his talk. He explained that Google has reached out to several university libraries across the country, offering to digitize their book collections in exchange for permission to use the digitized versions as sources in their online book search. Google claims that they are trying to provide global access to knowledge that is otherwise not accessible. However, Prof. Vaidhyathan argued that Google is exploiting the instability of copyright in the digital age through this project. He explained that this business arrangement is highly problematic as it potentially violates copyright laws and gave Google, a private company, control over information that he feels is better served by the public domain. He discussed his concern that the digitization of books would not necessarily solve the issue of universal access.

Prof. Vaidhyathan presented arguments from critics and authors who have weighed in on the topic of universal libraries. He pointed to Kevin Kelly, the editor-in-chief of *Wired* magazine and a self-proclaimed futurist who is supportive of universal libraries. Kelly argues that a universal library allows books and other texts on the margins of popularity to find a small audience. Kelly also believes that a universal library would deepen people's grasp of history and cultivate a new sense of authority.

Prof. Vaidhyathan then provided a rebuttal to Kelly's remark from author John Updike. Unlike Kelly, Updike laments the vision of a universal library. He feels that his literary world, full of lazy afternoons spent reading books in New York City coffee shops would somehow be lost if a universal library did exist. Updike was not comforted by the fact that many other people would now be able to engage in the same literary discussions through a universal library system.

Next, Prof. Vaidhyathan offered his own critique of Google's motivation to build a digitized universal library. He argued that while Google promotes an air of openness and an interest in providing everyone access to information, they are, in fact, a very private company. He finds their lack of transparency problematic and is concerned about whether or not Google is the right organization to digitize the content housed in prominent university libraries. Prof. Vaidhyathan was concerned that libraries were giving up one

of their most important responsibilities to a young and private corporation without much concern.

Prof. Vaidhyanathan argued that, in some ways, giving Google the ability to reproduce snippets of full texts would technically violate copyright laws. He was especially concerned with post-1923 works and questioned whether reproduction of these texts was a violation of the law stated in section-106, reserved for copyright holders. He argued that more stringent regulations should be applied to reproducing copyrighted texts.

To illustrate the complex nature of copyright law, he discussed the court case *Kelly v. Arriba Soft*, in which Leslie A. Kelly, an artist, sued Arriba Soft, an image search engine, for displaying thumbnails and full versions of his photographs on their website. The court ruled that reproducing full-size versions of Kelly's actual artwork on the website was copyright infringement. However, since the thumbnails were not a replacement for the actual photographs, the court did not consider this copyright infringement. Instead the court ruled that the thumbnails fell under "Fair Use." He expressed concern that Google and other companies may use the court's interpretation of the Fair Use Act to continue the reproduction of copyrighted material.

Prof. Vaidhyanathan then discussed the topic of confidentiality. Libraries, by law, are required to protect the confidentiality of everyone who uses their resources. He explained that Google is a private company and, therefore, is not held to the same confidentiality standards as traditional libraries. He expressed his concern that individuals would be deterred from trying to search for information if they knew that their searches could be traced or even shared with the government. For instance, an individual in a western country researching the Taliban or an individual researching alternative sexual preferences in a country that has more restrictive policies may not feel comfortable trying to access this information if they knew it could be made public.

Another critique he offered was centered on the quality of the Google Book Search results. Prof. Vaidhyanathan demonstrated his concerns by "Googling" common quotes, names, and subjects via the Google Book Search tool. He was not satisfied with the results of any of the searches, asserting that the results were unsystematic and unscientific. As an academic, he expressed concern that students were choosing Google as their primary source in academic writing over more appropriate technologies. He noted that this happens because Google is convenient and likened the company to a utility almost as essential as electric and gas. While Prof. Vaidhyanathan acknowledged that "Googling" has become ingrained in our culture, he maintained his concern for convenience replacing quality in academic research and writing.

Prof. Vaidhyanathan also questioned which books Google will choose to digitize and what are their motivations for doing so. Additionally, he inquired how books are rated and whether the "best" books show up at the top of the search results. Demonstrating with multiple book searches yielding insignificant results, Prof. Vaidhyanathan reiterated the lack of quality that Google's Book Search afforded.

Prof. Vaidhyathan concluded with a critique that was addressed toward university libraries. He mentioned that many university libraries are suspending their own private digitization efforts while they see how the Google Library program transpires, noting that this has created a rift between libraries and academic publishers. Prof. Vaidhyathan asked the libraries to determine whether Google is really the right organization to handle the domain of public works. He then questioned what would happen if Google were to go out of business. Would the digitized library also cease to exist?

At the end of his talk, Prof. Vaidhyathan opened the discussion up to comments and questions. A number of audience members asked why Prof. Vaidhyathan had targeted Google in his talk since other search engines were also reproducing copyrighted material through their online websites. Some audience members also felt that Google had done a positive thing in bringing international attention to the issue of copyright and Fair Use. Several questions were posed about ranking search results. Many audience members wondered who had cultural authority when it came to ranking books and questioned who decided what was more or less relevant. Some audience members felt that there was no such thing as universal relevance and wondered how to determine whether Google was doing a better or worse job in terms of their rankings. Along the same lines, other audience members expressed their concerns around the quality of content, specifically related to the versioning of data. They asked if there was such a thing as a “right” copy, or what version could be considered authoritative.

Prof. Vaidhyathan responded that Google simply provides links in some arbitrary ranking order. He referred to his concerns about not knowing the algorithm they use to rank information, and suggested that Google was not the authority to decide what results were better or worse. Professor Vaidhyathan stated that the responsibility of ranking and identifying relevance should not be in the hands of private companies.

Some audience members asked for clarification as to why Prof. Vaidhyathan was opposed to Google’s involvement in space of public information. They felt that Google did command a great deal of attention, which was a positive as this fostered the dissemination of knowledge. Prof. Vaidhyathan explained the importance of governments and public officials taking responsibility for what he considers public content, using the example of the Human Genome Project to illustrate this. Prof. Vaidhyathan explained how three countries were initially working to decipher the human genome without any kind of international cooperation. However, when a private company found a shot gunning technique, this catalyzed a massive public commitment to decipher the genome before private companies did because the governments agreed that the human genome should remain public information.

Prof. Vaidhyathan stressed the importance of public goods and explained that the privatization of a function like the library could have unintended consequences. He reminded the audience that there is a need for libraries to rethink Google’s role in the access to information and concluded by emphasizing “how we preserve information is critical.”