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Brief Reviews of Books and Products

Walled Culture: How Big Content Uses Technology and the Law to Lock Down Culture and Keep Creators Poor

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BRIEF REVIEWS OF BOOKS AND PRODUCTS

Book review: Moody, G. (2022) *Walled Culture: How Big Content Uses Technology and the Law to Lock Down Culture and Keep Creators Poor*. BTF Press. 306 pp. ISBN 978-946459495-9, 7.67 USD (paperback); ISBN 978-946459849-0 (ebook).

In *Walled Culture: How Big Content Uses Technology and the Law to Lock Down Culture and Keep Creators Poor*, tech journalist and open-access advocate Glyn Moody delivers a detailed history of digital copyright (copyright applied to digital items or technology) across several media designed to expose the problems with copyright and the greed of publishers and other intermediaries. He argues that copyright in a digital environment often strangles opportunities for creativity in favor of industry profits. *Walled Culture* is Moody's third book, following *Rebel Code: Linux and the Open Source Revolution* (2001) and *Digital Code of Life: How Bioinformatics is Revolutionizing Science, Medicine, and Business* (2004). His decades of publishing articles on computers, the Internet, and open access, including on the Walled Culture blog (walledculture.org), have culminated in this book: a passionate, convincing attempt to show that copyright is interfering with the Internet's full potential, individual rights, full creative expression, and access to knowledge.

Each of *Walled Culture*'s nine chapters focuses on one problematic aspect of copyright and includes many examples that seek to demonstrate the absurdity of copyright as it has been applied over the last 30 years: e.g., Amazon remotely disabling text-to-speech accessibility features on already purchased books (p. 66); a Belgian law that would fine librarians for reading stories to children (p. 224); or Katy Perry being sued for infringement over a two-note combination (p. 268). The book considers copyright legislation from around the world, with most examples coming from the European Union or the United States. Moody also clearly demonstrates a pattern of copyright laws and regulations being passed in questionable ways, against public opinion, and in favor of the commercial interests of the copyright industry. Although there will probably be some who disagree with Moody's radical final argument, i.e., that copyright should be totally eliminated, it is hard to imagine anyone walking away from *Walled Culture* believing that the current system is fair given the mountain of evidence assembled. Moody assumes a very low level of prior knowledge in his readers; therefore, those more experienced in issues of digital copyright may find themselves skimming over some explanations; beginners and non-academics will find this level of detail helpful. Even long-time critics of copyright will find that Moody strikes an excellent balance between outrage-inducing, illustrative anecdotes, and analysis of the issues.



Chapters 2 and 3 are most directly applicable to the work of librarians, as they concern ebook licensing and the academic publishing industry, respectively. Chapter 2, “Hostage works and vanishing eBooks: Publishers sue Google and the Internet Archive for sharing knowledge and culture” claims that publishers routinely and massively overstep their rights in the interest of making profits on books. Hostage works, also known as orphan works, are texts without identified authors or rights-holders, and, as such, it is “almost impossible to obtain the necessary permissions for reprinting or other uses such as public display, public performance or putting [them] online” (p. 34). Moody argues, following copyright lawyer Lydia Pallas Loren, that such works should be assumed useable unless proven otherwise to prevent their loss in the digital environment. The chapter also details efforts to digitally preserve literature and cultural works through initiatives such as Project Gutenberg and the Internet Archive’s Open Libraries project that have been challenged by publishing organizations, and it outlines the outrageous pricing systems that publishers apply to ebook licenses for libraries.

Chapter 3, “Aaron Swartz’s manifesto: Making all publicly funded research available through open access” details the many ills of the academic publishing industry, including the persecution of open-access activists such as Aaron Swartz and Sci-Hub’s Alexandra Elbakyan. Moody is critical not only of for-profit academic publishing, but also the ways in which publishers are bending open access to increase their own profitability. Moody argues repeatedly that researchers should retain their copyright when publishing and that “evangelising and propagating that cultural sea change should be a priority for the academic world in order to realise the enormous potential of the switch from analogue to digital that is fully underway in every sphere of life” (p. 113).

In Chapters 4 through 8, Moody explores the law, abuses of copyright, and how copyright often negatively impacts the ordinary individual. He covers legislation that has been debated or passed in detail, including the Stop Online Piracy Act (SOPA) and Personal Information Privacy Act (PIPA) in the United States (Chapter 4) and the EU’s Copyright Directive (Chapter 6). A recurring argument is that large companies have the advantage under the current copyright system: e.g., Moody points out that some companies use automated systems with questionable accuracy to send out thousands of takedown notices per day because they have the resources to do so, usually targeting ordinary individuals who lack the legal expertise to return filing (p. 141-142). He addresses many kinds of content covered by copyright, including books, songs, videos, newspaper article snippets, video games, and software.

In the final chapter, “True Fans are the real solution: helping creators and culture thrive without Big Content” Moody suggests solutions to some of the problems he has identified throughout the book. The major idea is that a patronage system based on creators maintaining a small group of loyal supporters, or true fans, could solve the problems of copyright enabling

corporate greed and discouraging creativity. Moody cites existing platforms for crowdfunding such as Patreon (ongoing partial support), Kickstarter (funding projects), and Bandcamp (paying for specific content) as examples of how this system could work. He argues that the patronage system already exists in academia because scholarly publishing is supported by scholars' salaries or grant funding. His final suggestion is that copyright should be abolished altogether. Having argued that copyright imperils the potential of the digital future, he concludes: "Copyright or the Internet—choose one" (p. 295). Although a few of Moody's examples throughout *Walled Culture* give an example of direct action impacting copyright legislation, the many times that governments and regulatory bodies ignore such feedback are more numerous; thus, the end of the book would feel more hopeful if it included more advice about how to achieve this ambitious goal. *Walled Culture* explains the recent history of copyright, and perhaps Moody's fourth book will deal with concrete steps to reaching his vision of a copyright-less digital future.

AUTHOR BIOGRAPHY

Nicole Slipp is an early career librarian currently serving a term as Scholarly Publishing Librarian at Mount Saint Vincent University in Kjiptuk (Halifax, Nova Scotia). Before obtaining her Master of Library and Information Studies from Dalhousie University she received a doctorate in English literature. She has long been critical of profit-driven scholarly publishing practices. In her current role, she oversees an institutional repository and promotes open-access publishing options to faculty and students.