Small changes, big effects

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Abstract

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Sometimes, only small changes are required for potentially huge downstream effects. Last September, ten international experts have identified two key decisions that may help academia to break out of the decades-long lock-in with academic publishers:

1. Regulators no longer granting academic institutions the single-source exemption for publisher negotiations
2. Funding agencies updating their eligibility criteria for institutions to include modern infrastructures.

EU regulators long-since recognize in principle that academic publishers are monopolies, i.e., they are not substitutable, justifying the single-source exception granted to academic institutions for their negotiations with academic publishers (another such negotiation round just recently concluded in the UK). Openly contradicting this justification for the single source exemption, the EU Commission nevertheless classifies academic publishing as a market and, moreover, demonstrates with Open Research Europe, that public, competitive tenders for publishing services are possible. This now offers the opportunity for the first decision: we propose that now is the time for regulators to no longer allow academic institutions to buy their publishing services from academic publishers that do not compete with one another in such tenders. The consequences would be far-reaching, but the most immediate ones would be that the (mostly secret and NDA-protected) negotiations between institutions and publishers, which allowed prices and profits to skyrocket in the last decades, would now be a thing of the past. Another consequence is that the obvious contradiction between academic publishing as a set of recognized monopolies in procurement regulation, but as a regular market in anti-trust regulation would be resolved. After this decision, academic publishing would be an actual market that could be regulated by authorities in pretty much the same way as any other market, preventing future lock-ins and monopolies. Yet another consequence would be that competitive pricing would reduce the costs for these institutions dramatically, by nearly 90% in the long term, amounting to about US$10 billion annually world-wide.

For as long as replacing journals or canceling subscriptions have been discussed, probably a decade or more now, a recurring question has always been how to ensure that any saved funds stay within infrastructure units such as libraries, where these moneys currently are administered. In this regard, we propose that funding agencies may cooperate globally to require eligible institutions to invest in such modern infrastructure, if they strive to remain eligible to receive funding. This proposal was already considered feasible and one consequence would be that institutions would face immediate requirements for investments for which the saved funds from the then illegal publisher negotiations may be a convenient source. Another consequence would be the de-funding of journals and their replacement with a superior technology. A combined consequence of the two changes would be that the scholarly infrastructure would be back under the ownership of the scholarly community, such that any mistakes, inefficiencies or new developments could be fixed or implemented without pleading to international corporations for their generous support. These ownership rights would also afford the scholarly communities to design their own reputation and assessment systems as well as to apply the scientific method for their improvement, continuous adjustment and development.

While I personally resent the concept of other people needing to help us cleaning up the mess we have created ourselves, these decisions from regulators and funding agencies, if implemented, would go a very long way to assisting the scholarly community to break free of the exploitative, parasitic lock-in we have been struggling against for at least 30 years now. In an ideal world, we academics ought to be capable of solving this collective action problem ourselves. However, I take our less-than-stellar track record over these last three decades as evidence that we do not live in such an ideal world and outside help is now the only practically feasible way out, no matter how resentful the thought of it may be. At the same time, this same, underwhelming track record suggests that we likely won't be getting it right on the first try. But because we would then have control over our infrastructure, we can not only fix any mistakes, we can also hire experts to help us prevent future mistakes.

P.S.: Obviously, 'small' is relative. 'Small' is meant here in relation to the massive, global consequences these two suggested changes could potentially entail. "Disallowing the single source exemption" may be spelled in a 5-word phrase, but may not be politically easy to implement, especially given massive lobbying efforts from the corporations. Likewise, while funders may already have acknowledged that updating their eligibility criteria in the described way would be feasible, they have also emphasized that it would not be easy. Thus, while the changes proposed here may look small from an academic perspective, it does not entail or imply that they are easy or effortless. Nevertheless, if the integrity and trust of scholarship around the globe is of any value, arguably, the efforts required for these changes should undoubtedly be worth it.