

## **Access to Information: The Virtuous and Vicious Circles of Publishing**

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In Spring 2008 I went textbook-free. I linked all and only the readings for my Contemporary Analytic Philosophy course to the class website, along with powerpoints, handouts and external links to online resources.

Like most of us who teach Contemporary Analytic Philosophy and other courses where the readings are primarily journal articles, I used to use a textbook anthology. Every year I picked the least-worst anthology. I assigned about a third of the readings in the textbook to justify making students buy it and supplemented the textbook readings with books on library reserve, Xeroxes and online articles. I was fed up.

Textbook anthologies once served an important purpose. Currently however most do not facilitate access to information and are not cost-effective. The same is true of hardcopy journals. Initially journals democratized the Republic of Letters. They made information that had previously circulated amongst a small coterie of scholars through private correspondence available to a wider audience. Now Web publishing is cheap and efficient: researchers can make their work available without the help of journal publishers.

Traditional publishing is not outdated and never will be. The book as we know it is a very efficient vehicle for conveying information. Codices knocked out scrolls in the way that quartz watches superceded mechanical watches and CDs replaced records. But Kindle will never knock out traditional books and the Internet will never replace magazines or newspapers. For most purposes, hardcopy books, magazines and newspapers add value and are preferred by consumers. For some purposes however hardcopy publications are not efficient and will likely, in the end, go the way of the scroll, the mechanical watch and the vinyl record.

There will never be another hardcopy encyclopedia of philosophy like the massive multivolume set published in 1967. The Stanford Encyclopedia of philosophy and other online resources are cheaper and immeasurably better. Likewise, I shall suggest, textbook anthologies and hardcopy journals are obsolete.

### **The End of the Textbook Anthology?**

To see why textbook anthologies are inefficient we need to consider what they offer. Minimally these products provide access to primary readings, selection and organization. Some provide various pedagogical extras including editorial introductions and comments, selected bibliographies, “study questions” and the like. Most are packaged in an aesthetically pleasing format. None of these things are worth paying for.

Access to primary readings for most courses we teach is unproblematic: most readings are readily available online and those that are not can be scanned and put up at class websites or online library reserve. Librarians and bookstore personnel, who are knowledgeable about copyright regulations can help instructors meet legal requirements which, in many cases can be satisfied by simply password-protecting access. We do not need textbooks to make the readings readily available to students. Moreover, most of us do not need, or want the selection and structure that textbooks provide. We are as qualified as textbook editors to select readings for our courses and organize them by topic, and much better situated to tailor our selections to suit our interests and meet our students’ needs. The “ancillaries” publishers imagine will attract us are useless or worse. As for aesthetics, admittedly textbooks are more attractive than the three-ring binders full of printouts that students in textbook-free courses produce. But I do not think that such packaging is worth the price of the book or, more importantly, the cost of selecting readings and organizing courses to fit the textbook in order to justify making students buy it.

In some circumstances a textbook is a quick and dirty solution. If we are teaching general education courses on topics in which we have no expertise and little interest, a textbook anthology with the standard articles suitably organized cuts preparation time. However, even if we want the selection and structure textbooks provide, we can get it without buying the book: we can use the table of contents to structure our courses, and link the readings. It is, of course, easier and more convenient to buy the book and pass the costs onto students—but not by much.

It does seem like cheating to appropriate a table of contents without buying the book. But here we ought to ask why. What if we all did it? What if we simply grabbed the tables of contents of textbook anthologies, put them up at our class websites and linked online readings to the entries?

This would wipe out one of publishers' most popular product lines, making it more difficult for them to operate profitably and so more difficult for them to...produce more textbook anthologies. More poignantly, it would cut down on our publication opportunities. Textbook anthologies provide vita entries and occasionally royalties. Moreover, for every textbook anthology there is one, or more, of our colleagues who toiled to put the thing together—wading through the literature, making the selection and creating the structure, writing introductions and study questions, assembling the project and querying publishers. We would be stealing the fruits of our colleagues' labor, much of it pretty miserable drudge work at that.

But is all this drudgery worth it? There are hundreds of textbook anthologies on the market, which cost thousands of man-hours to produce. The opportunity costs are real: these are hours their editors could have spent working with students, preparing classes and, of course, doing original research. The selections these books include overlap substantially and most of the work is further wasted because the most important product that they provide, information that was once otherwise inaccessible, is now available on the Internet.

In the past, textbooks and journals provided a medium that increased the amount of information available to students and faculty, who in turn financed publishers so they could make more information available. That was the virtuous circle of publishing. Currently the Internet is a much more efficient medium for disseminating the information that journals and textbooks have traditionally provided so, in an attempt to remain competitive, publishers trick out textbooks with worthless “ancillaries” and make them fatter, glossier and more expensive to add value (as they see it), restrict online access to the content of journals, sell rights, charge licensing fees, and sue for violations of copyright. This is the virtuous circle turned vicious: in the interests of remaining profitable, publishers attempt to restrict access to information.<sup>1</sup> And that is both wasteful and futile, because information is a *public good*.

### **Virtuous and Vicious Circles**

As a “public good,” information is non-rival and non-excludable. It is non-rival: the consumption of information by one individual does not reduce the amount of information available for consumption by others. Currently, given virtually universal access to the Internet, it is also de facto non-excludable: no one can be effectively excluded from consuming it.

Public goods are a well-known problem for market-based systems. The story is familiar: without incentives these goods will not be produced and that is, as economist John Quiggin notes, the rationale for copyright:

Copyright matters because it provides an economic incentive for authors to create socially valuable content in circumstances where, if they weren't given this incentive, they would do

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<sup>1</sup> <http://insidehighered.com/news/2008/04/17/gsu>

something else. The copyright system is necessary to encourage the creation and use of socially valuable content, or so goes the standard utilitarian justification for copyright.<sup>2</sup>

According to the standard story, without the incentives copyright provides for producers and vendors of intellectual property, consumers would have less access to creative works than they would if there were no restrictions on access because there would be less intellectual property produced. When the market works, copyright and other restrictions on access to intellectual property produce a net gain in access to information.

But sometimes the market does not work and the virtuous circle turns vicious. To see this consider “one of those counterfactuals.” As a thought experiment, imagine a worst-case scenario at a possible world where there are no textbook anthologies:

You have emerged from grad school without ever having taken an ethics course and at your first job you are asked to teach “Contemporary Moral Issues.”<sup>3</sup> What to do? You google around and pull up a dozen or so syllabi for Contemporary Moral Issues classes that are being taught by colleagues at respectable universities. You note that there is a shortlist of topics they all do as well as some extras. You quickly learn the basic format for an applied ethics course and start putting together your syllabus using a colleague’s syllabus as a model. You set up the structure of topics. (Let’s see: some general stuff about utilitarianism and other theories with readings from Rawls, Nozick and Peter Singer; then abortion, euthanasia, the environment and so on—gotta use that Judith Jarvis Thompson article on abortion; maybe some extras, like copyright.) Then you plug in the readings. You include the “classic” articles that appear on all syllabi and check out the others that are conveniently linked, picking what you like.

You are a free rider! (You just learnt that term.) You’ve gotten the selection and structure for an applied ethics course, which your colleague toiled to create, for free!

But is this a bad thing? It’s no skin off of your colleague’s nose if you tweek and use his syllabus: the selection of readings and structure of his course is a public good—using them doesn’t use them up or in any way detract from their value to him or his students. Of course with lots of free riders like you around, he can’t *sell* that reading list: that’s why there aren’t any applied ethics anthologies at this possible world. But even without that incentive, he will still create and improve his syllabi because he’s got a course to teach, and will still put them up at his class websites for his students’ convenience and his own. Widespread free-riding does not diminish the incentives for producing syllabi: it only eliminates the incentives for publishing them in the form of textbook anthologies. In general, as Quiggin points out, “the copyright system does not provide incentives to authors to create valuable content so much as it provides incentives to the intermediaries who guarantee the circulation of this content.”<sup>4</sup>

With access to the Internet, and a wide range of syllabi and readings available online, you don’t need those intermediaries and, indeed, you and your students are better off without them. Putting together your course in this way means building on the expertise and experience of colleagues, tweeking and improving their materials, and learning, which is surely conducive to good teaching. In fact *everyone* is better off: putting syllabi up at a website and linking readings is much easier, less expensive and less time-consuming than assembling and publishing a textbook; accessing readings online is cheaper and more convenient for students than buying a text book and hauling it around. As for the “intermediaries,” instead of wasting their time trying to compete with the Internet by bloating

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<sup>2</sup> John Quiggin and Dan Hunter. “Money Ruins Everything.” *Hastings Communications and Entertainment Law Journal* (forthcoming). Available at: [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1126088](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1126088)

<sup>3</sup> It happened to me.

<sup>4</sup> Quiggin and Hunter, Op. Cit.

textbooks, they are more responsive to consumer preferences and produce more affordable materials.<sup>5</sup>

If this is correct then the restrictions on access to information that create a demand for textbook anthologies are counterproductive. They are costly and do not create any additional incentives for producing information. They perpetuate a vicious circle in which academics do unnecessary menial work and publishers have no incentive to improve the efficiency of their operations. There is however an even more vicious circle revolving around the hard-copy academic journal which has, largely in virtue of academics' professional interest in positional goods, succeeded in beating the market.

## Journals

In the past, the hardcopy journal was a vital component of the virtuous circle of publishing—indeed it kicked research into an upward spiral. Academics produced articles and journals made them available to a wide audience of consumers, who were themselves producers. The more information that was available, the more research was produced: journals proliferated and made yet more research available to a wider audience of academics who were engaged in research and published the results of their research in journals. Life was good.

The hardcopy journal was not however an ideal medium, particularly with growing specialization. No one read all the articles in any given issue of any journal and everyone needed to read a dozen or more journals to keep up with work in their fields. Individual subscriptions to journals became largely pointless, unless you could afford to subscribe to a dozen or more. And if you had to go to the library to read journals and Xerox the articles you needed, there was no point in subscribing to *any* journals yourself: you were going to be working in the library anyway. With increased specialization and the proliferation of journals we were regressing to the age of the chained book.

What academics needed was a way to select only articles that were relevant to the areas in which they were working. And the medium that satisfied this need was the Internet. Most articles are available somewhere on the Internet: at their authors' websites, through various pre-print archives or, with restrictions, in online databases like EBSCO to which academic libraries subscribe. On the Internet, we can search for articles in our areas of interest through the *Philosopher's Index* or simply by googling; we can collect bibliography, browse current journals, skim articles and read those that are of interest; and we can work 24/7 from almost anyplace on earth. Life is *very* good.

We do not need hardcopy journals. We do however need surrogates that satisfy their selection and credentialing functions. To stay in the game, we need to read articles that are not only of high quality but which *other* people in our field are reading. Publication in an academically respectable journal signals that an article is worth reading and that other people are reading it. In addition, to get jobs, a scarce resource, and to keep them, we need to accumulate positional goods, in particular, journal publications. The Internet may be the most efficient medium for "publishing," that is, making our work public but self-publishing on the Internet is professionally worthless because anyone can do it.

Currently, the purpose of journals is not publishing but screening and credentialing. These services are vital because time and jobs are scarce. With limited time, we need to know which articles are worth reading and, since jobs are a scarce resource, we need refereed publications to get and keep jobs. But we don't need paper to meet these needs. It is possible in principle for online facilities to provide those services. *The Philosopher's Imprint*, a free, refereed, online journal published by the

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<sup>5</sup> Affordability is a significant concern at community colleges and other institutions that cater for economically disadvantaged students. See, e.g. <http://insidehighered.com/news/2008/04/29/textbooks> and <http://insidehighered.com/news/2008/04/16/textbooks>

University of Michigan Digital Library is the model of what journals should, and one hopes, will become. Arguably, the program described in its mission statement is what we should promote:

There is a possible future in which academic libraries no longer spend millions of dollars purchasing, binding, housing, and repairing printed journals, because they have assumed the role of publishers, cooperatively disseminating the results of academic research for free, via the Internet. Each library could bear the cost of publishing some of the world's scholarly output, since it would be spared the cost of buying its own copy of any scholarship published in this way. The results of academic research would then be available without cost to all users of the Internet, including students and teachers in developing countries, as well as members of the general public.

These developments would not spell the end of the printed book or the bricks-and-mortar library. On the contrary, academic libraries would finally be able to reverse the steep decline in their rate of acquiring books (which fell 25% from 1986 to 1996), because they would no longer be burdened with the steeply rising cost of journals (which increased 66% in the same period).<sup>6</sup>

The mission statement however continues, poignantly: “The problem is that we don’t know how to get to that future from here, and there are so many other, less desirable futures in which we might end up instead.”

The problem of getting there from here is exacerbated because the role of traditional journals as credentialing agencies locks in a suboptimal equilibrium. *Ceteris paribus* I might prefer to publish in a free, online journal and wish that everyone else did too. But if I have an interest in professional advancement, and if I want to read articles in my field that others are reading and publish in a place where my article will be read, I will read and publish in traditional journals. I will do that because, as a rational chooser, I know that my colleagues are thinking the same way, and that they will therefore publish in traditional journals, read traditional journals and assess my professional merits on the basis of publications in traditional journals. We might all wish that things were otherwise, but it will be very difficult to break that vicious circle.

The most feasible way to get there from here I suspect would be for traditional journals to morph into online journals on the model of the *Philosophers’ Imprint*—“edited by philosophers, published by librarians and free to readers of the Web.” That is however not what is happening. Instead journals increasingly are relying on commercial firms, which make their living by restricting access to journal articles, to manage their Internet affairs. I have just signed away copyright on an article to one of these firms because keeping copyright to enable open access at the site it maintains for that journal would have cost me \$3000.<sup>7</sup> This is the less than desirable future which, at least in the short run, seems most likely unless we find some way to achieve a more desirable one.

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<sup>6</sup> <http://www.philosophersimprint.org/about.html>

<sup>7</sup> My contract reads: “if you want your article to be available to everyone, wherever they are, whether they subscribe or not, then you should publish with Open Access. [name of firm] operates a program called Open Choice that offers authors the option of having their articles published with Open Access in exchange for an article processing fee. The standard fee is US\$3000. [sic] If you want to order Open Access, please click the button ‘Yes, I order Open Access’ below.”

My contract (if I understand it correctly) allows me to self-publish a version of my article at my own website, under various conditions with restrictions, and that is what I will do. What are they playing at? I suppose they imagine that someone might want to reprint my paper, and want to make sure that they can soak him for permissions. But I can’t imagine why anyone would want to reprint my paper since it will be up at my website where everyone can get it for free.

## Getting There From Here

The vicious circles I have described persist because we in the profession, in the various roles we play, are not making use of appropriate technology. We dread the start-up costs of using new technologies, overestimate the difficulty of projects as quick and easy as putting up class websites and underestimate the importance of making our teaching materials and papers available online. We aren't aware of the resources that are available and even where we are blessed with well-funded IT departments don't know what to ask for. More often than not we end up in the classic predicament: we know what we need but don't understand the technology; IT staff understand the technology but don't know what we need; and administrators who neither know what we need nor understand the technology make the purchasing decisions.

We have the resources to get to a better there from here. Within our universities we can collaborate with colleagues, librarians and IT personnel to facilitate the use of existing and emerging technologies in support of research and teaching. On the Web, the Open Access News<sup>8</sup> provides information about the open access movement devoted to putting peer-reviewed scholarly literature on the internet, making it available free of charge, and removing barriers to serious research. Sites like MIT Open Courseware<sup>9</sup> and Carnegie-Mellon's Open Learning Initiative<sup>10</sup> are models for the effective use of online resources for teaching. And, within our profession, the APA Philosophy and Computers Committee publishes the current newsletter, organizes sessions at APA meetings, including the one in which an earlier version of this paper was presented, and other projects to support the use of technology in research and teaching in order to facilitate our progress to a future at the best of all accessible possible worlds.

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<sup>8</sup> <http://www.earlham.edu/~peters/fos/fosblog.html>

<sup>9</sup> <http://ocw.mit.edu/OcwWeb/web/home/home/index.htm>

<sup>10</sup> <https://oli.web.cmu.edu/jcourse/webui/free.do>