**Joint statement on Open Access – RCUK/HEFCE**

We represent xx learned societies in the arts and humanities, with xx members who are scholars and teachers across the full range of arts and humanities subjects. Our collective view is very strongly in favour of an Open Access policy that supplies the products of publicly-funded research to the widest possible audience. But we are equally strongly of the view that Open Access models that have been shown to work for STEM journals cannot mechanically be applied to HSS journals and that we need a period of experimentation and flexibility, such as the STEM community has enjoyed over the past 10 years, to derive models that will work for us. Otherwise Open Access may be won at the cost of academic freedom and academic quality, and the public interest would not be served by such a Pyrrhic victory.

We welcome recent indications from BIS and from HEFCE of a recognition that while **Gold** models may be preferable for STEM research which takes place in large well-funded teams, **Green** models may be preferable for HSS research pursued often by lone scholars without direct funding and often outside institutions. HSS scholars benefit from only 7% of RCUK funding but represent 43% of research staff. Their APCs are likely to be higher because their articles are longer, require more intensive editing, and their journals carry much non-article content requiring subsidy. Their journals are, nevertheless, much cheaper and the subscription burden they place on libraries much lighter. Lone scholars unattached or temporarily attached to institutions will find it difficult to win Gold funds. Some rationing of HSS publication and thus bureaucratic review of publication would be inevitable under an all-Gold regime. Already universities are reluctant to disburse Gold funds on anything other than a ‘first come, first served’ basis to avoid having to play too intrusive a role in their academics’ publication decisions. The Green route does not suffer from these same disadvantages. RCUK chair Rick Rylance has said in meetings with learned societies that ‘access to Gold funds should not be taken as a kitemark of quality’. It is important that this be said in public and in official guidance notes. For the foreseeable future, Green must be accepted as a legitimate form of OA on the same basis as Gold. It is also important that the ambiguity in the RCUK policy which requires Gold where Gold funds are ‘available’ be clarified, as many HSS scholars will themselves prefer a Green option and many HSS journals will offer a choice of Gold and Green – we hold strongly that Gold and Green should be placed on a basis of parity.

From this it follows that more attention needs to be paid to **forms of Green OA that will sustain HSS journals**. We are frequently told that ‘evidence’ is needed to support arguments for particular forms of Green OA. Hundreds of pages of such evidence – with facts, not assertions – have now been presented by us and our colleagues to the recent Lords and Commons committee enquiries. Because OA has been far more widely applied to STEM journals than to HSS journals, the ‘evidence’ in favour of the funders’ models nearly all derives from successful STEM experiments. This is not ‘evidence’ that supports these models’ application to HSS journals. There cannot be evidence of something that has not yet happened. The application of short embargo periods and other STEM practices to HSS journals has only so far been attempted in a very small proportion of cases; these cannot be extrapolated easily into a world where all HSS journal content is OA. The only two extensive studies of what might happen if all HSS journal content turns OA both conclude firmly that HSS requires a different model to ensure the sustainability of its journals – see the Mellon-funded study of 2009 (<http://www.nhalliance.org/bm~doc/hssreport.pdf>) and the ALPSP study of 2012 (<http://www.publishers.org.uk/index.php?option=com_docman&task=doc_download&gid=757&Itemid>=).

We accept that the retention of the subscription model for HSS journals requires **greater transparency as to the costs and benefits of those journals**. On the whole our journals are relatively expensive to run and relatively cheap to buy – as opposed to STEM journals which are cheap to run and expensive to buy, which is why the OA movement sprang up to target them. Profit margins in our part of the publishing world tend not to be high. But a number of us rely on modest profits from publishing to pursue what HEFCE rightly calls ‘desirable academic activities’, especially aid to ECRs and support for disciplinary structures, which are not otherwise catered for by funding bodies. We intend to develop a code of practice for our academic publishing which makes clear to all consumers what our costs are and where our profits, if any, go.

On the specific issue of **embargo period**, there is a great deal of uncertainty – as the two studies just cited both confirm – about what length of embargo period will sustain the moderate amounts of subscription income that HSS journals rely upon to maintain their editorial operations. HSS journals need a period of experimentation such as STEM journals have benefited from to ascertain how short an embargo is feasible. The sensible approach, it seems to us, would be to start with the 36 month embargo period that is standard practice at present in JSTOR (the principal tool for widening access in HSS used to date) and to review its effect on subscription levels on a regular basis. Within a few years – probably quicker than the stated RCUK and HEFCE transition periods – it might well be possible to shorten the embargo period safely. But it makes no sense to do this the other way around, starting with the shorter embargo periods, reviewing their effects, and then possibly having to close the stable door after the horse has bolted.

On the specific issue of **license**, it is a matter of great regret that the RCUK guidance has reiterated its insistence on CCBY for Gold (and something like CCBY NC for Green), since it was understood at previous meetings between the funders and the HSS learned societies that RCUK would first review objections to ‘derivative use’ as defined by CC that had been widely and fully articulated by the HSS community. Indeed HEFCE’s draft policy specifically excludes mention of license terms, on this same understanding, that RCUK would engage in dialogue with the HSS community before finalizing its policy. As agreed at a ministerial roundtable in February at BIS, where RCUK and HEFCE as well as HSS learned societies were represented, a meeting has been scheduled for April at which all parties will be present to discuss the merits of the various licenses and their applications to the full spectrum of academic research. We urge both RCUK and HEFCE to listen to the results of such discussions before coming to a premature decision based again on STEM practices where IP issues are completely different (not least because of patent protection). In some cases – e.g. text-mining – it should be noted that HSS scholars are happier about ‘reuse’ than STEM scholars; but in others, notably the practice of mixing without specific demarcation of original from reuse which we tell our students is ‘plagiarism’, HSS scholars might reasonably wish some protection that STEM scholars do not wish or need. The CC statement to the Lords Committee enquiry did not recognize these differences and recently CC has been in touch with us to discuss a way forward. There are in addition serious problems with third-party material that is already increasingly difficult to incorporate into online academic publication, difficulties that will be greatly exacerbated in an OA environment. Rights-owners in literature, music and art are not under any compulsion to regard UK government stipulations – and they are often not content, despite the assertions of CC and the latest RCUK guidance, to accept the simple marking of third-party material as falling under a different license - yet academics in these fields are very dependent on their cooperation in securing rights of reproduction without which their own published work is valueless. This, too, is a difficult case which does not resemble the STEM practices to which it is sometimes falsely analogized and will require further discussion with a range of rights-owners. RCUK and HEFCE should join in these discussions, and not simply reiterate unthinkingly a policy developed in 2012 before many new arguments were presented. Is it too much to hope, as well, that RCUK and HEFCE should see themselves in these discussions as our advocates and not only as our paymasters?

We recognize fully that a successful Green OA policy requires much more work on **repositories**. The full benefits of Green OA can only be reaped if high rates of compliance are achieved in deposit of published work. In our view this should be the formatted and edited publication, identical to the print and online versions supplied by the publisher, as assessment and citation requires maximum stability of works (especially in HSS where our work has very long half-lives of citation). However, here as in other policies, HEFCE’s assumption that repositories must be institutional ignores the fact that the researcher, not the institution, is responsible for publication. We consider it a matter of great regret that all funders increasingly speak in terms of institutions’ publishing practices, ‘portfolio management’, repositories, etc. In HSS disciplines many researchers do not have and never will have an institution – the large numbers of ‘independent scholars’; many, especially ECRs, do not have an institution throughout the whole of a REF cycle but may have one on the census date; many have institutional contracts which do not include research throughout the whole of a REF cycle; many come to UK posts from international positions in which UK OA practices are unknown. It does not make sense to us therefore to require institutional deposit on publication. Some more flexible system, with exceptions, is required. It has been suggested to us that learned societies might play a role in developing disciplinary repositories. We would be very happy to discuss this possibility, keeping in mind the very slender resources we can call on at present, resources which are likely to be further undermined by OA policies aimed at cutting publication costs and subscription revenue.

It is not only in the matter of repositories that **international exceptions** will be required. There is no reason to expect that countries around the world will necessarily fall quickly into line with UK government policies, especially where those policies (e.g. in respect to Gold) are very much out of line with global practice. Unless HEFCE wishes UK academics to only publish in that portion of world publications which are in line with UK government policy, and wishes UK institutions not to hire globally-credentialled scholars whose publishing practices before they came to the UK happened to be out of line with UK government policy, then it will need to consider large classes of exceptions from any OA stipulations it makes for 2020. HSS publication is not so much under the control of large global commercial publishers as STEM (which is one reason why OA began as a grass-roots STEM movement, not in HSS). It is much more fragmented. There are very many distinguished international publications that do not even publish online, much less in OA form; the same applies to many UK publications, e.g. in local history. Furthermore, HSS publication is not so much under the control of large national funders. (Even in the UK – where as noted we count for only 7% of RCUK expenditure – but as much if not moreso in other countries; thus ‘US federal policies’ cited as in line with UK policies only really apply to STEM subjects, since a tiny fraction of HSS research in the US receives any federal funding.) It is simply not possible to decree a UK government policy for OA with specific stipulations about embargo, license and deposit without automatically excluding UK scholars from important international forums and excluding foreign scholars from taking up UK posts. Nor is it consistent with longstanding RAE/REF policy, i.e. ‘that all types of research and all forms of research output across all disciplines shall be assessed on a fair and equal basis’.

In fact, of course, most of our publications do not take the form of journal articles, but appear as books, either collections of essays or **monographs**. Everything we say about the need to develop our own OA models for journals applies in spades to books. There are a few successful, small-scale experiments with OA monographs. But as yet there is no evidence that these experiments are scalable up to the whole of the book market. We accept that there is an important opportunity here, as books with tiny print runs at high cost are in no-one’s interest; yet the fact that authors and publishers continue to pursue this traditional form of publication is itself evidence that a widely-applicable business model for OA book publication has not yet been devised. Publication costs of single-authored monographs, requiring even more editorial work than do journal articles, are not negligible, and no funder has yet volunteered to fund them. In these circumstances, RCUK has been wise to exclude books from its OA policy and we recommend that HEFCE follows suit for the time being. We look forward to working with all funding bodies, public and private, to try to develop some sustainable models, as we are doing at present in the case of journal publication.

We would close by reiterating our opening statement, that we are collectively very much in favour of developing Open Access to our journal publications, both as a debt we owe to the public for our funding and as an intellectual principle in favour of maximum possible dissemination of information. It is true that HSS has lagged behind STEM in developing Open Access; this too reflects the differences between our academic ecologies, as we have not been so beholden to global commercial publishers, our journals do not extract such huge profits from the public purse, nor is our research generally funded by global commercial firms tying us up with commercial confidentiality. If we have not had the same incentives to develop an Open Access policy as our colleagues in STEM, nevertheless we are very glad now to have an opportunity to learn from their experience and to adopt those of their practices that will allow us to disseminate our work to all while preserving academic freedom and academic quality.

**Signatories**

Association of University Professors and Heads of French

British Association for American Studies (450)

British Association for Korean Studies (60 members)

British Association for Slavonic and East European Studies (650)

British Philosophical Association (350 members)

Council for British Archaeology (1000)

Council for College and University English (1500)

Economic History Society (1500)

English Association (1000)

The Folklore Society (350 members)

Hellenic Society

Linguistics Association of Great Britain (500 members)

Mind Association

Philological Society (1000)

Royal Archaeological Institute (700 members)

Royal Historical Society (3000 members)

Society for Caribbean Studies (100 members)

Subject Committee for Archaeology (29 depts, 350 members)

University Council for Modern Languages (2500)