

The value of publishing and the role of copyright, freedom to publish, and diversity & inclusion¹

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The article below is based on the opening speech which I gave at the Academic Publishing in Europe (APE) conference in January 2019. I was invited following my presidency of the International Publishers Association (IPA) which ended in December 2018. The IPA represents all publishers, so not only STM (Science, Technical & Medical) publishers which typically attend APE conferences. The IPA also represent trade publishers, including literary houses, as well as educational publishers. My remarks below should be seen in that light: reflecting the broader publishing industry.

APE 2019 is again hosted here in Berlin, a city which is staking its claim to be one of Europe's top tech hubs. This is appropriate as technology has always fundamentally changed our industry. Whether it has been the printing press, the birth of the internet, or newer challenges of big data and artificial intelligence. Our industry, the publishing industry, has been able to respond, change and adapt. But we are no longer the only ones in the room. Big tech companies are increasingly becoming part of our scholarly communication chain. We, as publishers, have to a better job of articulating our value.

I officially ended my term as the President of the International Publishers Association, the IPA, at the end of 2018. The IPA is the world's largest federation of national publishers' associations. Its membership comprises of 81 organisations from 69 countries. Through its members, IPA represents thousands of individual publishers around the world who service markets containing more than 5.6 billion people. It was an honour to serve as its President and it gave me a few key insights into the value of our broader industry that are relevant to this audience and that I wish to share with you today. These insights are centered around 1. copyright, 2. freedom to publish and 3. diversity & inclusion.

1. Copyright

The first insight is that the value of our industry is built on the bedrock that is copyright. Often seen as a road block towards innovation, copyright is in fact a driver for creativity. It provides the legal framework

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¹Michiel's opening speech has also been published here: <https://www.b-i-t-online.de/heft/2019-02-nachrichtenbeitrag-kolman.pdf>.

that drives the incentive to create and innovate. It is copyright that supports the diversity in publications, that makes it possible that we have for instance poetry from Portugal and fiction from Finland.

This is not just *my* opinion, for the first time in 2018, we actually saw that policy makers are starting to recognize this important link between copyright and creativity. The landmark vote in the European Parliament last Summer made that crystal clear: copyright matters and is more relevant than ever, also in the digital age.

At APE 2019, the European Commission's Special Envoy for Open Access, Robert-Jan Smits, challenged my assertion that copyright is the bedrock of publishing. He argued that it is the scientists and researchers that provide the fundamental element for publishers. While I spoke on behalf of all publishers (not specifically *only* STM publishers), it is undoubtedly true that publishers rely on authors – as well as the other way around: authors rely on publishers to have their novels, textbooks or scientific articles published. Still, without robust copyright in place it would be difficult, if not impossible, for publishers to publish the high quality books and journals, which are so crucial not only for science, but also for our national cultural discourse and it is of course these high quality publications that end up in libraries world wide.

At APE2019, Gerard Meijer, Director of Berlin-based Max Planck Institute, contested my position on copyright, especially around the transfer of copyright from authors to publishers which is common practice in STM publishing.

I did not mention anything about who owns copyright in my APE speech, in fact, when taking a broader publishing industry perspective, for example literary publishing, we see that books are published while the author retains the copyright.

For scholarly publishers, copyright remains important regardless of what business model you want to use; open access or subscription. In both situations, we need to ensure that what we publish is unique, certified through peer review to be true and accurate and protected so others can rely on the information that is published. I should also reference here the publishers' support for Creative Commons licenses; illustrating that there are established frameworks for supporting both authors and publishers depending on the publication model they choose and Creative Commons licensing still requires a robust legal framework provided by copyright legislation to be in place around the world.

While we see some progress in the rhetoric surrounding copyright, it remains under an intense and sustained attack by Big Tech. They are well funded and remain influential globally with special flash points in Europe, South Africa, Australia and Canada.

As publishers we must remain vocal, not just in voicing our support of copyright but what copyright means to society. This is important because we are also experiencing a so-called Techlash – a backlash against tech companies. Scandals surrounding giant companies such as Google, Amazon and Facebook (all US based, by the way), whose platforms are used to disseminate fake news which in turn undermine the democracies we live in. These platforms have also shown repeatedly that they cannot be trusted with the massive data they have on their users.

Let's contrast this to publishers. We are and remain the stewards of truth. Establishing the difference between fact and fiction, quality and rubbish. This role hasn't changed, but what has changed is that people have forgotten that is our true value for scholarly communications and it is this role that allows publishers to provide the books and journals that are then in turn used in libraries, public and academic, around the globe.

2. Freedom to publish

The second insight is on the freedom to publish as well as academic freedom. In today's world only 13% of the world population enjoys free press and the fact remains that publishers are under increasing threat of censorship. In academic publishing, this came for instance from China. Publishers were caught up in a political attempt to prevent Chinese scholars reading about certain sensitive topics. In 2019, we expect further pressure and not just from the usual suspects. In the US, for example, the IPA has been vocal in denouncing two attempts by the Trump administration to prevent books unpopular with the US President being published. What's next? Taking down articles about climate change? This is a trend that cannot go on.

China was also a topic that came up frequently at APE2019. It was first mentioned by Max Planck Director, Gerard Meijer, who reported that the Chinese support for Plan S (the Open Access initiative by EU Envoy Robert-Jan Smits) came from the highest political circles in Beijing. This gave rise to questions from the audience: should we really welcome the support from China, a country with a difficult track record in human rights, freedom of speech and academic freedom? It would be interesting to explore whether our European values around academic freedom and freedom of expression are not too opposed to the situation in a country like China. The IPA took a clear position on Chinese censorship in 2017: <https://publishingperspectives.com/2017/11/ipa-michiel-kolman-china-springer-nature-censorship/>: "China's Censorship 'Puts Publishers in an Impossible Situation'".

3. Diversity & inclusion

The third and final insight is on Diversity & Inclusion. We as an industry have to be much more aware of change, not just for our day-to-day business, but also in attracting and retaining talent. When I look out at this audience, I see colleagues of all ages, men and women. It is this diversity that will help our industry drive change. In fact, most of our organisations have recognized that cultivating diversity is a moral imperative as well as good for business.

In 2018 we saw landmark studies such as the gender pay gap in the UK, which did not look particularly good for publishers nor universities. But diversity is much more than gender, it is about ethnicity and sexual orientation. The outstanding study from the Workplace Equity Project (<https://www.workplaceequityproject.org/>) into diversity in the scholarly publishing industry showed the lack of empathy for the less privileged. Men cannot imagine the problem women face. Straight folks have problems relating to the challenges of their LGBTI colleagues. White staff have little empathy for difficulties their colleagues of color face just because of their race. This year, I will personally put D&I on the agenda as the IPA envoy for Diversity and Inclusion in the publishing industry, and call for more empathy!

In conclusion, I feel strongly that our industry is posed to respond to the challenges of 2019 and beyond. Our pipelines are full of ideas – big ideas about business models, about quality, innovation and in fostering diversity. What I urge you all to do, is to move past defending our past position and actions and start talking about our collective vision of the future; a future which is positive and should be inclusive. Will it be about platforms, policy or pipelines (the topics of APE 2019)? I am not sure, but I know we, as publishers, need to be at the table discussing our ideas!