

Open Access in the Humanities Disciplines

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It is easy to overlook the magnitude of change involved in the shift to the digital publication of scholarship. In moving all costs to first copy and reducing those of all subsequent versions to almost zero, digital publication, when coupled with academic systems of remuneration, carries to some startling logical conclusions. Namely: that if we can find a way to pay for all the labor of publishing the first copy, we could give anybody access to read the published version, without having to charge them. This is called “open access” (OA) and it refers to conditions under which peer-reviewed scholarship is made free to read and free to re-use with attribution (for the seminal work on this subject, see Suber 2012).

Open access was formalized in approximately 2002, with the triple signing of the Budapest Open Access Initiative, the Bethesda Statement on Open Access Publishing, and the Berlin Declaration on Open Access to Knowledge in the Sciences and Humanities (Chan et al. 2002; “Berlin Declaration on Open Access to Knowledge in the Sciences and Humanities” 2003; Suber et al. 2003). Each of these declarations, in its own way, notes that there are educational benefits in allowing people to read work without having to pay. These range from ensuring that the poorest in the world can have access to the scientific literature to ensuring that interested third parties can read about their own histories without facing unaffordable subscription fees. The last of these declarations, in particular, specifies that these benefits can be found across all disciplines: in the sciences *and the humanities*.

There are several pieces of terminology around open access that are worth spelling out up front. OA comes in different “color” flavors. Green open access refers to conditions under which an author publishes in a journal and then deposits their author’s accepted manuscript (or later version if permitted) in an institutional or subject repository. This is the version of open access that the UK’s Research Excellence Framework uses. It does so since the predecessor to Research England, HEFCE, found that 96 percent of journal articles submitted in REF2014 *could* have been made openly accessible under this route (Poynder 2015). That is, many publishers have liberal policies that will allow academics to deposit a version of their paper for open dissemination. However, the green route often does not provide access to the version of record (the final PDF of a paper, for instance). There is, then, a further strand of open access, called gold open access, in which the publisher makes material openly available at source. This could mean that, for instance, a user lands

on a journal article's page and, instead of having to login, can download the article immediately without providing credentials or any fee. Gold open access implies a different business model for a publisher. After all, if one cannot sell access to scholarship, the implication is that there must be another route for funding its publication.

OA also comes in various shades of licensing. "Gratis" work refers to those pieces that are free to read, but that come with no additional permissions for the reader. One cannot legally share these with others, nor quote more extended passages than is permitted by fair dealings or fair use legislations. On the other hand, "libre" OA refers to conditions under which an open license—such as the Creative Commons Attribution License—is applied to works. These licenses grant a series of additional permissions to downstream users to permit re-use. Most of the Creative Commons licenses that are used for open access (except for the CC0 license) require attribution, but also specify that a re-user may not imply any endorsement from the original author. As I will go on to note, this is a highly controversial area in the humanities disciplines.

Which brings me, after this definitional throat clearing, to the subject of this chapter. It might seem, from the above, that OA is an ideal and obvious solution to the global inequality of access to scholarship in the humanities disciplines. After all, in my country, the United Kingdom (often said to be a forerunner in OA policy terms, but one that actually lags behind South America by some distance), most of my colleagues marched in protest against the introduction and then dramatic rise of student fees for access to university. What then could be controversial about allowing anybody to read scholarship for free? Yet, in its practical implementation, open access—particularly in the humanities disciplines—remains a controversial and difficult subject. Open access is by no means universally accepted and it finds critics from both the left and right of the political spectrum. In the remainder of this chapter I will attempt to set out and unpick some of these controversies.

HUMANITIES ECONOMICS 101

In 2010 the British politician, Liam Byrne, Chief Secretary to the Treasury at the time, left a note for his Liberal Democrat successor, David Laws. The note read simply: "I'm afraid there is no money" (Byrne 2015). The same could be said for funding in the humanities disciplines, which Peter Suber has called a "dry climate" (Suber 2014). This has implications for open access.

Indeed, the first thing to note is the difficulty of the economics of humanities scholarship and publishing. Academics are paid to produce research and then are free to publish this wheresoever they choose. Those with secure research and teaching contracts at universities—admittedly a rarer and rarer breed—are nonetheless accorded an academic *freedom from the market*. That is, they are not required to sell their research work, en masse, in order to earn a living. Instead, the university pays them a salary, and they can give away the work, if they so choose.

Systems of accreditation and structured norms of academia, though, require that academics publish their work in peer-reviewed academic journals or with reputable book publishers. These venues, usually independent third-party publishers, oversee the review process (though do not themselves conduct the reviews), sometimes provide copyediting, proofreading, typesetting, a digital and/or print platform, digital preservation, permanent identifiers, ingest into indexing and discovery systems, and a whole host of other activities and services. Traditionally, these venues have sold access either as a subscription, in the case of journals, or for purchase, in the case of books. The typical customer for these is the academic library acting under instruction from faculty.

And make no mistake: these venues can be very profitable at the expense of academic libraries. For many years expenditure on serials (journals) has reached hyperinflationary proportions. As the Association for Research Libraries puts it, “Spending for ongoing resources, which includes print and electronic journals, continues to skyrocket, showing a 521% increase since 1986” (Association of Research Libraries 2017). In the same period, the consumer price index rose by only 118 percent. The most profitable of academic publishers—Elsevier, Wiley, Taylor & Francis—also make staggeringly large margins on their journal sales that dwarf the returns seen by Big Pharma and oil companies (Larivière, Haustein, and Mongeon 2015). Yet the term “academic publishers” harbors many entities, of different types. They range from the giants of the industry, who make almost obscene profits, down to small, independent university presses, who are subsidized internally by their host institutions.

In any case, one of the erroneous criticisms leveled at the open access movement is that it does not respect publishing labor. It is wrongly claimed that open access advocates wish to put all publishers out of business and do not respect the labor of publishing. David Golumbia, for instance, writes that “[o]ne searches OA literature in vain for discussions of the labor issues” (Golumbia 2016). While some OA advocates may indeed disregard this issue and wish for the destruction of academic publishers, Golumbia has clearly not searched the literature as thoroughly as he claims, as articles by Paul Boshears (2013), Emily Drabinski and Korey Jackson (2015), Christopher Kelty (2014), and myself (2014a, 62–7; 2014c, 2016) have all directly addressed this issue.

Nonetheless, this debate aside, it is clear that publishers who provide a professional service require a revenue stream if they are not to be operated as voluntary organizations. While green OA does not require a new business model for journal articles, if a publisher wishes to go “gold,” it requires a new way of generating revenue. The most common—and notorious—model for gold open access is the “article processing charge” (APC). In this model, instead of asking readers to pay, the author, their institution, or their funder pays an upfront fee to the publisher. This fee is not any kind of way of bypassing peer review as a form of vanity publishing but is rather there to cover the labor and business expenses of publishing the article. This appears to make sense. For imagine a world in which academic libraries no longer subscribed to journals. In this world that budget could be used to pay for the *outputs* of academics to be openly available. After all, it seems that the same amount of money would be in the system, it would just be used to fund OA.

What this model overlooks, though, is the basic distributional economics of the forms. In a subscription system, the cost is spread between many actors. Each library pays only a fraction of the revenue that a publisher needs to receive. In the APC model a single purchaser is made to bear the entire price of publication. This can work in the natural sciences where large grants can easily bundle \$2,000–\$3,000 on a budget line. In the humanities, this project funding is far harder to come by and most humanists would be laughed out of their Dean’s office for suggesting that the institution front this fee. Indeed, most humanities work is subsidized not by external grant funding, but by cross-subsidy from tuition or ongoing unhypothecated research-funding streams.

The APC model of open access has been branded as iniquitous and, indeed, even colonial (Mboa Nkoudou 2020). (Though it is not clear that it is *worse* than a subscription model on this front.) It is feared that such a business model would restrict all but the most elite, wealthy/funded scholars from publishing in high-prestige humanities titles, while also making the high level of selectivity in such titles (with a large amount of labor going into rejecting work) unviable. This is often couched as an attack on academic freedom, although those making this charge usually hypocritically neglect to mention that there are many curbs on publishing in such titles even in

the subscription environment (for more on this, see for instance Shrieber 2009; Holbrook 2015; Johnston 2017). The same figures rarely criticize those elite humanities titles—such as *boundary2*, for instance—that are invitation only. Nonetheless, APCs cause concern.

Yet if APCs are bad in the eyes of many humanists, then their equivalent in the book field—the Book Processing Charge (BPC)—is many times worse. Indeed, it is also the high-cost media forms in which the humanities disciplines circulate their work (monographs) that have led to challenges for OA uptake in these spaces.

OPEN PAGES AND NEW LEAVES

The importance of monographs to humanities dissemination—and, therefore, the importance of ensuring that in a future “open” ecosystem these forms are not left behind—has not been lost on funders, even while recognizing the difficulties. Consider, for instance, the requirements imposed by the group of funders known as cOAlition S. While this group’s headline policy—the quasi-Bond villainesque-sounding “Plan S”—was uncompromising on journals, it acknowledged that while its “principles shall apply to all types of scholarly publications” it is also “understood that the timeline to achieve Open Access for monographs and book chapters will be longer and requires a separate and due process” (cOAlition S 2018). At least part of the problem that cOAlition S recognized is the fact that “books” are not just one thing: “It is expected that how and whether Plan S applies to different forms of monograph or books, such as trade books, will be considered as part of the future guidance,” with said guidance projected by the end of 2021 (cOAlition S 2020).

To understand the challenges of OA for books, one needs, first, to ask: how much does it cost to publish an academic book? This simple question yields a range of answers. A Mellon Ithaca study from 2016 found that, at US university presses, the figure was, at the lowest, \$15,140, while the most expensive title cost \$129,909 to produce (Maron et al. 2016). These costs are debatable. Open Book Publishers, a younger, born-OA press, works on a different model and estimates its costs to be “\$1k for distribution” and “\$6.5k for ‘first copy’ title setup costs” (Gatti 2015). This is achieved, in part, by lowering the cost of “acquisitions.” In the US university press scene, acquisitions and developmental editing are seen as core activities of these entities. Yet these are expensive activities and some have questioned their value.

In any case, the high cost of book production has meant that concentrating economic models for open access, such as book processing charges, yield utterly unaffordable prices. For instance, Palgrave Macmillan, as part of SpringerNature, charges a fee of 13,000 euros per book (SpringerNature n.d.). Upon hearing this, many scholars’ jaws hit the floor. However, Palgrave charges approximately 93 euros for at least some of its hardback volumes (such as for my own, Eve 2014b, as of September 2020). This means that, in such a case, the BPC would be the equivalent of selling 140 copies, part of a longer trend of smaller unit sales of academic monographs that is still unfolding (for more on this, see Crossick 2015). Nevertheless, with departmental book purchasing budgets often smaller than the cost of a single BPC, the economic distribution of this model is prohibitive (for more on the landscape of OA business models for books, see Pinter 2018). One estimate for the cost of requiring all monographs to be open access in the UK’s Research Excellence Framework put the figure at £96m (Eve et al. 2017).

That said, other models are available. The breadth of business models that can support open monograph publication has been sampled in a range of recent reports (Crow 2009; Kwan 2010;

London Economics 2015; Ferwerda, Pinter, and Stern 2017; Speicher et al. 2018; Penier, Eve, and Grady 2020). One of the most striking findings in this area is that the desire for print still remains strong and many younger OA publishers—such as Open Book Publishers, punctum books, and Open Humanities Press—find that they are able to sell enough print copies to support their operation, even though a copy was available to download for free. In other words, open access does not replace print and the affordances of that medium (and reader desires for paper and ink) mean that selling print could remain a viable revenue source.

There are also more interesting revenue models for open access that do not concentrate the cost and that do not load this onto the author. These are called consortial models. In these models many academic libraries pool their resources into a central membership fund so that a publisher can make the work openly accessible, without charging authors or readers directly (Eve 2014c). Examples of this model include the Open Library of Humanities (of which I am a CEO)—which publishes twenty-eight journals using this funding model—and Knowledge Unlatched, which has released over two thousand openly accessible monographs through a similar system (Look and Pinter 2010; Pinter and Kenneally 2013). Such so-called “diamond” models for OA—in which there are fees neither to authors nor readers—eliminate many of the fears that authors have of the APC and BPC models, though they come with other challenges (such as, who decides which titles, at a book publisher, for instance, are made OA?). These models nonetheless equitably spread the cost burden among a large number of actors and achieve open access without ever excluding an author on the inability to pay. However, such models have not found universal favor as they are sometimes less accountable or transparent, and funders, for instance, often wish to pay *for their authors*, rather than to support a publishing infrastructure in general.

OA AND ITS DISCONTENTS

There are other objections to open access in the humanities disciplines that are more fundamental and not related to the economics of publishing. One of the strongest of these is the backlash against open licensing (Holmwood 2013, 2018; Mandler 2013, 2014). There are many reasons for this distrust that mostly stem from the permission to create derivative works. These anxieties range from historians (for instance) fearing that others will corrupt their words to worries that for-profit educational providers will simply appropriate freely disseminated work and use it to undercut the traditional research university. I will briefly cover these objections and the responses to them.

As noted, these fears come from the fact that, although the Creative Commons licenses almost always demand that it be clear that the work has been modified if a third party is re-using it, they do not demand that re-users signal how that work has been altered. The concerns here from historians, in particular, center around political re-use of their material outside the academy by extreme political groups. They are concerned that their words will be altered and attributed to them, by, for example, neo-Nazi groups, with only a footnote specifying that the work has been changed, resulting in reputational damage and historical distortion.

Prominent libel suits, such as *David Irving v Penguin Books and Deborah Lipstadt* over Holocaust denial, indicate that there are consequential and important uses for public history that can result in problems that require recourse to legal remedy. The situation that is here posited is not totally unrealistic. It is also fueled by the fact that we have insufficient publicly available legal advice on the extent to which defamation and libel suits remain viable with respect to work under

the attribution clause of the CC BY 4.0 license. The license, for instance, requires that creators waive their moral rights in order for the rights granted by the license to be exercised. The license allows modification and requires attribution. It therefore makes sense that a modification must be attributed unless waived, albeit with modification noted (but there is no requirement to notify the author of modified attribution). It is possible, then, that reputational damage/defamation could ensue from such attribution but that an author would have waived the moral right to pursue such a claim (the right “to object to any distortion, modification of, or other derogatory action in relation to the said work, which would be prejudicial to the author’s honor or reputation” specified in the Berne Convention). It is also possible, though, that defamation rests separately from these matters of moral rights within copyright in many jurisdictions. The question might hinge, though, in a court case on whether the attribution was wrongful if it indicated that the text had been modified (“‘I hate open access’ – Martin Paul Eve, wording modified from original”). If this were the case, though, the CC BY license might allow the attribution of anything to anyone, which seems unlikely to be held up in court.

Further to these objections about licensing, which are mired in legal technicalities, there is also a group that believes that open access is a solution without a problem. Namely, some people believe that everyone who needs access to research already has that access and that allowing access to the general public will result in misinterpretation of these outputs (Osborne 2013, 2015). This seems a difficult argument to sustain, given that many people graduate from humanities courses every year and could get access to research articles, if they were willing to pay. At present, we see low levels of continued engagement with those who have left university and it seems likely that at least one reason for this is that the material that they were able to access while they were at university is now prohibitively expensive. It remains my belief that if we could provide greater access to our research outputs—without charging readers—we would be contributing to the general education of the world in ways that would be beneficial to everyone.

Finally, there are concerns—mostly among those who are fresh to the debate—about the quality of open access publications. Will such material be peer-reviewed? How will we know if these openly published scholarly works are of the same quality as their subscription and purchase-based rivals? It is worth noting, up front, that there are problems with peer review in itself (see Eve et al. 2021). But the fundamental point remains that whether material has been subject to academic peer review or not is *totally unrelated* to whether that material is then sold or given away for free.

DIGITAL HUMANITIES AND ITS FORMS

I am mindful, in the closing moments of this chapter, that I have been speaking mainly about conventional humanistic output forms—the journal article, the academic monograph—in a volume that is concerned with digital humanities practices. Often, DH produces outputs that are unconventional: software, datasets, websites. Sometimes, these outputs have been OA by default, without there ever having been a discussion about it. Yet, I feel it is important that those in the DH community acknowledge and understand the often-vicious and tricky debates about open access and its economics in the more traditional humanistic space. For debates about openness are engendered and made possible by the shift to digital publishing.

Indeed, this debate only grows more intense. I will close with an anecdote that seems emblematic of this growing divide. In 2016 I attended two events, two days apart. One was a panel event in

front of a group of conventional historians. The other was a digital history panel. I was speaking, on both occasions, about open publication and the talk was broadly the same. At the first panel, the response was outrage. I was asked why I wanted to destroy all that was held sacred by this community. I was seen as an outside radical with dangerous ideas that would bring down the walls of a long-established publication culture. At the second—the digital history panel—I received the opposite reaction. “Why,” I was asked, “are you so conservative in your views?” Why, it was posited, should we not aim bigger in our aspirations for the global accessibility of knowledge?

Such an anecdote is, at the end of the day, just one instance. It is also, though, a marker of the strong sentiments that the debate around OA can stir.

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