

Is rational discussion of open access possible?

Open Access (OA), like any other model or strategy for the dissemination of knowledge, carries with it clear benefits as well as costs and downsides. These vary depending on the OA strategy in question, and in order for OA to bring maximum benefit to the world of scholarship, its costs and benefits need be examined carefully and dispassionately so that the former can be maximized and the latter minimized. Unfortunately, the OA advocacy community tends to resist all attempts to examine OA in this way, to the point that those who approach OA in a spirit of critical analysis (rather than celebration and evangelism) are attacked and punished. This article describes the problem, provides examples of it, and proposes strategies for promoting a more rigorous and analytical discussion of OA.

Cost and who bears it

Let us begin with the fundamental problem: scholarly information costs money. It costs money to generate information by doing research; having done the research, it then costs money to turn the results into a publishable document; having turned the results into a publishable document, having turned the results into a publishable document, then costs money to make the document available to the world and to keep it that way.

Typically, the initial costs of *doing research* are borne by a combination of funding agencies and academic institutions. In the past, the costs of *turning research results into publishable documents* have been borne by a combination of academic institutions and publishers, while the costs of *making the documents available to the world* have initially been borne by publishers. Each of these three entities (funding agencies, academic institutions and publishers) is funded from a different pool, though there is some overlap between them: public granting agencies are supported by tax revenues; private ones have their own endowments; academic institutions are funded by a combination of taxes, tuition, donations, commercialization revenue and grants; publishers are usually supported by charging readers (or readers' agents, usually libraries) for access to the documents they publish.

Economic and philosophical problems

No one much objects to funding agencies being underwritten by tax dollars, or to universities being funded by taxes and tuition. But publishers charging for access to formally published scholarship is increasingly controversial for two reasons – one of them economic and one of them philosophical.

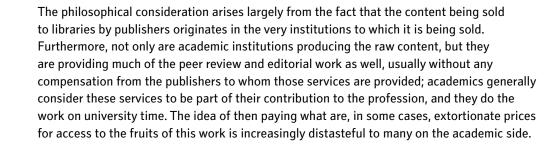
The economic consideration arises from aggressive pricing behavior on the part of many commercial scholarly publishers (and some putatively non-profit publishers as well) combined with relatively stagnant library budgets¹. With journal prices continuing steadily to rise and with library budgets rising modestly if at all, there is a slow-motion crisis underway in the world of journal subscriptions. Regardless of one's philosophical view of the current publishing system, the economic problem of mismatch between prices and budgets is a real and pressing one.



RICK ANDERSON

Associate Dean for Scholarly Resources & Collections J Willard Marriott Library University of Utah USA

"... publishers charging for access to formally published scholarship is increasingly controversial ..."



The combination of concrete fiscal pressure and a mounting resentment towards publishers who take scholarly content out of academia and then sell it back to academia at a high price has led to the growth of the open access (OA) movement, which proposes to make published scholarship freely available to the world². This movement has arisen not only because the current system is arguably unsustainable fiscally³, but also from the feeling that it is morally indefensible – that it is simply wrong to deny people access to scholarship, especially when the public has underwritten the research from which it originates⁴.

"... the current system is arguably unsustainable fiscally, but also ... morally indefensible ..."

Dissemination and publishing

Now, let us look again at the four-part problem outlined above: it costs money to perform research, it costs money to turn research results into a publishable scholarly document, and it then costs money to make the document available to the world and to archive it permanently.

The third statement in that sequence is actually much less true than it used to be, because with the advent of the world wide web (and, more particularly, with the emergence of free blogging platforms) the cost of simply disseminating one's research results is now negligible. Today, any scholar who wants to bypass the formal publication system and make his findings freely available to the whole world can do so at essentially no cost either to himself or to his readers.

So if dissemination is essentially cost-free, why have traditional publishers survived? Why do scholars – who presumably want readership more than anything else, so that their ideas and discoveries can have an impact on their disciplines and bring recognition both to themselves and their institutions – willingly feed their manuscripts into a system that slows down the process of dissemination and then restricts access to those papers, letting them be read only by those who can pay for the privilege or who work at institutions that pay on their behalf?

One answer is that scholars do not, in fact, typically want maximum readership above all else. Scholarly communication is about much more than just telling the world what one has thought and discovered. It is also about review and certification. Telling the world that one has discovered a cure for cancer is easy; Google the phrase 'cancer cure' and you will find a thousand people making just that claim. What is harder – what scholars and scientists want, and what costs money – is the process of taking submission of those claims; weeding out the obvious nonsense; subjecting the remainder to co-ordinated review; editing and formatting the papers that make it through that review; making them available; and creating and maintaining a robust and well-organized archive of them. Authors want that process to exist because when their work makes it through the process, it signals to their peers that the work is solid scholarship and should be taken seriously. Any model that proposes to do some or all of these things and then give the resulting documents to readers at no charge faces a problem: it will have to get financial support from a source other than readers.

I mentioned earlier that academia underwrites some parts of this process, because the editors of scholarly journals and the peer reviewers who provide first- or second-pass filtering of submissions are very often academics themselves, whose time is paid for by their

"It is also about review and certification."





host universities rather than by publishers. However, it is also true that their contribution to the scholarly certification process only accounts for some of the work and the cost that go into that process. Substantial costs are still borne by publishers as well.

The basic challenge, then, is this: the costs of producing scholarship have traditionally been underwritten partly by subsidies of academic time and effort, and partly by access fees paid by libraries and readers. To make scholarship freely available to readers threatens the viability of scholarly publishers, a few of which are large and very profitable multinational corporations, but most of which are nonprofit professional and learned societies that regard publishing as a core element of their missions and depend on publishing revenue to underwrite services for their members.

Open access models vary in their responses to this challenge, which is to be expected. What is distressing is what seems to me a tendency, particularly among the most prominent voices in the OA community, to insist that discussion of these models focus exclusively on their benefits, and to discourage and punish any discussion of their costs and downsides.

Let us look at those two statements separately.

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The open access proposition: benefits and costs

First, in regard to the statement that OA models vary in their response to the cost challenge: the two broad models currently most prevalent are generally referred to as 'gold' and 'green'⁵. Under the gold model, formally published articles are made freely available to the public immediately upon publication, and the publisher's revenue stream is usually preserved either by some form of institutional subsidy or by payments exacted from authors. Under the green model, articles are published as usual in toll access journals; however, some version of each article (often the final peer-reviewed manuscript) is archived in a repository and made available to the general public. In many cases, an embargo period of six or 12 months is imposed on access to the deposited article in order to protect at least some of the publisher's ability to sell access to the formally published version.

Each of these models addresses the fiscal challenge in a different way. Each involves costs and benefits, and each of them entails consequences both intended and unintended.

An important, positive and intended consequence of gold OA is free public access to high quality scholarly information. An important (though unintended) consequence of the gold model lies in the fact that, since it provides for immediate free access, the publisher's incentive to maintain a high quality of output is weakened. This is not to say it disappears entirely or that gold OA journals are necessarily of low quality - their quality, like that of toll access journals, varies considerably. It is only to point out that when a business model does not rely on people buying the product, the incentive to invest in high quality is relatively weak. This is a problem when the journal in guestion is supported by institutional subsidy - but when a gold OA journal is funded by author payments, the incentive problem becomes far worse. In fact, with an author-pays model, the quality incentives move from weak to actively perverse: if one's revenue increases with a higher rate of acceptance, then there is a strong incentive to accept papers without regard to guality. The implications of this perverse incentive are serious, and are playing out with the emergence of what has come to be called 'predatory publishing'⁶. Another downside to the author-pays version of gold OA lies in the fact that authors do not typically pay these fees themselves, but instead very often write them into research grant proposals. This means that funds are directed away from the support of new research and towards the free dissemination of prior research results. When OA journals are supported by institutional subventions, then the problem is one of opportunity cost: what must the organization stop doing in order to support an OA journal?

"To make scholarship freely available to readers threatens the viability of scholarly publishers ..."

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An important, positive and intended consequence of green OA is free public access to high quality scholarship. An important (and at least partly unintended) consequence of this model is that it undermines the ability of publishers to recoup the investments they make in selecting and preparing articles for publication and in maintaining an ongoing archive of them afterwards. In the case of this model, the perverse incentive lies not with publishers, but with those who encourage and facilitate the model itself. Green OA relies on publishers continuing to add value to raw manuscripts and on readers and librarians continuing to buy subscriptions, but by making the resulting articles available for free it reduces the subscribers' incentive to continue "Green OA can only paying for them; this threatens to put publishers out of business and thus succeed in the long to undermine the green OA model. Green OA can only succeed in the long run if it works run if it works poorly – if the versions available for free are substantially poorly ..." inferior to the versions available at a cost, or if they are hard to find. If the model works so well that it results in universal, easy, immediate and comprehensive access to high quality articles at no cost, the incentive to pay for access disappears completely – and so, eventually, do the publishers on whom the model depends.

In summary, then, the OA movement has responded to genuine problems in the scholarly communication marketplace with a variety of strategies, each of which offers a mix of both very real benefits and advantages and very real costs and disadvantages.

Punishing dissent

It has always seemed to me that the costs, benefits, merits, challenges, implications and consequences of any dissemination model can (and should) be assessed and analysed with some degree of dispassion and objectivity. This brings us to the second statement made above – the one concerning an unwillingness in the OA advocacy community to discuss (or even to countenance discussion of) these issues in that manner. The remainder of this paper will discuss manifestations of that unwillingness and propose steps that might be taken by those of us in the scholarly community who wish to encourage a more rational and inclusive discussion of these issues.

Some will be tempted to dismiss what I say on this topic out of hand, because I write for the Scholarly Kitchen, a professional blog where scholarly communication issues (including OA) are discussed in a critical mode, and which is often characterized by OA advocates as an anti-OA forum. This is an unfortunate but common response, and it illustrates the problem I will describe. (Screenshot illustrations of many of the examples provided below can be found, along with a transcript of the lecture on which this paper is based, at http://discussingoa.wordpress.com.)

For example, recently I published a posting⁷ in the Scholarly Kitchen blog that pointed out some serious problems with ROARMAP⁸, an influential registry that claims, misleadingly, to be a registry of 'mandatory archiving policies'. One OA advocate, instead of addressing the pervasive errors and misinformation documented in my posting, responded (via Twitter) simply by asserting ROARMAP's wonderfulness and attacking the Scholarly Kitchen for talking about ROARMAP's problems. This was only one response, of course, but similar reactions from others are documented in the comments section of the posting. Another response, on the blog of influential OA advocate, Stevan Harnad, questioned my motives in drawing attention to the problem⁹, characterizing the Scholarly Kitchen posting as "skulduggery" and referring to the blog as "the Scholarly Scullery". None of this constitutes rational discussion; it is an attempt to avoid it.

The ROARMAP site itself also provides an example of the dynamic in question: instead of accurately and objectively presenting data about institutional OA policies, it presents such data inaccurately and in a manner that seems, in this author's opinion, clearly designed to exaggerate those aspects of the policies that the site's owners find most congenial. Nor is ROARMAP the only such example: the MELIBEA registry¹⁰, based in Barcelona, is, if

"None of this constitutes rational discussion; it is an attempt to avoid it." anything, less accurate than ROARMAP in its presentation of OA policies, as demonstrated in the subsequent discussion in the Scholarly Kitchen.

Much of the controversy about these registries arises from the strange insistence, on the part of some prominent members of the OA community, on referring to all OA policies as 'mandates', even if they have nothing mandatory about them. I asked two of the people responsible for ROARMAP why the systematic exaggeration is necessary. One (according to Harnad) chose not to respond because I write for the Scholarly Kitchen. The other – Harnad himself – responded (in the comments section of the Scholarly Kitchen posting cited above) by simply repeating, at length, the assertion that all OA policies should be called 'mandates' regardless of whether they are mandatory, and by speculating once more about whose interests I was trying to serve by raising the issue. This, again, is not rational discussion; it is an attempt to shout down and discredit the messenger.

Strategic overreaction and willful ignorance

A related tendency among OA advocates might be called 'strategic overreaction'. The American Historical Association recently called on institutions to allow graduate students to embargo their dissertations for up to six years (instead of the two or three typically allowed now)¹¹. This was characterized by OA supporters on Twitter as "shocking" and "repressive"; a scholar who tweeted his support for the AHA's position was publicly characterized as "dumb as a box of hair"¹². One librarian who took exception to the AHA's statement characterized it, sneeringly, as a call to "protect the children" and to "turn the clock back"13. Fair enough; this is the internet, after all, and there is nothing wrong with expressing one's opinion, however over-the-top it may seem. What undermines rational discourse more seriously, however, is when one criticizes a statement that one has not made a good-faith attempt to understand or even to read. In this case, many of the AHA's harshest critics seem actually not to have read the statement, since a good number of them characterized it as a call for embargoes, which it was not - it was a call for authors to be allowed to embargo their dissertations for a longer period than usual, if they so choose. One critic who did read the statement and saw how uncontroversial its actual content was chose, therefore, to criticize the statement's 'subtext' instead of its text – or, in other words, to take it to task for things it did not say but which the critic was sure it really meant¹⁴. It does not seem to me that name-calling, misrepresentation and mind-reading are examples of rational discussion. Instead, they are attempts to avoid and derail it.

The most egregious example of this kind of reaction, however, came in response to science journalist John Bohannon's study of editorial practices at several hundred OA journals¹⁵. He orchestrated a sting operation, whereby he submitted a putatively scholarly paper (which actually contained nothing but nonsense) to 304 author-pays OA journals, just over half of which accepted it for publication. His finding reflects the perverse incentive discussed above: a journal that makes its money by accepting papers rather than by selling access to high quality content has a natural incentive to accept low quality papers. Instead of acknowledging this problem and expressing concern over the degree to which it is reflected in the practices of quite a few OA journals – practices that Bohannon demonstrated conclusively – the OA community generally responded by attacking Bohannon¹⁶. Now to be clear, Bohannon's investigation was not perfect and there are legitimate criticisms to be made of it; what is not in question, though, is that he identified a large population of OA journals that are willing to accept nonsense in return for payment and then present it to the world as science. The OA community's defensive response suggests a widespread unwillingness to discuss or even acknowledge – let alone deal with – this problem¹⁷.

"What undermines rational discourse ... is when one criticizes a statement that one has not made a good-faith attempt to understand ..."



¹⁷⁶ Shooting the messenger and magical thinking

What all of this means, I believe, is that OA's growth and progress are being hampered by a 'shoot the messenger' culture that inhibits the OA community's ability to deal with real issues and challenges. The only challenges that are allowed to be discussed are those related to how best to spread the word of OA, how to implement OA programs, and how to achieve maximum adoption of OA policies. Challenges and problems

that arise from OA itself are not to be discussed; attempts to discuss them are punished.There is another aspect to this problem, though, and it has less to do with attacking those who raise questions or concerns than it does with trying to

attacking those who raise questions or concerns than it does with trying to prevent or pre-empt concerns from being expressed in the first place. Two strategies are widely employed in this regard: the first is to talk constantly about OA's inevitability¹⁸, its inexorable rise¹⁹, its dramatic and unstoppable growth²⁰, and so forth in terms that have more in common with war propaganda than with rational discourse²¹. This tendency can sometimes be a bit embarrassing, but it is not terri

rational discourse²¹. This tendency can sometimes be a bit embarrassing, but it is not terribly serious – flag-waving has its place, after all. More troublesome is a second strategy, which is to encourage OA advocates to pretend that the war is already won. Consider this quote from a prominent American OA leader and lobbyist²²:

"I think it is critical for us to recognize that the moment is in our hands when we need to stop thinking of Open Access as fighting to *become* the norm for research and scholarship, and to begin acting in ways that acknowledge that Open Access *is* the norm." (Emphasis in original.)

Such language represents not a call for rational discourse, but a call for magical thinking. Responsible estimates of OA's penetration of scholarly publishing currently range from 2.5% of articles (under gold and hybrid models)²³ to 20% (under gold and green combined)²⁴, but even at the top end it is quite clear that toll access models remain very much the norm in scholarly publishing. Pretending otherwise might be inspiring, but it undermines our ability to talk in useful and realistic ways about the challenges that exist in the real world. More perniciously, it also erodes our motivation to address real problems created by OA initiatives; after all, if OA has already conquered the world of scholarly publishing, what point is there in raising concerns about it or pointing out problems?

Another example of magical thinking is the common assertion that, in cases where the public has paid for research, this means the public has paid for the articles that result from it. This argument is implied in common phrases like 'taxpayer access to publicly funded research'. It uses a word game to produce an economic sleight-of-hand illusion: by pretending that the terms 'research' and 'article' mean the same thing, one can hide the significant costs involved in turning research results into articles. In reality, however, what the public usually funds is some combination of the research itself and the initial writing up of its results, not the costly and subsequent processes that turn research results into documents that can be accessed by the public²⁵. (One might as well argue that since the public paid for the subway to be built, no one should have to pay to ride it.)

What about OA opponents? Are they more willing to discuss these matters in a reasonable way? In fairness, I obviously have to address this question. The problem is, it is difficult think of anyone who, to my knowledge, actually opposes OA (other than, perhaps, Jeffrey Beall, who has done excellent work on the problem of predatory publishing but whose recent article attacking the OA movement²⁶ was, in my view, unbalanced, inaccurate and unfair.) Even my fellow writers in the Scholarly Kitchen – despite the way we are regularly characterized in the OA blogosphere – are not generally opposed to it; several of us, in fact (myself included) are actively involved in supporting OA programs. In my experience, a person will be characterized as an enemy not for actually opposing OA, but rather for making any public suggestion that OA entails problems and costs as well as benefits.

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Now, it is important to note that some organizations – particularly organizations of publishers and authors, such as the DC Principles Coalition, the Association of American Publishers, and the Copyright Alliance – do sometimes oppose particular OA initiatives²⁷, and some have taken an organizational stance that is more or less generally anti-OA²⁸. However, none of these organizations or their representatives has, to my knowledge, engaged in the kind of shaming and conversation-stopping behaviors that I see regularly on the advocacy side.

Advocacy vs. analysis

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What we need is an environment in which it is possible for all stakeholders to speak openly, candidly and rationally about the pros and cons, the costs and benefits, of all publishing models – not without fear of contradiction, but without being shamed, silenced, or accused of bad faith simply for raising important and troublesome issues. When discussing OA we must be able to talk about both its benefits and its costs, because when we insist on talking only about benefits, we are engaging not in analysis, but in advocacy. Advocacy has its place, but its limitations should be obvious: it is in the nature of advocacy to try to quash any suggestion that the thing for which one is advocating produces anything other than benefits. This seriously limits the advocate's ability to deal in a reasonable and effective way with real-world problems.

The irony is that when a community of practice pushes analysis aside in favor of advocacy, it reduces its own effectiveness as a community. Advocacy is actively counterproductive if it means actively discouraging the discussion of real issues and problems. One can only ignore reality for so long before it finally wins. To be clear, none of this is to say that anyone should stop advocating for OA. What I do hope is that those who do so will refrain from demonizing, misrepresenting and silencing those who try to discuss OA in a spirit of critical analysis.

It is important to point out that not everyone working for open access is trying to silence dissenters and doubters – but the voices trying to discourage discussion and debate, and to shame anyone who raises concerns, are loud and public, and I would be much less concerned about that if I saw more prominent figures in the movement standing up publicly in favor of open debate and critical analysis. There are many voices in the OA community calling on us to fall into line, to come to the altar, and to accept either that resistance is futile or that victory is inevitable (depending on one's perspective). I wish there were more voices inviting us to raise concerns, to help identify and resolve issues, and to anticipate problems. I wish I saw the embrace of dissent that most of us in libraries would, in any other context, consider to be an essential aspect of intellectual engagement. Some skeptics are willing to raise their voices even if by doing so they run the risk of being put on an enemies list²⁹, but too many others have decided that keeping their heads down is the better and safer path. The sad thing is that the OA

what the critics and questioners have to say. What is to be done?

How, then, do we foster an environment in which critical and constructive discussion of OA is possible? Here are six steps that I believe all of us - no matter where we sit on the advocacy spectrum – can take:

community would almost certainly benefit, in the long run, from listening to

Acknowledge that all models have pros and cons. Any discussion that proceeds from the assumption that open access (or toll access, or any other model of scholarly communication) has only upsides or only downsides is a discussion that will not be honest and is highly unlikely to be rational and productive. Even a system that produces universal access to scholarship will have downsides that impact dimensions of scholarship other than access. Here is a thought experiment that each of us can undertake in the privacy of our own minds: think of your favorite access model. Perhaps you are a for-profit publisher and subscription

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revenues are essential to your business; maybe you are an OA advocate and your ideal scenario is universal and immediate green OA. Ask yourself this question: "If my ideal solution were universally adopted, what would be the downsides for scholarship?" If you can think of none, then one of two things is true: either your preferred model is perfect, or you are not examining your model fairly.

Comprehend, and then respond. Too often, productive conversation is derailed because one or more of the participants is responding not to what was said, but to some distortion or misrepresentation of what was said. Each of us can be careful to avoid that mistake and can quickly take responsibility when we do make it.

Focus on the substance of statements, not on the supposed motivations of the speaker. It is a difficult and unpleasant fact, but a fact nevertheless, that a miserable person of ill will can speak the truth. While the speaker's intent is not entirely irrelevant, when it comes to finding workable solutions to real-world problems, it is ultimately the truth or untruth of a proposition that matters most. Attributing ill intent to others is, far too often, a ploy for distracting people from the substantive issue.

Avoid 'poisoned well' and 'ad hominem' arguments. This is related to the question of motivation, but it is not quite the same thing. Poisoned well and *ad hominem* arguments say 'no matter what that person says, we should not listen because he is a bad person or believes in Bad Thing X'. Any time one encounters this line of argument, it is very likely that the person making it is afraid of what will happen if one looks closely at the issue in question, and is therefore trying to shift the focus away from the issue and towards the defects of the person raising it. None of us should engage in this kind of argumentation.

Take unintended and unexpected consequences seriously. No matter what initiative one undertakes – a new toll access journal, an open access policy, an institutional repository, a change in copyright law – some of the consequences of that initiative will be intended and wished for, and others will be unexpected and undesired. One of the dangers of advocacy is that it carries with it an incentive to discount the unintended and the unexpected and to focus on the intended and the expected. Advocacy leads us to emphasize convenient truths and either to deny or to downplay inconvenient ones. Again: this is not to say that there is no place for advocacy in the conversation about OA – only that we need to be aware of its limitations as a frame for useful and responsible discussion.

Invite all stakeholders to the table. I will close by sharing a quote from my colleague T Scott Plutchak, Director of the Lister Hill Library at the University of Alabama – and, for the record, an OA supporter. A few years ago, Scott participated in a Scholarly Publishing Roundtable that was convened by the US Congress under the aegis of the House Science and Technology Committee. The roundtable included representatives from both the public and the private sectors including librarians, scholars, academic administrators, toll access publishers, OA publishers and scholarly society officers. The documents and recommendations resulting from the group's work can be found on the Association of American Universities' website³⁰, and they are very interesting; one outcome worth noting is that two members of the group (one from a large commercial science publisher³¹ and another from a large nonprofit OA publisher³²) chose formally not to endorse its findings. Plutchak later observed that

"the recommendations of the Roundtable ... were largely incorporated into the America COMPETES Act and substantially informed the requirements laid out in the Holdren OSTP memo. The Roundtable remains, as far as I'm aware, the only significant OA-related activity to have active and equal participation from librarians, publishers large and small, commercial and not-for-profit, as well as senior representatives from the university community. Certainly *its success in influencing federal policy is a reflection of that, despite the fact that it was that very inclusiveness that led to its being immediately dismissed by many of the loud voices in the debate.* It has been explicit in our discussions with policy makers that they are seeking moderate and inclusive views to help develop policy." (Emphasis mine.)



Moderation and inclusiveness are unpopular notions in many segments of our society today, and nowhere more so, I believe, than in the scholarly communication wars. The problem is that when we are dealing with complex problems involving many stakeholders, needs that are in tension with each other, and inevitable trade-offs, moderation and inclusiveness are essential to a rational and productive discussion.

"... moderation and inclusiveness are essential to a rational and productive discussion."

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Rick Anderson

Associate Dean for Scholarly Resources & Collections, J Willard Marriott Library University of Utah, Salt Lake City, UT 84112, USA Tel: Desk: +1 (801) 587-9989; Mob: +1 (801) 721-1687 | E-mail: r<u>ick.anderson@utah.edu</u>

ORCID iD: http://orcid.org/0000-0002-1623-7067

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