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## Half term report: Licence to publish – promoting Open Access and authors’ rights in the Nordic social sciences and humanities

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## **“Licence to publish – promoting Open Access and authors’ rights in the Nordic social sciences and humanities”**

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*The Royal Library / Copenhagen University Library and Information Service*

Project period: April 1<sup>st</sup> 2009 – July 31<sup>st</sup> 2009

Grant: 225.000 DKK (total budget frame) and 90.000 DKK (from Nordbib)

### **Summary of project results**

As stated in the original application to Nordbib’s Focus Area “Policy and visibility” (Work Package 1), the purpose of the project was to increase the awareness and understanding of the principles of Open Access by providing a dialogue among stakeholders on authors’ rights and Open Access principles.

The Nordbib Board pledged the grant with clauses for the project framework thereby changing the project deliverables to the following:

1. Legal translation of the Knowledge Exchange “Licence to Publish” document into Swedish, Norwegian, Finnish and Icelandic, and disseminating these to the Nordic researchers in general.
2. Devising a strategy for substantial outreach with respect to “Licence to publish”, authors’ rights, self-archiving and the principles of Open Access, focusing on a number of cases in the Nordic social sciences and humanities but with the stipulation that the strategy be relevant and implementable to the STM (Science, Technology and Medicine) communities as well.

The project was hosted by CULIS Center for Scholarly Communication (Denmark) and was managed by a consortium consisting of Lund University Library (Sweden), Göteborg University Library (Sweden), Stockholm University Library (Sweden), Faculty of Humanities, University of Copenhagen (Denmark), Nordic Institute of Asian Studies (NIAS), University of Copenhagen (Denmark), Chr. Michelsen Institute (CMI), Bergen (Norway) – a NIAS collaborator, Norwegian University of Science and technology (NTNU), Trondheim, Norway – a NIAS collaborator, Asia network, University of Turku (Finland) – a NIAS collaborator, Museum Tusulanum Press (Denmark) and the Royal Library (Denmark).

By completion of this project, Nordic scholars now have access to a translation of “Licence to Publish” in the Nordic languages, made available to Nordic researchers in general on the Nordic e-print archive called “hprints.org”.

This report contains the following sections:

- A. Summary of the project results concerning sustainability, Nordic usefulness and knowledge exchange including proposals (page 3)
- B. Discussions and conclusions (page 10)

Furthermore, three appendices are enclosed:

- Translations of Licence to Publish into Norwegian, Icelandic and Swedish.

A signed financial statement is awaiting the last receipts and the Finnish translation will be received in August.

## **A. Summary of the project results concerning sustainability, Nordic usefulness and knowledge exchange including proposals**

This section describes how the project has met the deliverables i.e. the target results defined in the application. The two deliverables are: 1) Legal translation of the Knowledge Exchange “Licence to Publish; 2) Devising a strategy for substantial outreach.

### **Deliverable no. 1: Legal translation of the Knowledge Exchange “Licence to Publish” document into Swedish, Norwegian, Finnish and Icelandic, and disseminating these to the Nordic researchers in general.**

Discussions among the Nordic partners regarding legal issues and the “Licence to Publish” document (LtP) took place both virtually, through the project’s Google group<sup>1</sup>, at the two project workshops, and at a knowledge exchange meeting with SURf colleagues in Geneva.

During April 2009 an initial discussion of the LtP took place within the Google group: It quickly became clear that some concerns existed as to the appropriateness of the LtP document as a tool for promoting self-archiving in the present project. Especially the participants from Lund were concerned about whether authors’ right were best supported by the current version of the LtP. E.g. it was suggested that the LtP should be rewritten to implement a time limited licence to publish – as the current version of LtP grants the publisher an unlimited licence – for all time. Also question was raised as to the status of derivative works

At Workshop 1 in Copenhagen (on Friday May 15), Ingegerd Rabow (Lund) presented the Swedish concerns, as agreed upon by the three Swedish partner institutions: The LtP was translated by Ingegerd Rabow and Helena Stjernberg, and subsequently reviewed by a legal advisor at Lund University. Besides the authors’ rights issue, it turned out that the LtP was unlawful in terms of Swedish law, and therefore could not be used directly as a legal contract. At Workshop 1 it was hence decided to contact the Knowledge Exchange organization – who is the main promoter of LtP – in order to inquire further about the development of LtP. Two Knowledge Exchange partners were contacted: The German Deutsche Forschungsgemeinschaft (DFG) and the Dutch SURf Foundation. DFG informed us that a translation of the LtP into a legal German document had not been completed due to a failure to comply with German legal language tradition – i.e. not due to the content of the LtP, but for legal structural reasons – should one provide a German version of the LtP, the document would have to be redesigned. SURf informed us that there were indeed plans to make a new version of the original LtP, but that the time line for this was doubtful.

In agreement with the Nordbib secretariat the project leader (PL) put forward the possibilities that the project should either, A) provide translations of a soon to be obsolete version of LtP, B) translations, but with of an augmented Swedish version, or C) awaiting a revised version from Knowledge Exchange and SURf, along with trying to influence changes that we all can agree on. It was decided to go for possibility C), while at the same time holding a meeting with SURf at the CERN workshop on Innovations in Scholarly Communication (OAI6) in Geneva on Wednesday June 17. At this meeting – with Wilma Mossink and Gerard van Westrienen, and the PL plus project

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<sup>1</sup> <http://groups.google.dk/group/hprints-nordbib-projektgruppe>

partners from Copenhagen, Lund and Gothenburg – it was decided that SURf would inform the PL about the status and plans regarding the LtP, once a SURf workshop with stakeholders had been held at Tuesday June 23.

At Workshop 2 on Wednesday June 24 in Stockholm there was as of yet no news from SURf, but it was decided to go forward with the translations of the LtP into Nordic languages as agreed with the Nordbib secretariat. Subsequently (July 3) notice came from SURf that the current version of LtP will not be revised, instead it will be rewritten and the timeframe is beyond that of our project (no guarantee of completion within 2009).

The various discussions among the project partners shed light on the following issues:

- The project needs a tool to secure authors' right when self-archiving, i.e. the existence of a tool when devising the strategy: LtP is such a tool, and while the LtP is perhaps imperfect, the focus of the project should be the existence of a tool, while at the same time the implementation of the outreach strategy should not necessarily be restricted to one particular tool exclusively.
- In many cases authors' rights issues will be directed at international publishers and several of these publishers are based within Dutch or Anglo-Saxon legal traditions. Hence actual legally valid Nordic documents would be irrelevant as such, in these cases. Then, however, the Nordic translations would be used as "reading guides" to the original English or Dutch version, and the translations should therefore be literate.
- The LtP is not suitable for publications in Open Access journals (e.g. Golden Open Access publishing): It is designed for traditional publishing – future versions of the LtP is likely to be fine-tuned to those types of publications. When doing outreach to authors publishing in Open Access journals, care must be taken to ensure their rights in manners that is not supported by the LtP.

**Deliverable no. 2:** Devising a strategy for substantial outreach with respect to "Licence to publish", authors' rights, self-archiving and the principles of Open Access, focusing on a number of cases in the Nordic social sciences and humanities but with the stipulation that the strategy be relevant and implementable to the STM (Science, Technology and Medicine) communities as well.

The project participants met at two workshops to discuss and decide on how to devise a strategy for outreach in a number of cases.

For this project we use the methodology of a case study. Case studies as a methodology can bring us to an understanding of a complex issue or object, can extend experience or add strength to what is already known through previous research and bring out the details from the viewpoint of the participants by using multiple sources of data.

A number of stages are important for conducting effective and reliable user research that is the foundation for devising a strategy for outreach, though this is not a scientific study aiming at a

general result, but rather a practical and systematically conducted study and outreach programme. This case study is based on a modification of the methodology devised by Yin (1984).

### **Stage 1. Determine and Define the Research Questions**

The first stage in the case study recommended by [Yin](#) (1994) is the development of the case study protocol to establish a research focus for the study. The focus of the study is the question about the situation or problem to be studied and determining a purpose for the study.

Hence the idea of the project is to promote Open Access and authors rights in a relevant and timely fashion to the researchers of the Nordic social sciences and humanities. Focus of the case study is researchers concerns, obstacles and prejudices concerning Open Access and authors rights.

The relevant questions were discussed at the second workshop in Stockholm by wording the project/research questions.

- Research Question: What are the researchers concerns about Open Assess?
- Research Question: What are the obstacles for the researchers?
- Research Question: Do the researchers know their authors rights to publish Open Access/self archive?
- Research Question: Where and when do the researchers look for information on authors' rights, and Open Access?

### **Stage 2. Select the Cases**

A protocol is essential for a case study and must include: An overview of the case study project (project objectives, case study issues and presentations about the topic under study).

Case studies are selective, focusing on one or two issues that are fundamental to understanding the system being examined. The cases can either be unique in some way or cases which are considered typical and one may also select cases to represent a variety of geographic regions, size, or other parameters.

On the second workshop held in Stockholm the participants determined which approaches to use in selecting cases to examine in depth and which instruments and data gathering approaches to use. The criteria for selection were:

- Expected benefit from outreach programme
- Positive inclination towards the project
- Equal geographical dissemination among the Nordic project participants

1. Case: Department of Scandinavian Languages, with the Dutch Division, University of Stockholm.

*The Department of Scandinavian Languages, with the Dutch Division* is one of the largest and oldest departments at Stockholm University – and is as such a key department within the Faculty of Humanities.

Research areas at the department have always had a wide spectrum. They have varied all from children's language learning to the written expressions of the deaf and from spoken Swedish by immigrants to ancient literary Nordic texts. Current research areas are the Nordic languages in the past, Swedish as a second and as a foreign language, phonology, and studies in Dutch language.

The number of publications annually is around 50 titles and they come out in different series. One of them is *Stockholm Studies in Scandinavian Philology* containing a part of doctoral dissertations done at the department since 2003. The series itself is a part of and published by ACTA Universitatis Stockholmiensis, which strongly encourages open access publishing. *Stockholm Studies in Scandinavian Philology* has in the institutional repository, DiVA, 15 of its publications are in full text freely available online, whereas 5 of the titles are presented only in a bibliographic format.

Our aim is twofold. On one hand we would like to study and unveil the underlying reasons for the fact that a portion of the above series still lies outside any Open Access domains. What are the reasons for opting out Open Access publishing with these specific publications? We also intend to find out on what extent the editor of the *Stockholm Studies in Scandinavian Philology* is aware of /have among the contributors discussed /the possibilities, rights and procedures of self archiving in a **subject specific** international open repository.

The Department of Scandinavian Languages publishes other series. One of them is MINS-series. It has 58 titles which can be purchased from the Department. 22 of these titles today are out of print. Here we intend to advocate for and study the point of view of the head of the department and the editor of the series as to archiving a digital version of the out of print material in open access, in this case in Hprints.

Case responsible: Marjatta Sikström, Stockholm University Library

2. Case: Department of French, Italian and Classical Languages, Stockholm University

The Head of the Department of French, Italian and Classical Languages has expressed his interest for the department's participation in the Hprints project.

The annual publication rate of the department is between 30-40 titles per year. Subject wise Hprints suits the department perfectly.

Case responsible: Marjatta Sikström, Stockholm University Library

### 3. Case: The Department of Philosophy, Linguistics and Theory of Science, Gothenburg University

The researchers we intend to work with for the project at University of Gothenburg are associated with the former *Department of Linguistics*. As of January 2009 the Faculty of Arts has reorganized, and this research group is now placed within *The Department of Philosophy, Linguistics and Theory of Science*.

An interdisciplinary research center is also closely associated with the research group: *SSKKII*, which is a center for interdisciplinary research in the intersection of the concepts Language, Semantics, Cognition, Communication, Information and Interaction.

For the former Department of Linguistics, the publications for the years 2007 and 2008 are the following<sup>2</sup>:

Publication type	2007	2008
Chapter in monograph, book	11	2
Conference paper – non peer reviewed	4	2
Conference paper – peer reviewed	17	10
Monograph, book – edited	1	1
Report	2	
Scientific journal article - peer reviewed	9	10

The publishing pattern for this group of researchers includes both journal articles as well as chapters in edited monographs. We believe that it will be interesting to see how the concept of Open Access practically applies to these different kinds of publication types. Since the traditional focus for Open Access has been on the journals, the questions regarding open access publishing related to monographs and book chapters will become of greater interest when approaching the humanities and in some extent the social sciences. We believe that the publishing pattern for the researchers in linguistics is closer for instance to cognitive science and psychology, than to some of the more monograph-biased publishing seen in some other departments within the Faculty of Arts/Humanities, where single/few author(s) monographs are more common. This can also be concluded when we look at the affiliation of the co-authors for the publications within linguistics.

Our intention is to choose 2-3 authors within the research group and then proceed with *a)* an interview with the purpose to identify the authors' knowledge of Open Access and to identify how this person today disseminates hers or his publications, and *b)* to guide in hands-on self archiving deposit in open repositories, both in the Institutional Repository for the university and in Subject Repositories such as Hprints

Case responsible: Jonas Gilbert, Gothenburg University Library

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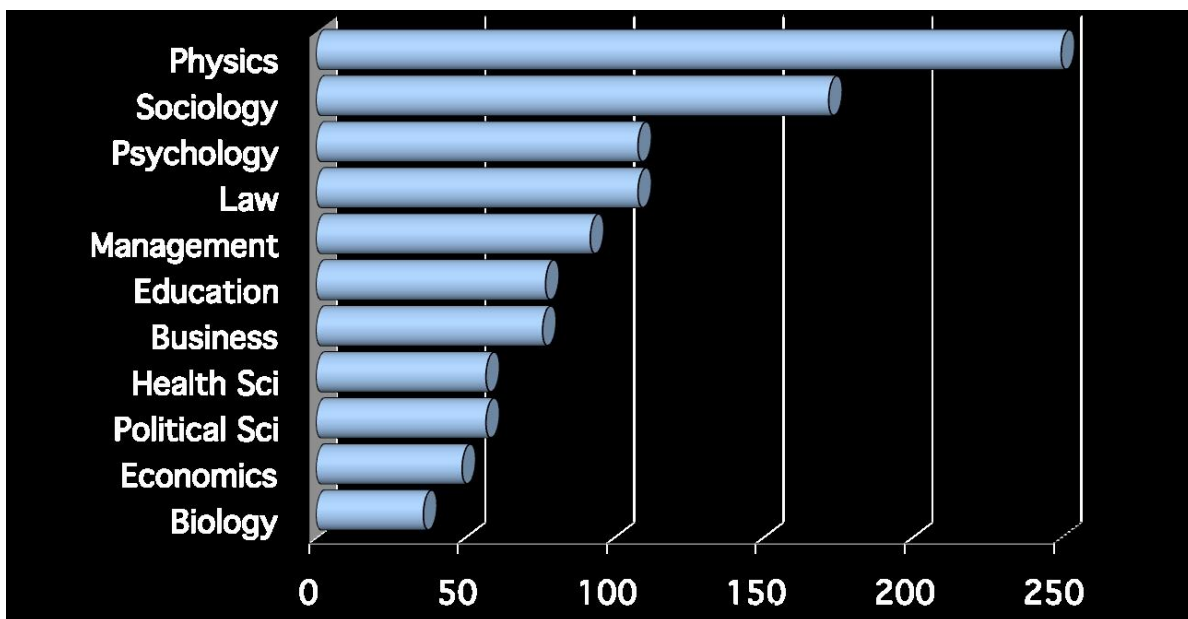
<sup>2</sup> Source: Gothenburg University Publications,  
<http://gup.ub.gu.se/gup/lists/publications/departments/html/index.xsql?ids=1282&lyear=1900&hyear=2020>



#### 4. Case: Department of Psychology, University of Copenhagen

*The Department of Psychology* is a cross-disciplinary department in the Faculty of Social Sciences, with research areas within medicine, science and humanities as well.

The annual publication rate of the department is 110-120 titles per year and includes both journal articles as well as chapters in edited monographs. Subject wise Hprints suits the department perfectly and a study by Stevan Harnad et al. (2004) showed that psychology could increase the numbers of citation more than 100%



(The graph shows the increase in the number of citations to Open Access articles, relative to articles that are not Open Access. The data was derived by Stevan Harvard el al. through a study of Open Access articles in repositories. For physics – a well established “old” Open Access subject – the increase in the number of citations is approximately 250%. Perhaps surprisingly, several social science subjects are “runners up” to physics: E.g. for sociology the potential increase in the number of citations is more than 150%, and for psychology – on third place in this study – it’s more than 100%!)

Case responsible: Simone Schipp von Branitz Nielsen, University of Copenhagen

### Stage 3. Data gathering and analysis techniques

The best way to pursue our scope and purpose, is to develop a research design. A research design is the specific strategy constructed to gather information, a more detailed treatment of the chosen methodology and should produce the series of steps that will guide the research itself. A key strength of the case study method involves using multiple sources and techniques in the data gathering process. Tools to collect data can include surveys, interviews, documentation review, observation, and even the collection of physical artefacts. The relevant sources and techniques where discussed at the second workshop in Stockholm.

According to Yin (1994) there are 6 primary sources for case studies. Not all sources are essential in every case study but it is important in a case study to have multiple sources of data. No single source has a complete advantage over others, they are complementary and should be used in tandem. The six sources are:

1. documentation
2. archival records
3. interviews
4. direct observations
5. participants observations
6. physical artefacts

For the project cases we use interviews and documentation.

Documents are a good source to corroborate evidence gathered from other sources. For this project we want to do a literature study on e-archives and institutional repositories history of scholars' concerns and obstacles to Open Access publishing and authors' rights. Since the fields of science and health have traditionally been more open to electronic and/or Open Access Publishing, we assume that most studies on Open Access concerns have so far not concentrated on humanities and social sciences. The literature study will explore the validity of this assumption, uncover the previous findings of research concerns and obstacles to open Access publishing, and corroborate and/or question the results of the interviews.

Interviews are one of the most important sources of case study information. There are several forms of interviews that are possible: Open-ended, Focused, and Structured or survey. A decision on what kind of interview to conduct must be up to the participants to discuss if this project receives the grant to move on the next level.

## Discussions and conclusions

This project has demonstrated that it is indeed possible for Nordic partners to agree on and setup a case study design for a Nordic study aiming at a relevant Nordic outreach to increase the awareness and understanding of the principles of Open Access by providing a dialogue among stakeholders on authors' rights and Open Access principles. However it has proven difficult to get all participants to contribute equally active be it to the project or the chosen means of electronic communication. It should be stressed though, that the active parties have been very engaged and dynamic. For this reason the project is successfull in its capacity as a Nordic collaboration.

It has furthermore been demonstrated that the preparatory study for an effective Open Access outreach is a time-consuming process, and one should be wary of not basing an outreach effort on personal assumptions and experiences, since there might very well be subject- and/or research group-specific concerns, obstacles etc. towards Open Access. However, the changes agreed on by the Nordbib Board enabled the participants of this project to engage in the preparatory phase of the outreach process. As a result the participants are now well equipped to executing the in-depth study and outreach for each of the chosen cases should Nordbib agree to the continuation of the project.

Hence, drawing on the experiences garined from the project so far, and since it has received a great deal of interest from institutions, research groups etc., we recommend the continuation of project as described in the original application. We should not waste the current degree of interest towards Open Access uncovered by the initial stages of this project!

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