Protecting Access to Scholarship: We are the Solution

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A wag told me I ought to come in costume dressed as Moses — because I was leading the Children of the Libraries out of the publishing houses of bondage. Besides, I already have the beard and the background. I even have the staff. But I decided not to come in costume. I decided to bring a list of commandments instead:

I am the Word, the Truth as best you know it.

Spread me diligently on the printed page and widely on the Internet.

In exchange for an academic editorial position,
Do not promise to give notice of resignation in advance
Or to refrain from editing for another publisher.

Keep your copyrights.

Ignorance is immoral. Pay attention to what is happening.

Deal not with publishing profiteers.
Do not submit to their publications.
Do not review for them.
Do not edit for them.
Do not read them.
Do not cite them.

Do not allow your academic societies to do business with them.

Encourage your academic editors to divest them of their journals.

I call that code of behavior — **An Academic's Guide to Publishing Ethics**
It is the answer to our problems.

OK, but if that's the answer, what is the question? The question is, "How can we prevent the world of knowledge from being kidnapped and held for ransom?" Let me explain.

Several commercial publishers have so emphasized the maximization of profit that they have restricted the flow of knowledge. Libraries now pay, in inflation adjusted dollars, some 7% more for journals than they did a decade ago. And they receive almost one fourth fewer titles for this extra money. Worse, the reductions in circulation do not affect only the commercial titles. The titles of non-profit presses and societies are similarly reduced.

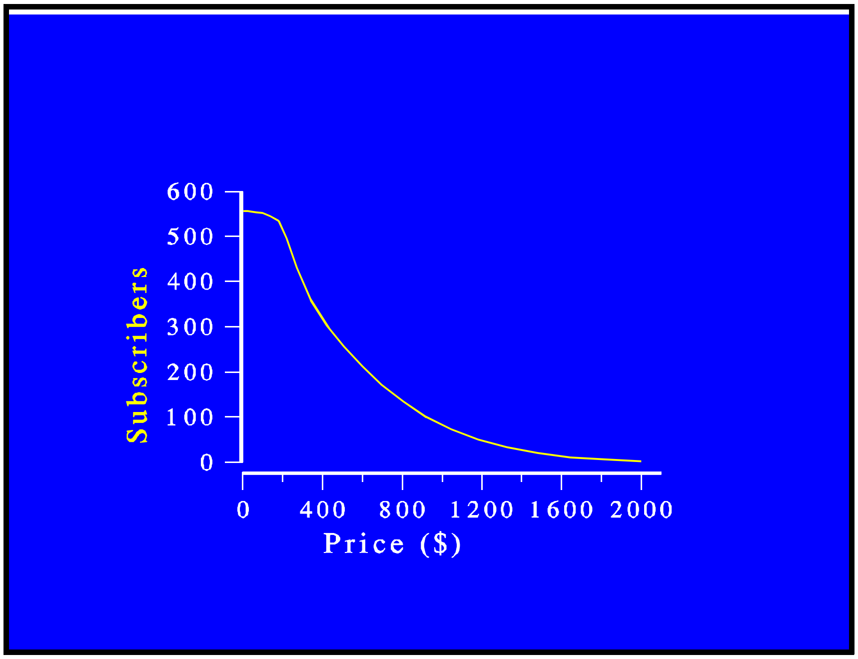
And there is a domino effect on books. Compared to cancelling a journal subscription, books are easy **not** to buy. A senior editor of one of the most prestigious of all university presses once confided to me that her press used to be able to sell a minimum of 1200 copies of each scholarly book that bore its imprint. That was a decade ago. Now it can count on only 300 sales. Three quarters of its customers must do without.

The publishing profiteers have chosen to ignore their duty to disseminate knowledge as widely as possible. They have turned renegade, exiling themselves from the academic enterprise, and focusing entirely on making the most money for their stockholders.

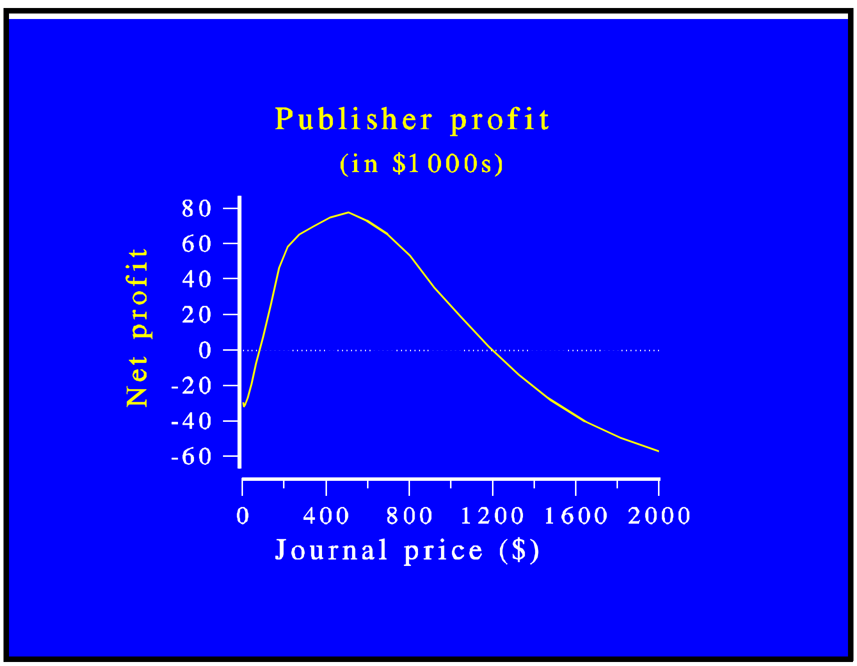
In my naivete, I once thought the two goals — wide dissemination and making the most money — were the same. To make the most money, you need to sell the maximum number of copies. Right? Not! The fact that I believed that fable, the fact that most of my colleagues believe it to this day, just tells you that scientists don't know much about business. In particular, what we know about pricing would fit inside the nucleus of a single hydrogen atom. But the key is pricing.

I've worked out a case to make the point. In it, I use numbers very much like those of ***Evolutionary Ecology Research***.

To figure out how much profit you will make, you have to know the number of subscribers you will attract. But the number of subscribers depends on the price. As the price goes up, sales decline. Catch 22! So businesses do market research. They ask, if the price is $$, how many will subscribe and how much profit will we make? The answer is a graph that looks something like the following figure:



Now we subtract the costs from the estimated sales to figure how subscription price affects profits:



And that takes you right to the judgment call, the step that involves ethics. Do you want to make the most profit? Or do you want a fair profit with as much sales as is possible given a healthy business?

Getting the most profit is easy. You just set the price at the peak of the curve, maximizing the difference between total costs and total income. But that means fewer subscribers. Maximizing profit denies access to some interested readers:

	Price	Subscribers	Profit
Non-profit	*$ 85*	551	*$ 0*
	99	550	*7445*
	136	543	*25362*
	179	533	*46118*
	220	495	*58476*
	270	430	*64694*
	340	358	*69420*
	420	303	*74449*
Profit maximizer	*509*	257	*77279*

The concept of fair profit is tough. What is a fair profit? It is not a simple calculation. The answer lies somewhere between breaking even and maximizing profit.

I'll come back to the problem of fair profit a bit later. However, at ***EER***, we decided that what has become traditional in our field of biology over the past decade greatly exceeds a fair price. So, we rolled back library prices to about 30¢/page, where they were 13 years ago, and we have not increased them at all for the current year. Meanwhile, the publishing moguls keep on increasing their prices.

If the renegade profiteers actually produced the knowledge with which we entrust them, maybe we could forgive them. But taxpayers pay for almost all of it and library clients actually produce it. Taxpayers pay the research bills, the copy-editors, the typesetters, the printer and the mailer. And we produce it with our hard scholarly labor. These profiteers have been claiming that they add great value to our journals. But they merely handle our money. And they have been taking much more than a fair share of it.

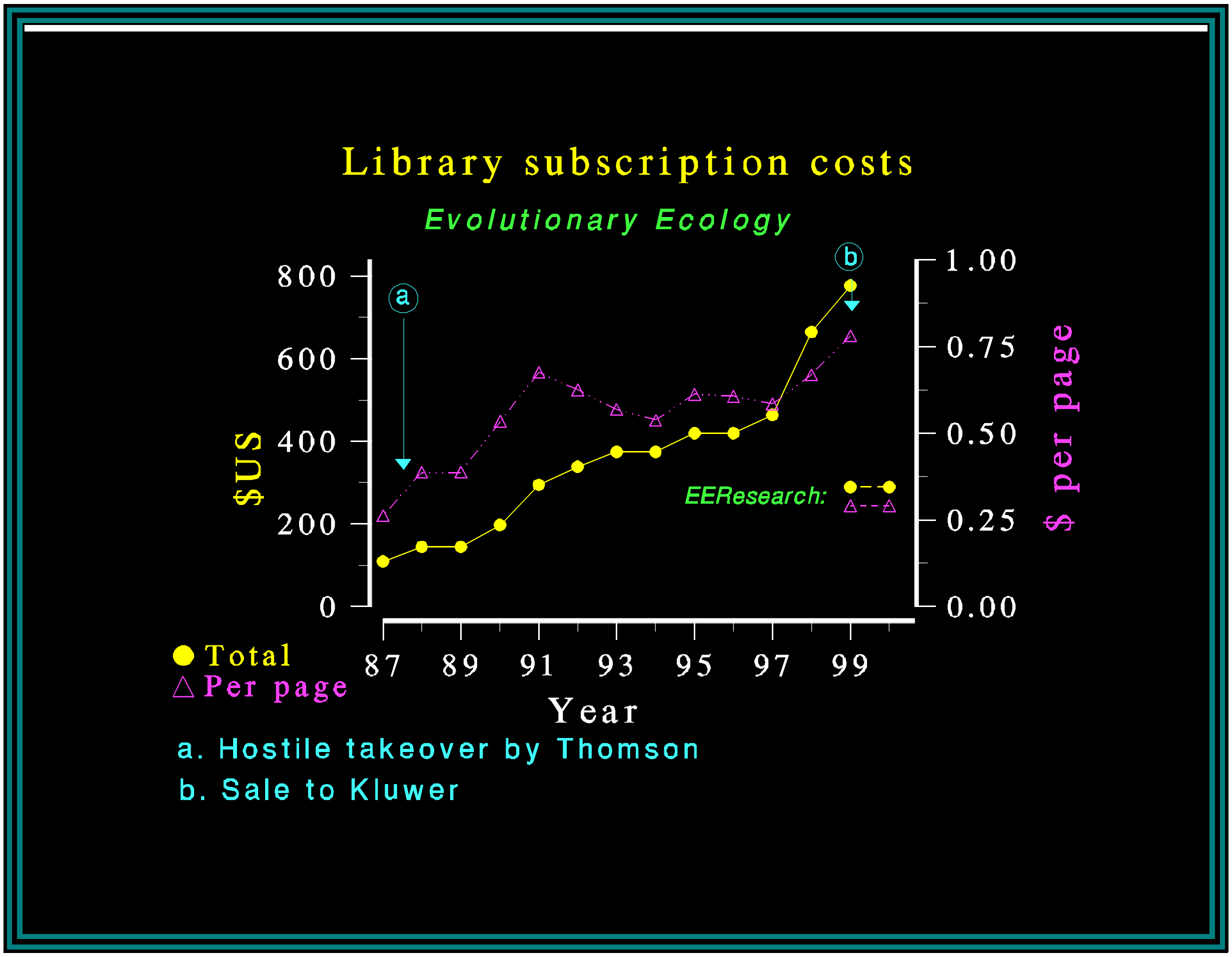
Meanwhile, I must tell you that most academics are oblivious. We have no idea what libraries are going thru just now. We have no sense of what a publisher does or how inexpensive it is to do it. We don't even know about our own rights and privileges. When it comes to publishing, we are an uninformed herd, fed, milked and slaughtered at will. And happy to be of service!

To illustrate the problem, I want to contribute the story of *Evolutionary Ecology* and ***Evolutionary Ecology Research***. In late 1984, I began working with a fine English commercial publisher to create a new biology journal. Chapman & Hall was Charles Dickens publisher, and Anthony Trollope's too. It had 150 yrs of proud accomplishments to its credit. And it was acutely aware of its dual role as profit-maker and disseminator of knowledge and of culture. I never signed an agreement with Chapman & Hall — our relationship was based entirely on old fashioned trust.

Evolutionary Ecology started as a Smythe-sewn quarterly of three signatures each issue. For those unfamiliar with the arcane terminology of book manufacture, I will say that ‘Smythe-sewn’ means the highest quality, old-fashioned binding. Smythe-sewn publications withstand the multi-user torture that books get in big libraries. They often last for centuries. Despite this high quality, *Evolutionary Ecology* was inexpensive. Libraries paid $100/yr and individuals, $35.

Then in 1987, Chapman & Hall suffered a hostile stock takeover at the hands of International Thomson Corporation. ITC paid threefold what others thought Chapman & Hall stock was worth. Why? Because they priced the stock based on what they planned to charge for Chapman & Hall publications, not on what C&H charged. And ITC planned to charge a lot more! My honeymoon with Chapman & Hall was over.

Prices soon began to rise. Yes, the journal grew in size. But the sewn-signature binding was replaced by a much cheaper binding. And there were other signs of cost cutting. Skilled employees left and were replaced by tyros who made a lot of mistakes. Then, these were replaced by independent contractors. Chapman & Hall did not have to pay them any benefits nor even to provide them any desk space. I would send the manuscripts to a copy editor who did not even live in London, let alone work for Chapman & Hall. That person handled further communication with authors and with the typesetters (who worked in Bombay) and a printer (whose plant was in Wales). After printing, journals went to a mailing house with international offices. All Chapman & Hall did was collect and dispense the money. There was no risk because, as you well know, subscribers pay in advance.



Much later I discovered that ITC kept most of that money for themselves. For example, in 1998, our journal had some 400 subscribers worldwide. All costs of producing and distributing the journal amounted to less than $80,000. But subscription revenues were somewhere between $250,000 and $300,000.

For a decade, prices are rising and I am squealing my little head off. I doubt that it did much good, although I like to think I may have minimized the inflation of our journal's prices at least a bit. Basically however, I was powerless, absorbing lame excuses one after another. "Paper costs are up, mailing is up; typesetting costs more; *EE* has more pages per year." All of these things were true, but they had little to do with the price increases. The truth rather lay in the unrestrained greed of profiteers who knew they had us all locked in. How else can you explain a 275% markup on goods paid for in advance?

And the publishers say they add value! What they really add is exorbitant cost.

Then, in March 1998, ITC sold Chapman & Hall to Wolters Kluwer. My dream of lower prices changed from fantasy to foolishness. There was every reason to expect further price inflation.

I had had enough. My editors had had enough. We pleaded: Sell us to a university press. Please sell us. But Kluwer refused. So, guided through the uncharted desert by our fiery attorney — a pillar of the community — we girded our loins, put sandals on our feet, took up our staffs and set out for the Sea of Red Ink.

Kluwer could not believe it at first. But, once they did, they expressed a certain amount of displeasure. How could I blame them? I think they bought the Brooklyn Bridge. They apparently believed they would acquire me, my editorial board, and all the backlog of unprocessed manuscripts on which we had worked so hard. Our lawyers did not agree. Neither did our authors. About 90% decided to submit their mss to ***EER*** rather than to *EE*. Publishers now claim far more rights than they actually have. And most academics simply believe them.

At first, we did almost all the work ourselves. But gradually we have been able to take on new employees. Today, thanks to its authors, editors, the SPARC project of ARL and a lot of hard work, ***EER*** is a success. It published a full eight issues — over 1000 pages — of top quality science in 1999, professionally and fully copy-edited, magnificently type-set and entirely on time. It has already completed 4 issues of its second volume to the same high standard. Instead of $800/yr, it costs about $300/yr. It enjoys subscriptions from almost all the top research libraries in North America and many others world-wide. All its papers appear on-line [WWW.EVOLUTIONARY-ECOLOGY.COM], and it has invented and encouraged new policies to help maximize the value that readers get from the internet. It has pioneered intellectual property rights policies that both protect its authors and make its articles entirely free for non-profit educational use by subscribers. And — I almost cannot believe this myself — it is actually making a very small profit!

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It sounds so easy, so straightforward. You have to wonder what went wrong. Just how did academic publishing wind up shackled in the hold of a slave ship?

I think the answer lies in recognizing the monopolistic nature of scholarly publishing. Every book, every article of original research is a virtual monopoly. So publishers can charge whatever they please, and some of us will have to pay it. Once a few renegades realized that, they and their companies made off with the loot.

How does society deal with monopolies? It employs two strategies, and one of them can work in this case. The one that cannot work is the one that insists on keeping publishing houses small. It may not matter how small they are. Publishers are monopolies, not so much because of their size, but because every article they publish is unique. Like water, electrical and telephone utilities, they are what is called a natural monopoly. As Alan Murray said [2000, 17 January; *The Wall Street Journal*, p. A1:In the New Economy, You've Got Scale]: "**Under certain circumstances, natural monopolies are a menace to the public**." (Bold emphasis his) That is why our governments regulate them.

In fact, regulation can work to rein in the profiteer publishers. Not regulation by government, but regulation by libraries and scholars.

Regulation means several things. First it means recognizing that a publisher is entitled to a fair profit. Then it means understanding that the marketplace defines the words "fair profit" and changes that definition as economic conditions change. When I was a boy, the Philadelphia Electric Co. was permitted to make 7%. That was enough to attract the capital required to operate the company. In the halcyon days of Jimmy Carter's presidency, seven percent was a joke. Seven percent was a ticket to bankruptcy court. What I am saying is we do not need to reinvent the wheel here. Models exist for estimating what the fair profit of a monopoly ought to be. We should use those models and institute a sort of oversight commission to keep them up-to-date, and to monitor publishing companies.

But what do we do when a publishing house thumbs its nose at us?

- Our first responsibility is to pay attention. Listen to the oversight commission.

- Next, we must insist on keeping copyright to our own research papers and declare that our work may be freely used for noncommercial educational purposes. Today, publishers claim copyrights for themselves, then they use that claim to interfere with dissemination by demanding supplementary fees for such ‘luxuries’ as using an article in a course-pack.

- As soon as a publisher is identified as a profiteer, the scholar must become an activist. Stop submitting. Stop reviewing. Stop editing. Stop reading. Stop citing.

- And we academic editors must peel the journals of that publisher away from its grasp. One by one ought to do it. I don't believe in capital punishment.

- The editors have all the power. And no academic editor should ever give it up by agreeing to give notice of resignation in advance or by agreeing not to edit for another publisher for any length time, even one day. I am convinced that signing such agreements is unethical because if the editor honors the agreement, he or she cannot effectively oppose unethical pricing policies.

Consider ***EER***. No editor of evolutionary ecology had ever signed any agreements whatsoever with the journal’s publishers. Our freedom meant that we could continue our editorial work without breaking stride. We could offer authors who had submitted their mss to us the choice of publishing in the old journal or the new one. They owned the copyright; it was their call. But they could not have chosen ***EER*** if we had agreements that forced us into inactivity for even the briefest period of time.

- Finally, our academic societies should cease doing business with any publishing profiteer. We must not sell them our journals or license them for publication by them. This is so painfully obvious that it embarrasses me to admit that it is not followed.

To preserve reasonable access to knowledge, academics need to restore sanity to pricing and property rights, so why don't we? Though we act the part fairly well, we are not slaves. But we do indulge ignorance. Ignorance of all sorts. Ignorance of what is going on. Ignorance of how little journal publishers do or risk. Ignorance of our own abilities to act. Ignorance of our ethical responsibilities. Ignorance of our own power and importance to publishing. Enough. Down with ignorance! It is our job to dispel ignorance — even in ourselves.

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