

A Nonmarket Solution for Scholarly Publishing?

Is it time to admit that the market for much of scholarly publishing no longer works and try another approach?

This thought, which has been percolating at the back of my mind for some time, recently has resurfaced in connection with two episodes in scholarly publishing with which I have been personally involved.

One is the controversial photocopying suit brought by Princeton University Press and two commercial publishers against Michigan Document Services for the unauthorized and uncompensated reproduction of copyrighted materials in coursepacks, which owner James Smith has argued to be "fair use" as it ultimately benefits higher education. A critical element in swaying the appeals court to take Smith's side in a 2-1 decision on February 13 was the mass of affidavits submitted by teachers asserting that they gain little if any monetary reward from their scholarly writings and have more of an interest in seeing them widely disseminated than restricted in any way by publishers' demanding payment for such use.

As chair of the AAUP Copyright Committee, I had a hand in advising on the preparation of the AAUP's amicus brief on the side of the plaintiffs, arguing that in no way as a matter of law or policy should this kind of for-profit, free-riding, parasitical publishing by MDS be construed as "fair use." Our brief points out that professors themselves are being extremely short-sighted in supporting MDS's position as they surely will lose out in the end because, without having such a stream of income to help underwrite the costs of original publication, presses will increasingly be unable to issue the kinds of works that these professors want to copy for their students--and that provide their own means of advancing in their careers.

If this decision is upheld, it will only hasten the demise of the scholarly monograph, already imperilled by cutbacks in library budgets and rising costs of production. But whatever the outcome of this case, we need to plan ahead for the time when the market really won't any longer be able to support much of academic publishing.

The other experience is the publication of a prize-winning monograph at Penn State Press in late 1994. A lengthy (656-page) study of conversion to Islam in Central Asia covering six centuries, this work exemplifies the best of scholarship and is precisely the kind of book university presses were set up to publish. It has so far won major book awards from the American Academy of Religion and the Middle East Studies Association and was also named an "Outstanding Academic Book for 1995" by Choice. Yet, despite its unquestioned critical success, it has so far sold, in cloth and paper combined, less than 600 copies. Were it not for the \$7,000 subvention it was granted by the National Endowment for the Humanities--from its now defunct and much-missed subsidy program--the press would be taking a very substantial loss on publication of this book; even with that subvention, the press probably won't ever break even on its investment.

The combination of academic success with market failure that the publication of this book demonstrates vividly underlines the widening gap that exists between what deserves to be published for the benefit of

scholarship and what the market will allow to be published with financial success (if only in break-even terms).

If professors have no concern for direct financial return from their scholarly publications, as those submitting affidavits for MDS allege, and university presses in the face of such attitudes and with decreasing ability to sell such works in the traditional marketplace are coming to question how they can survive if they remain in this business as their major activity, then it may be time for us all to think about alternatives for the future.

One possible future we need to contemplate, even if it has little chance of becoming reality anytime in the near future, is having a dual track in scholarly publishing. On one track would be the more specialized of scholarly works, which have little or no market outside of the academic community (such as our prize-winning book on Central Asia). These would be fully subsidized publications, in the sense that all costs for editing, designing, and producing them would be paid up front in the form of subsidies from universities (shared by the author's university and the press's parent university). They would not need to be issued in the form of regular cloth or paperbound books; the publisher would do all the prepress work and then store the monograph electronically on a client server at a Web site. The publisher could do some marketing for the work in the traditional manner, through inclusion in discipline catalogues and space advertising in professional journals (which themselves, however, may only exist in on-line form in the not too distant future, so that the "advertising" might take the form of "hot links" from the publisher's Web site to the journal's Web site); but much of the marketing might actually be done by librarians, who in this scenario would be highly skilled at guiding researchers to locate materials available at different sites on the Internet rather than cataloguers and warehouseers of print material located in real buildings. Publications on this track would be provided to the end-user at no cost, except for whatever extras (such as printout and binding) that an individual user may desire and decide to pay for.

On the other track would continue to be those publications--broader works synthesizing scholarship across disciplines, regional books of the kind that presses have always published for the benefit of the general public, perhaps some paperbacks that still may be widely used in their entirety in courses in print form (and not balkanized into coursepacks), etc.--for which a viable market would remain and where publishing would not change radically from what it has been for centuries. Such publications would be important, both as a source of revenue to support the fully subsidized side of the operation and as a demonstration--critical in this age of doubt about the value of universities' contribution to society--of what higher education has to offer.

There are problems such a dual track would have to confront and solve. One problem would be the effect of the "free" track on the "market" track. Might copyright protection--which would still be essential to prevent plagiarism and preserve the integrity of scholarly works even for subsidized publications--become devalued so that it might not suffice to provide the economic protection it now does to publications that would remain dependent on functioning markets? Would people who could get some books for nothing (in the sense that costs would be hidden from them) be less inclined to respect copyright for books they would have to pay for?

Another problem would be the possible devaluation of "free" books relative to "market" books for academic credit. Might tenure and promotion committees give more weight to the latter than to the former, just as they seem inclined to do currently for printed books and articles compared with on-line publications? This might be a temporary problem, so long as some monographs still remained on the "market" track, but I expect eventually that few monographs of any kind will remain on that track and so the problem might solve itself.

There would, however, have to be some allowance in this system for books to migrate from the "free" track to the "market" track if it turned out that some proved, after all, to have a viable nonacademic appeal. There might be difficulty here if the "free" version could still circulate after the "market" version appeared, but probably no more than exists now when a book, already in trade paperback, migrates into mass-market paperback.

This dual-track system would, I expect, actually be more economically efficient overall as a way of supplying academic needs. A lot of money is now being wasted in carrying inventory of slow-moving scholarly monographs, not to mention the cost of having them printed and bound in the first place--a cost that would be at the individual end-user's discretion in a "distributed publishing" model of the kind the "free" track operation would be. Some of the marketing costs for these titles would, as I suggested, be transferred to libraries as well. Thus would be reduced overall the expense needed to maintain a viable system of scholarly communication, a great deal of which would then exist only or at least primarily in electronic form.

An additional advantage of this "free"-track model is that it could serve to benefit developing countries and help close the knowledge gap between the haves and have-nots. Developing countries are never likely to catch up to the developed world in building an adequate publishing infrastructure in the print environment. Countries in this situation now have to rely greatly on hand-me-downs from the developed world, having been unable to create a viable indigenous publishing industry of their own. Perhaps, with appropriate technological assistance at the outset, they could afford to skip the intervening stage of print publishing--at least to satisfy their needs at the higher education level--and leap right into the GII environment, receiving the products of U.S. scholarship directly via the Internet at no cost other than the hardware and software necessary to hook up. This would be a type of "foreign aid" that could help underdeveloped countries remain part of the developing world and not get left irretrievably behind in the so-called Fourth World that some pessimists are now forecasting.

To make a transition to this dual-track system will require a lot of careful study and also a willingness to give up on the market as a solution to all problems in this country. Even so far-sighted an individual as William Bowen, who as head of the Mellon Foundation has done a great deal to foster thinking about the future of scholarly communication, remains (perhaps not surprisingly, as he was trained as an economist) wedded to the market model. Commenting on the Foundation-supported JSTOR project, he said: "...we have always believed that JSTOR would have to be self-sustaining eventually. Perpetual subsidy is both unrealistic and unwise: projects of this kind must make economic sense

once they are up and running. If users and beneficiaries, broadly defined, are unwilling to cover the costs, one should wonder about the utility of the enterprise. In this important respect, we are strong believers in 'marketplace solutions'--provided that what the economist calls 'externalities' can be captured." Of course, users would have to be willing to "cover the costs" of the "free"-market track alternative in one way or another and thereby demonstrate its value to them. But need this way have to be the market in the sense we traditionally know it in this country?

He and other heads of foundations that care about higher education, as well as top university administrators, will need to consider the possibility that under the circumstances we face now, the most cost-efficient solution to the crisis of scholarly communication may not be one that a market economy can produce.