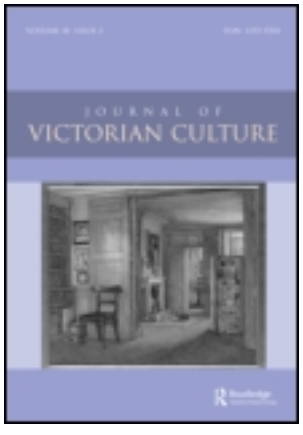


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# Utopia Fading: Taxonomies, Freedom and Dissent in Open Access Publishing

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## DIGITAL FORUM

# Utopia Fading: Taxonomies, Freedom and Dissent in Open Access Publishing

Martin Paul Eve

It is fairly commonly known, in certain circles, that open access comes in different 'flavours'.[1] Besides the well-known adage of Richard Stallman that there are multiple types of freedom that can be divided into *gratis* and *libre* ('free' as in 'beer' as opposed to 'free' as in 'speech'), the ways in which we provide access to material that is free in either sense are also plural.[2] This piece, consisting of two parts, will give the historical backdrop to 'gold', 'green' and the lesser known 'platinum' models but also frame these routes to access in the light of a failed utopian project that has been undermined by credentialist models of assessment. While May 1968, another utopian failure, gave us slogans of hope – 'Under the paving stones, the beach!' – with open access publishing it seems the chances of finding our way back are growing slimmer, even if some hints of sand and surf shine through in the remaining admirable aspects of the system.

The first portion of this piece will appraise the current taxonomies of open access arguing that 'platinum' is a form of category error; a misplaced term that nonetheless signals current dissatisfaction. The second section here will think, practically, on the question of 'what is to be done?' In this second part, with reference (ironically, given the pragmatism deployed) to Adorno's theorizations of utopia, I will critique the conclusions of the UK's *Finch Report* as a document that neglects critical thinking, but one whose outcome may be dissent on a wide enough scale to trigger academic disobedience and revolt against the current publication system.[3] From this I will lay out the three criteria that I believe are necessary for a transition away from 'Article Processing Charge'-driven publication practices and the infrastructures that should be

1. Throughout this piece I will use the commonly adopted convention of referring to the removal of permission and price barriers with a lower-case 'open access' and refer to the movement calling for those changes with the capitalized 'Open Access'.
2. Free Software Foundation, 'The Free Software Definition', *GNU Project – Free Software Foundation*, 2010 <http://www.gnu.org/philosophy/free-sw.html> [accessed 18 February 2011].
3. Working Group on Expanding Access to Published Research Findings (Finch Group), 'Accessibility, Sustainability, Excellence: How to Expand Access to Research Publications' (London: Research Information Network, June 2012). Available at <http://www.researchinfonet.org/publish/finch/> [accessed 4 September 2013]. Subsequent references to this report in the text will be to the '*Finch Report*'. For the background to the *Finch Report* see 'Finch Report', *Research Information Network*. Available at <http://www.researchinfonet.org/publish/finch/> [accessed 4 September 2013].

in place to capitalize on this dissatisfaction, including a modified Public Library of Science-type model.

A final introductory note is necessary here on the geographical specificity of this piece. The Open Access movement is a global phenomenon (and open access is also a phenomenon of globalization). This article addresses the current situation from a UK perspective, with its peculiar systems of the Research Excellence Framework (REF), a national-level research assessment operation, and the *Finch Report*. While this poses some idiosyncrasies of analysis that preclude transfer to countries such as France, where no equivalent exists, the hypotheses advanced here should hold against comparable frameworks, such as Excellence in Research in Australia (ERA). Even in situations where comparability does not hold, the repercussions of the *Finch Report* will be felt worldwide as the nature of Britain's research output changes.



## Taxonomies of access

It is worth outlining some basic terminology and thinking about the taxonomic structures at play here; as the recent UK government report mandating open access publication puts it: these 'definitions and distinctions have become increasingly important'.[4] *Open access* denotes material that is monetarily free to access and permissively free to re-use, usually under the terms of a Creative Commons Attribution License (CC BY).[5] It is important to note that open access is, with clear-cut nominative determinism, primarily desirable for reasons of access, but this is so entwined with the economics of the scholarly publishing system that the two cannot be discussed independently. If science and the humanities are to advance, it simply does not make sense to limit access to scholarly material, especially if that work was originally paid for through any form of subsidy from the general public. *Gold* open access refers to these conditions of openness and freedom being applied to material published in an academic journal, book collection or monograph. *Green* open access, in contrast, is a way of describing material deposited in an *Institutional Repository* – an open access venue affiliated with an institution – regardless of whether it originally

4. *Finch* Report, p. 16.
5. I remain sceptical of the arguments against CC BY licensing framed by Peter Mandler in this issue. I feel that he only tangentially addresses the benefits of CC BY's extensions beyond fair use (extensive quotation and critique; machine re-usability; and translation are among the benefits, but always in every case, even if commercial, with citation) and still wishes to taint the license with the charge of plagiarism. We have never used copyright and licensing to enforce institutional rules on plagiarism before, so why would we now? It is patently not because a work is under copyright that we teach students to cite correctly; they must cite even out-of-copyright works. While others have written more thoroughly on this, I will resignedly accept some level of decoupling between access and permission barriers if it helps us reach the destination we share. See: Peter Webster, 'Open Access and Open Licensing', *Webstory: Peter Webster's blog*. Available at <https://peterwebster.wordpress.com/2013/04/01/open-access-and-open-licensing/> [accessed 8 August 2013].

appeared in an open or closed publication.[6] Green open access may only be possible when publisher terms and conditions permit as, in most cases, authors are required to sign over their copyright to the publisher and accept their demands.

With these terms in mind, the way in which this plays out in the economic sphere is interesting and describing such financial structures is a necessary part of any account of the taxonomy and terminology of open access. Until recently, publishers have made money through a subscription model. Academics did the academic work, academics did the peer review, publishers copyedited, publishers proofread and publishers printed and published. This was working well and relatively unchallenged until the end of the twentieth century. However, between 1986 and 2011, subscription prices increased by approximately 300% *above inflation*.[7] This led to what has become known as the 'serials crisis', deemed a serious problem in Library Information Science; the outpacing of library budgets by journal prices. For me, this suggests that our journal model, even in the humanities, is in far from good health. Whereas Peter Mandler is right, in his contribution to this forum, to point to the important role played by the university presses in humanities journal publication, I still baulk at the idea even of 'profits going to universities', especially when that can mean the subsidy by newer universities of those whose colleges rank among the country's wealthiest landowners. Sustainable, rather than profitable, open university presses would be an admirable aim. Furthermore, from my experience in multiple institutions, the access situation actually is 'as broken as all that', as Mandler puts it. Students and staff frequently lack the material they need as a day-to-day reality and this cannot be decoupled from systems of prestige that tie us to sometimes-extortionate for-profit publishers. We cannot dispense with hierarchies that rank and validate work – it is what we do – but when our method for so doing drives (and is driven by) private profit at the expense of our students and researchers, I call it broken and want something new.

Returning to the routes to publication, it becomes clear why these economics are important. Academic journals are, mostly, for-profit enterprises owned by large multinational corporations, some with extortionate levels of return. Clearly, if they were to make their material openly available, their 'product' (and their profitability), predicated exclusively on commodity exchange, no longer exists. However, publishers argue that they still add value to a publication (and I will not dispute that there *is* publisher work involved, even if often overplayed) and rightly expect to somehow be financially compensated for this. The way this is to be achieved, according to the *Finch Report*, is to put the 'gold' into gold open access; authors are being asked to contribute

6. Leslie Chan and others, 'Budapest Open Access Initiative', 2002. Available at <http://www.soros.org/openaccess/read.shtml> [accessed 18 February 2011].
7. Martin Paul Eve, 'Tear It down, Build It up: The Research Output Team, or the Library-as-publisher', *Insights: The UKSG Journal*, 25 (2012), 158–162 <doi:10.1629/2048-7754.25.2.158>. Note that while most Humanities journals have a far lower absolute cost than many of their STEM counterparts, there appears to be an analogous proportional increase. See Stephen Bosch and Kittie Henderson, 'Periodicals Price Survey 2013', *Library Journal*, 2013. Available at <http://lj.libraryjournal.com/2013/04/publishing/the-winds-of-change-periodicals-price-survey-2013/> [accessed 6 May 2013].

Article Process Charges (APCs) to pay publishers for the work they do. Two aspects of this must be noted. First, this is not a 'pay to be published' vanity model; peer review is unaffected and decisions in reputable journals will not be based upon ability to pay. Second, it is envisaged that universities will have a fund to enable their affiliated scholars/scientists to pay. This raises the question of how unaffiliated authors, PhD candidates and others who fall outside this narrow remit are to pay, but that is an aspect that I am going to have to leave for another day.

Gold open access is not, by definition, an APC-driven model. However, this is the model with which it is becoming synonymous. This terminological conflation has given rise to a third variety of 'route': *platinum.* This is supposed to designate a gold open access destination that does not ask for APCs. However, eagle-eyed readers will spot, instantly, that there is a category error at work here. Gold and green are terms that apply to the *method by which open access is delivered*; they are not terms pertaining to a business model, even if the former has taken on that characteristic. By contrast, platinum is an attempt to conflate the financial sense of 'free' with the liberty sense, 'freedom'. It is worth questioning whether this could be a dangerous move given David Harvey's recent writing on neoliberal doctrine.[8] While it is nice to think that platinum is a good term to do the trick here, what is actually needed is a modification of the other two terms such that there is a third axis ('author cost') introduced to open access publishing as demonstrated in Table 1. The rows are not meant to align: it is not the case that green must be 'libre' for example, but rather that these terms may be permuted with one another.

So, platinum does not really fit in terms of taxonomy as it is not a delivery route, but its historical placement and emergence are far more useful to track a project of utopia and dissent than to classify. With this in mind, let us turn to the reasons for the more messy parts of the Open Access setup.

## Utopia Ltd

The humanities pride themselves upon their development of critical thinking, whatever that may mean in differing contexts. It is, therefore, ironic that our disciplines have all but sleepwalked into a disaster – but all may not be lost. There are systems through which publisher behaviour can be regulated, systems that could undo the damage of Big Business Ltd and their efforts to ensure that utopian thinking is, similarly, limited.

I use the term utopia within a specific frame here. Adorno's conception of the primacy of the object is derived from his notion, expressed in his 1931 inaugural lecture at the University of Frankfurt, that it is the task of the mind to 'penetrate the detail, to explode in miniature the mass of merely existing reality'.[9] Whatever one

8. See David Harvey, *A Brief History of Neoliberalism* (Oxford: Oxford University Press, 2007), pp. 183–206 for a compelling summary of the ways in which neoliberal practice attempts to shoehorn economics and liberation together.
9. Theodor W. Adorno, 'The Actuality of Philosophy', in *The Adorno Reader* (Oxford: Blackwell, 2000), pp. 23–39 (p. 38).

Table 1. Modifications to the open access terminological matrix to ensure consistency and incorporate author-side cost

| *Author Cost* | Delivery Route | Reader Freedom |
|---|---|---|
| *Gratis* | Green | Libre |
| *Article Processing Charge* | Gold | Gratis |

might say about the political and financial motivations of the *Finch Report*, it is not a document that could be described, under this model, as utopian, regardless of how ideal the members of the panel felt its aims. Consider the following passage of dazzling prose:

> Open access journals turn the subscription-based model on its head: instead of relying on subscription revenues provided by or on behalf of readers, most of them charge a fee to authors, generally known as an article processing or publishing charge (APC), before an article is published. Access for readers is then free of charge, immediately on publication, and with very few restrictions on use and re-use. The number of journals operating in this way has grown fast in recent years, albeit from a low base.[10]

This passage highlights one of the key problems of the *Finch Report*. The document was supposed to be a framework for future action, while simultaneously deriving its findings from that which already exists. Consider these two phrases of descriptive, determined, current practice within this section: 'open access journals turn the subscription-based model on its head' and 'most of them charge a fee to authors'. While the latter of these statements is simply false according to statistics in the Directory of Open Access Journals,[11] the second holds, as a factual appraisal, but is dissembling when we remember the utopian potential (in either a positivist or Adornion sense) of the document. What about: '*at present*, open access journals turn the subscription-based model on its head'? This would have been the critical approach: to document the current state, but to think in such a way that the future is not determined by the 'mass of merely existing reality'. The *Finch Report*'s obsession with stability for the publishing business model via a descriptivist approach means that our institutions will be financially destabilized; all it will do is to financially demolish our library budgets, instead of the 'merely existing reality'. The report is not, in any sense, a document that thinks critically. Publishers, likewise, sometimes think in this mode. Consider the evidence of *Nature* to the House of Commons select committee in 2004, justifying a £30,000 APC purely on the basis of their current practice: 'The £30,000

10. *Finch Report*, p. 6.
11. 'Journals by Publication Charges', *DOAJ: Directory of Open Access Journals* <http://www.doaj.org/doaj?func=byPublicationFee&uiLanguage=en> [accessed 6 May 2013]. At the time of writing, 6537 journals had no article processing charge, 2712 journals had a fee, 439 journals had a conditional charge and 204 journals did not specify their fee policy. Note well though that the DOAJ only lists open access journals and does not include hybrid journals with an open access option. The *Finch Report*, however, is referring to 'open access journals'.

figure was arrived at simply by dividing the annual income of *Nature* (£30 million) by the number of research papers published (1,000)'.[12]

What is to be done? I have suggested elsewhere that a viable solution, either in terms of truly building an alternative publication system, or merely as a scare regulator for publishers, would be a form of holistic Research Output Team (ROT): an institutionally subsidized model centred around university libraries and operating as independent islands of publication, thus obliterating APCs altogether, with minimal loss of jobs in publishing, but merely a loss of superfluous profit.[13] Feel sorry for the shareholders. The *Finch Report* did not consider such an option.

Such a construct is only possible under certain conditions, however, and the present historical moment does much to attempt to preclude its realization. The strongest driver of APC-model open access in the UK is the Research Excellence Framework (REF). The REF, for those unfamiliar with higher education in the UK, is a centralized mechanism to allocate funding to universities on the basis of the quality of their research. Specially-selected subpanels judge publications through peer review, certifying, with institutional financial benefit or penalty (this is a competitive framework), whether academic work is of a certain 'quality'. However, regardless of subpanel rhetoric to the contrary, researcher and academic behaviour has been shaped by the (apparently misplaced) belief that the mechanism by which it does so is to appraise the standing of the journal in which the piece appeared, rather than the piece itself.

While academics remain complicit with such a system, it remains hard to see how the alternatives, even if built, will attract the best submissions without mass academic civil disobedience. However, there are models where it can happen. Existing successful open access journals that are run by academics and that do not charge APCs are out there. Consider, *Foucault Studies*, *American Studies Journal*, *Neo-Victorian Studies, 19: Interdisciplinary Studies in the Long Nineteenth Century* or my own projects: *Excursions*, *Alluvium* and *Orbit: Writing Around Pynchon*.[14]

There are, however, several aspects that have to be in place and several attitudes that must be changed for these projects to work:

1. Academics must realize that prestige and quality come not from the tradition of a journal, but rather from the academics who continue to invest their intellectual capital in it. This is not an aspect where publishers add value.
2. Dissenting, scholar-activist open access journal editors must ensure that their publications are digitally preserved to prevent loss of material (through systems such as LOCKSS, CLOCKSS and Portico in conjunction with CrossRef's DOI schema), indexed and discoverable (for instance in the MLA International

12. 'House of Commons – Science and Technology – Written Evidence', 2004. Available at <http://www.publications.parliament.uk/pa/cm200304/cmselect/cmsctech/399/399we163.htm> [accessed 7 January 2013].
13. Eve, 'Tear it Down, Build it Up'.
14. See 'List of Literature and Language Journals', *DOAJ: Directory of Open Access Journals*. Available at <http://www.doaj.org/doaj?func=subject&cpid=9&uiLanguage=en> [accessed 5 December 2012] for more.

Bibliography) and accessible (through adherence to international standards). Institutional support through a ROT would help here as expertise could be brought to these infrastructural concerns that may not exist within other disciplines. In short: these venues must be *professional*.

3. Academics must lose their fear of online-only journals that are beyond publisher control, so long as the provisions of (2) are met.

While this might seem a tall order, there is more hope than might otherwise be thought. It seems, from the historical record, that resistance is only raised in academia in times of desperation. When the APC situation finally hits home, it could have the inverse of its intended effect and instead drive academics towards dissent and direct action.

The final point of action that I want to throw out is the potential for a Public Library of Science (PLOS)-style model in the humanities and social sciences. *PLOS-ONE*, the flagship publication of the Library, is an APC-funded open access mega-journal (no disciplinary bounds, no subject categorization but peer review is still performed by disciplinary specialists), yet it is a non-profit entity that works only to sustain itself. Where the author is unable to pay, PLOS waives their charges. The truly interesting thing about the PLOS model is that *PLOS ONE* publishes *not based upon importance*, but upon accuracy and lets the scientific community decide what research stands out. This 'ready to publish' criterion met with great resistance in the sciences and I would anticipate the same in the humanities. The only problem for the critics is that it has worked. My current thinking leads me to wonder whether this model might be the answer to our problems if the 'Research Output Team' solution is not adopted. To realize this, we could invert the subscription model, in the same fashion as arXiv (a pre-print server for many scientific disciplines funded collectively by libraries), and build niche curatorial mechanisms on top of a shared underlying platform that is open access. As Melodee Beals, in her contribution to this forum, notes, journals play an important curatorial role, and in this model libraries pay a small amount each to sustain the underlying infrastructure collectively on top of which we can overlay 'journals' in order to provide the systems of accreditation that we need.[15] However, thinking and wondering will, sadly, lead us only down Finch's determinist path. In perhaps a very anti-Adornian move, the time is for praxis. I hope you will join me: <http://www.openlibhums.org>.

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15. See Martin Paul Eve, 'Roadmap for Technical Pilot', *Open Library of Humanities*, 2013 <https://www.openlibhums.org/2013/05/15/roadmap-for-technical-pilot/> [accessed 8 August 2013].