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Concerns Carried Into the Third Millennium

by **Karen A. Hunter** (Senior Vice President Elsevier Science, Inc.) <KABowen@aol.com>

I was disappointed at the end of last year when the introduction of the World Wide Web did not make the Top Ten lists of the most significant events of the Twentieth Century. When I think about the third of that century that I spent in scholarly publishing, the WWW is the hands-down winner in its effects on this industry. **Tim Berners-Lee** — we who are about to die, salute you.

Okay, that's an overstatement. (Not the part about the importance of the Web — the "about to die" stuff.) Nevertheless, there is not a single issue among the seven concerns I've lugged in my bundle over into the new century that has not been either created or significantly affected by the WWW. It is not simply that scholarly information is now irreversibly electronic — we've been headed in that direction for 25 years. It is the way in which that electronic stuff is created and made available and the ubiquity of the Web that has made the difference.

Now, on to my fourth annual listing of the journal-related issues that give me reason to pause and reflect in the passing of the last twelve months. These are in somewhat random order.

Electronic journal archiving. This is a perennial, yet I think we are beginning to see a breakthrough. In 1999, there were two serious U.S. meetings (organized by **CLIR** and **CNI** respectively) that brought together senior library and publishing people to get closer to an understanding of what is desired and what is realistic. Neither meeting was as conclusive

as their organizers would have liked, but there was progress. There is some agreement on the importance of redundancy of archives, without consensus on who the holders of those archives should be — except that the archives are likely to be several and be distributed. A similar meeting will occur in Europe in early 2000. The logical next step will likely be one or more prototype projects, initiated by one of the library-related organizations or by publishers. At **Elsevier** in 1999 we announced — and added to our licenses — a commitment to electronic archiving and to the permanent availability of those archives should we leave the business. Other publishers are gradually making their archival intentions known as well. Publishers understand that this is perhaps the single biggest issue standing in the way of a full transition from paper to electronic.

The "journal literature should be free" movement. At one point this year I couldn't resist suggesting to **Stevan Harnad** that he get a puppy, as clearly he has too much time on his hands. He took it very well. My including this issue on my list of concerns, however, is not particularly reflective of Stevan's (and others') Open Archives initiative. That effort will work for some types of information and it will not be widely supported in other disciplines. However, there was a louder trumpet heard from the **National Institutes of Health (NIH)** in the first part of 1999 on behalf of what came to be called **PubMed Central**.

PubMed Central calls for life science journal publishers to deposit articles on its server for free distribution. The publishers would limit their activity to refereeing and would be paid by the authors.

PubMed Central would also welcome the deposit of other papers or reports from reputable sources, with screening sufficient (as **Dr. Harold Varmus**, then head of

NIH, said) "to keep the wacko stuff out."

One doesn't know where this will go with **Dr. Varmus** now having left **NIH** and there seems to have been some cooling off since mid-year. But **PubMed Central** is

certainly not going to (immediately) disappear. Its cousin, **PubScience**, is a less ambitious, low-keyed effort in the physical sciences, but it too could cause some confusion in the journal ranks. In an ideal world, everything of value would be free — water, food, clothing, and, yes, information. But maybe that means I would have to grow grass to feed the sheep that would provide the wool from which I would have to make my own clothes. I don't think that is the best use of my time. And turning all scientists into publishers is also not the best use of their specialized research energy, to say nothing of the importance of peer review — oh, well, you know the arguments (you do, don't you?).

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Supplying Books to Libraries

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vendors. Because librarians demanded new ways of working from us, we ended up improving a traditional service, approval plans, to everyone's benefit.

The Internet makes vendors' online databases possible. In this past year the major library booksellers continued to enhance their Web-based databases, enabling librarians to track orders, order online, and activate forms on their approval plans. We have spent literally hundreds of thousands of dollars printing and mailing paper forms to libraries each year. Online forms not only save money, they save paper, with all the environmental impact that entails. Taken as a whole, the use of the Internet in our daily work must account for thousands of trees still standing, for the reduction of

tons of paper mill air and water pollution.

During my thirty years in the business of supplying books to libraries I've witnessed the role that librarians have taken as innovators within the academic community. Libraries adopted automation before any other campus departments. Libraries were using email and the Internet earlier than their colleagues in other academic environments, except perhaps Engineering or Computer Science faculty. In 1999 we are seeing increasing demand from our librarian customers to enable them to fully utilize the business-to-business capabilities of the Internet. Instead of resisting change, a natural reaction to the new and the different, librarians are driving the process. In the vendor community, we are pouring large amounts of resources into EDI and other commercial development projects that librarians need to make their work more ef-

ficient. The Internet, as a commercial tool for librarians and booksellers, is now as natural a part of our lives as our cars or our telephones.

I shy away from making predictions, but at the end of the 20th century—by far the most bloody and uncivilized hundred years in recorded history, my natural optimism compels me to believe that the next century will be very different. 1999 has been a year of unparalleled economic growth, due in large part to the Internet with all its efficiencies, its communication speed, and its ubiquity. But beyond the commercial aspects, the Internet will help create a better world in the 21st century, a world with more freedom and more accessible knowledge for people everywhere. We will all play our part in this, and it is something to look forward to as this Millenium begins. 🐼

3 Copyright as a red herring. There is considerable misunderstanding of what rights and activities a publisher needs to pursue to have sufficient incentive to continue in their publishing activities. The same people who argue that, "information should be free," and that publishers should only referee and do nothing else, also argue that publishers should be given very limited (no?) rights with respect to distribution. They argue that a key step in righting the wrongs of the present system is for the author to retain copyright. What is misunderstood here is that copyright is not the key factor — providing a sufficient reason to do the work is the key factor. If the reward in the proposed new systems is to come from the fee paid by the authors to have their work published, it is in the publisher's interest to publish as much as possible, regardless of whether it is good or not. Is that the behavior to be promoted? The more creative and thoughtful publishers would likely move out of this environment into something else (if nothing else, boredom will force them to), leaving only the less innovative to compete for fees. (But perhaps the whole goal is to get some of us to move out!)

4 Copyright as a meaningful protection. As the recent *Tasini* ruling (discussed elsewhere in this issue) notes, copyright is a meaningful right. In *Tasini*, free lance writers who had not transferred copyright and had not licensed electronic rights sued when print publications in which their articles appeared were put online without their specific permission and without paying them additionally. They lost in the initial suit but the decision was reversed on appeal. It is important that all of us respect the need to obtain the appropriate rights before acting. In the case of scholarly publishers, essentially all publishers have been obtaining transfer of copyright and can proceed to make the current information available without the concerns that *Tasini* raises. However, everyone considering digitizing backfiles (e.g., all JSTOR participants) will have to decide whether to take the calculated risk to do this, as few have all of the rights back to vol. 1, no. 1. The *Tasini* case reminds us that authors can legitimately assert their rights when their works are digitized without their explicit permission (where a transfer of copyright is one way of giving permission). In the belief that scholarly authors will likely not react as *Jonathan Tasini* et al did, many commercial and society publishers — as well as some librarians — will decide it is an acceptable business risk and will proceed to convert backfiles to digital form. We cannot but have some concern about the consequences of these actions.

5 "Can't We Ever Cancel Anything?" This was the title of a session at the ALA annual meeting last year. I think this lament reflects two concerns heard by publishers from collection development people: (1) they don't see an early end to having to have both paper and electronic versions (see the archiving discussion above) and (2) they are concerned about electronic offerings that seem to reduce selectors' flexibility to cancel specific titles. My argument on the second issue is that this should be viewed as a "the glass is half full, not half empty" situation. At Elsevier we offer libraries the option to cancel and still get the electronic versions on a title-by-title basis. But we also offer what we believe are more attractive alternatives related to the maintenance of the existing spending level. These options are intended to encourage a broad use of our database of 1100 titles. This is because we have enough data now (including from the PEAK experiment this year) to clearly show the value of access to a wide range of good peer-reviewed journals. The arguments have been hot on the lists this year: the "we know what's best for our campus" versus the "there is no way we can be perfect in selecting" contingents. Our experience sides with the latter. But that doesn't mean I am not understanding of the frustration for the bibliographers, who feel control is somehow slipping away. I believe we have to find a way collectively to focus on getting the most information to our users — and rejoice in that — rather than focus on our individual abilities to make discrete decisions.

6 New definitions of authorized users. I had hoped to get through this year without the need to talk about licenses or license terms. However, I have an uneasiness about the ever-broadening definitions being suggested for "authorized users" in electronic licenses. We're getting used to dealing with corporations wanting a license that includes everyone everywhere in its unitemized offices and its unnamed affiliates and related companies ("any company in which we hold more than 25% of the voting stock — but we're not going to tell you who these are"). In the academic sector, the arguments that are sure to come over distance learning are just starting. Is every doctor who is otherwise unaffiliated with a university but signs up for a \$1000 continuing medical education course offered on the university's Web site an authorized user? What about alumni who take an art history course offered on the Web? Or the university that, after defining all of the normal users ("students, faculty and staff of X university and those who are permitted to use the university's facilities on a walk-in basis"), adds "and all other affiliated students, faculty and staff, wherever located." Hello? Suppose you have a co-operative "sister college" agreement between a school in New York

State and one in Wales. By this language, is all of the Wales college population covered as well? One could certainly argue that this is what is intended. I have heard (but have not verified) that certain Scandinavian universities have been doing precisely that: unilaterally declaring themselves "affiliates" for the purpose of opening up their licenses to one another. This is messy and potentially could unravel some of the real goodwill that has developed over the last twelve months in coming much closer on many licensing issues.

7 The "appropriate copy" problem. Linking has been the buzz word of the last couple of years. As of the end of 1999, sixteen journal publishers had joined together as members in the Crossref initiative, in which they agreed to deposit DOIs for their electronically-available journal articles into a common database. The members and other users of the service can then retrieve these DOIs and embed them in their own articles to permit the link from a reference to the full text. The "appropriate copy" problem reflects the fact that from the end institutional customer's standpoint, there may be several sources for the full text and the institutional customer would like to have the link made — whether a Crossref link or a PubMed link or whatever — to the article copy of their choice. It would be good if the librarians working on this issue and the publishers and others inserting links could find a way to address the problem together.

And that is my list of concerns. (Yes, I have others — like the six hard-working friends who are meeting the new year looking for jobs, the result of corporate or society cutbacks.) But perhaps it is also notable what has not been on my list:

pricing — Is it not an issue? Yes, but there is nothing new to say at the moment. Elsevier put a guaranteed price cap on its paper products. Our competitors think we are crazy. Most of our customers say it was a great step but it is not enough. I'm not going to go here again for a while.

metadata — A word I would be happy never to hear again.

publisher standards — DOI is showing its value in the Crossref project and other publisher-related projects, such as STIX (an effort to create a common STM font set for the Web) need more time. This is an area where publishers contribute without too much being said about it outside.

It was a good year, an incredibly challenging decade and an astonishing century. Let's look for the good in all the new beginnings ahead.

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