The Commons of Scholarly Communication: Beyond the Firm

A n old tale, said to arise from Zen Buddhist tradition, recalls an ancient monastery’s abbot who kept a practice of teaching the novices each evening. Seeing the gathering, a cat living on the grounds would choose that moment to vocalize in the way of cats, hoping for attention. The exasperated abbot directed that the cat be tied up for the teaching period so as not to distract the novices. After some years, the abbot died and was replaced by another abbot; some time after that, the cat died and was replaced by another cat. Centuries later, scholars of comparative religion visit the monastery to observe and write on the contemplative significance of the monastery’s unique practice of tying up a cat before the evening meditation period begins.

Practices born in utility have a funny way of becoming a culture. What once was designed for very practical purposes takes on, to later participants, sacred significance. The ways of our ancestors become more than tools; they become institutions mediating value and meaning.

That is not necessarily a bad thing; traditions teach values. But as James Russell Lowell lyricized in The Present Crisis (1844–45): “New occasions teach new duties; time makes ancient good uncouth.” When the ways in which certain social institutions unfold in practice no longer reflect the realities of the society they serve, or fail to account for emergent practices that better accomplish the same purpose, what should be a straightforward assessment of practicality instead becomes a fraught contention over practices infused with meaning—like tied-up cats.

Contemporary debates over open access in publishing strike me as an example of such a phenomenon. Much heat, if not great light, has been generated by contention over the danger this idea poses to structures carefully built over the past century and more to provide an ecosystem in which scholarly communication might flourish. What has been forgotten is that the structure by which such things are accomplished is not an end in itself but is, rather, only a means.

Arguing over whether open access can be sustainable, or whether it may inflict wanton damage on the already delicate state of publishers’ balance sheets, may be engaging; but in a fundamental way, this is simply the wrong conversation. It is a confusion of structure (a “how”) for substance (a “what”). It is similar to arguing over whether the codex is heretical because it is not a scroll, when the real question is whether one or the other does a better job of communicating the information each contains.

In any given sphere, structures for production arise as the result of the interplay of a variety of factors. These have been eloquently and comprehensively explored by Yochai Benkler in Wealth of Networks. Benkler takes note of the long-standing view in economics that what separates things produced by markets from things produced by firms is simply the force of transaction costs; whichever structure provides a path to lower transaction costs will be the structure that dominates production in a given sphere.

Of course, for centuries colleges and universities have carefully built systems for protecting scholars from the vicissitudes of market forces; this is at least one of the things we mean when we speak about “academic freedom” and the purposes of tenure. Central to this objective has been the creation of structures ensuring the flow of ideas between scholars: the “what” of scholarly communication.

Now think for a moment about the traditional scholarly publishing model. The first and fundamental choice made in this structure is to locate the ownership of the mission. In their founding moment, most university presses were established by their institutions as a logical extension of the same impulse to create market-shielded systems for scholarly purposes.

But that has long since ceased to be the case. The vast majority of university presses today receive vanishingly small subventions from their sponsoring institutions; they are required to generate the balance of necessary revenue in the marketplace. And this raises a predictable question: What sort of structure will best minimize the transaction costs of doing the necessary work of scholarly communication, given the need to find revenue from sources outside the institution?

The answer—our present form of the tied-up cat—is to organize the academic press as a firm. Firms bring about certain advantages: capacity that easily scales for low marginal costs, a hierarchical structure supporting centralized decision making, and so on. And because in this model the question of necessary revenue has been answered not by institutional support but by the market, the firm that results will be singularly skilled at innovating and implementing ways of monetizing the value created by the work it produces.

For further illustration of this basic idea, readers need look no further than Cambridge University Press et al. v. Patton et al. The central point here is that the whole structure we have inherited as “the way things are done” is no more and no less the consequence of an answer given under a set of prevailing circumstances to a question of basic utility; it is not the creed of a transcendent reality. If the publisher, and not the university, must own the mission of scholarly communication, then a series of consequences follows. Some of those consequences take the form of our current contentions over the application of copyright; some of them take the form of the firm-based structure of our system for finding, reviewing, and producing scholarly work.
Like the poor cat tied up because of a troublesome centuries-ago ancestor, all of this is contingent; none of it is self-evidently necessary. If we begin in a different place, with a different initial choice of where to locate the ownership of the mission, different consequences follow, and different structures emerge.

Of course, that choice is not independent of other realities. When university presses arose, the capital and material costs of production for the means of communication—printed books—demanded a certain scale of revenue. That, in part, drove decisions on the part of institutional resource allocators to reduce, again and again, institutional support for the “what” of scholarly communication until, as Kathleen Fitzpatrick has summarized it, the press “becomes an independent company run on the university campus, operating on a not-for-profit basis and yet, by and large, structured as a revenue center, required to recover its costs via sales.”

The technological facts shaping communication today, however, are profoundly changed from those in the era when the “what” first became answered by the “how” of the university press. As Benkler states: “The core technologically contingent fact that enables social relations to become a salient modality of production in the networked information economy is that all the inputs necessary to effective productive activity are under the control of individual users.” Unpacking that profundity gets us to some truths about how the changed realities today can lead us not just to different first answers to the “how” question, but to very different structures for accomplishing the “what” of communicating ideas between scholars.

As authors, scholars generally do not write for monetary incentives. That is not to say such incentives are wrong; it is simply to say that there is already a different and well-functioning system for collecting rents on popular ideas, which we call trade publishing. Their incentives are not financial but reputational: scholars want their ideas to be communicated, to reach other scholars and students, and to have an impact on the substantive conversation of their fields.

The means by which the quality of these ideas is ensured—the difficult-to-improve-upon practice of peer review—is equally indifferent to financial incentives. Peer reviewers are typically compensated by nominal (if any) remuneration, usually only a copy of the resulting work. Incentives for reviewers are chiefly non-monetary: contributing to the field, staying current with emergent ideas, and so on. Although other systems have been explored for replacing or supplementing peer review, none seem to be significantly different with respect to financial reward.

What we have, then, is a set of new realities in which old choices no longer offer optimal outcomes. If the objective is an effective means of communicating ideas between scholars, and if the major contributors of substantive content in that system are not motivated by financial gain, and if the costs of producing the work being communicated have dramatically changed, then a different set of consequences unfolds.

Seen through this lens, open access is merely an instrumental answer to the “how” question. It is a non-market solution in the place of what had been, for good but now passing reasons, a market solution. And the structure through which an open-access publisher will do its work will, I propose, look much more like what Benkler calls “commons-based peer production”: “radically decentralized, collaborative, and nonproprietary; based on sharing resources and outputs among widely distributed, loosely connected individuals who cooperate with each other without relying on either market signals or managerial commands.”

To me, that chain of adjectives sounds a great deal like my experience of the institutions and the authors the ecosystem of that scholarly communication is meant to serve. The emergence of open-access scholarly publishing will succeed exactly because it better matches a “how” to an existing set of qualities, values, and incentives that already characterize the “what.” The examples Benkler adduces—the emergence of the free software movement, which (highly profitable actors in the space notwithstanding) sets the standard for much of the informational infrastructure upon which both market and non-market institutions rely today, and the emergence of Wikipedia as a resource of first resort for information on a global scale—have emerged, not incidentally, from cradles set within institutions of higher education. It is perhaps now the case that we are living through the wrenching moment of core elements of these institutions—like scholarly communication—becoming like their most recent and successful progeny.

Successfully and effectively accomplished, open-access publishing in scholarship will organize and give structure to a set of circumstances already crystallizing in some fields of the academy: the translation of our basic mission—that is, communicating ideas between researchers and scholars—into a commons between peers rather than a market between consumers and producers. Rather than a system in which the interests of authors and publishers are structurally misaligned (i.e., scholars are not incentivized by monetary return, but publishers in a firm structure must be), open-access publishing can give us a system in which these interests are finally and synergistically harmonized. Revered though the old order may be, heretical though the idea may seem, it is time for us—at long last—to untie the cat.

Notes
5. Ibid., 60.

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