

Who Should Control Access to Research Literature?

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Many of the publishers objecting to the NIH plan already provide free online access to their contents after some delay. For some the delay is longer than six months but for others it is not. Some publishers allow postprint archiving without any delay at all, although perhaps they adopted this policy on the assumption that authors would not seize the opportunity in large numbers.

In short, their objection does not seem to be to OA as such. The objection is that the NIH plan will provide OA on the NIH's terms, not on the publishers' terms. The problem is control. Will the timetable and the conditions be set by publishers or by others, such as authors or funding agencies?

In the past, I've tended to focus on the access barriers that stand in the way of OA and the task of removing them one by one. But watching some publishers oppose the NIH OA plan (and other OA initiatives as well) when they are willing to remove some of these barriers on their own, I've shifted in my thinking a bit. The more fundamental question is who controls access, not what barriers stand in the way. Who should decide which access barriers to remove, when, and on what terms?

Publishers opposed to the NIH plan want to make these decisions themselves, not to cede control to anyone else, especially the government. Notice that we're not talking about decisions on what to study, what to publish, or how to conduct peer review. [...] The question is not how to conduct science, but how to control access to the results. Some publishers opposing the NIH policy like to blur this distinction, perhaps deliberately. [...]

Publishers who object to this loss of control are defending the remarkable proposition that they should control access to research conducted by others, written up by

others, and funded by taxpayers. More: they claim that they should control access to this literature even when it is given to them free of charge and even though the prices they demand for it have risen four times faster than inflation for nearly two decades.

If we let publishers control access to this knowledge, then the toll will continue to grow faster than inflation. Even if it didn't, or even if the prices were low and reasonable, the present system wouldn't scale, since the growth of published knowledge itself would quickly put the total price out of reach, creating access barriers based on the accident of user wealth. We want to remedy information overload, but we want to do it with smart tools that help us find the subset of information we need, not with crude policies that set off huge swaths of it, relevant and irrelevant alike, as too expensive.

Publishers cannot say that they deserve to control access because their role in the process is the most important. They facilitate peer review, which is critical, and add value in other, less critical ways. But nobody can argue that facilitating peer review is more important than conducting the research in the first place, or writing it up, or even funding it. The peer-review provider is now the access gatekeeper, but not because any rational principle requires it. When we start to replace this inherited system with a more rational one, the former gatekeepers protest, but I have yet seen them offer a principled objection. I've seen principled or evidence-based objections to the economics of OA journals and to the economic consequences of OA archiving; these are constructive, deserve responses, and are receiving responses. But publishers have not been as constructive or coherent on the fundamental proposition, represented by the NIH plan, that publishers should not be the ones to control when or on what terms the public will have access to publicly-funded research. Their objections to this proposition have been naked assertions of economic self-interest at the expense of the public interest.