

Open Access

What does BOAI mean by "open access"?

Here is the definition of "open access" from the BOAI: "By 'open access' to this literature, we mean its free availability on the public internet, permitting any users to read, download, copy, distribute, print, search, or link to the full texts of these articles, crawl them for indexing, pass them as data to software, or use them for any other lawful purpose, without financial, legal, or technical barriers other than those inseparable from gaining access to the internet itself. The only constraint on reproduction and distribution, and the only role for copyright in this domain, should be to give authors control over the integrity of their work and the right to be properly acknowledged and cited."

Is open access compatible with copyright?

Completely. The short answer is that copyright law gives the copyright holder the right to make access open or restricted, and the BOAI seeks to put copyright in the hands of authors or institutions that will consent to make access open. The long answer depends on whether we are talking about Self archiving or open access journals.

- **Self-archiving.** Authors of preprints hold the copyright to them and may post them to open access archives with no copyright problems whatever. If the preprint is later accepted for publication in a journal that requires authors to transfer copyright to the publisher, then the journal may or may not give permission for the refereed postprint to be posted to an open access archive. If permission is granted, then again there is no copyright problem. If permission is denied, then the preprint may remain in the open access archive because it is a different work from the postprint and the author never transferred the copyright on the preprint. Moreover, the author may post to the archive a list of corrigenda, or differences between the preprint and postprint. This is not quite as convenient for readers as seeing the whole postprint online, but it provides them with the equivalent of the full text of the postprint and is infinitely more useful than no free access at all.
- **Journals.** Open access journals will either let authors retain copyright or ask authors to transfer copyright to the publisher. In either case, the copyright holder will consent to open access for the published work. When the publisher holds the copyright, it will consent to open access directly. When authors hold the copyright, they will insure open access by signing a license to the publisher authorizing open access. Publishers of open-access journals will have such licenses already prepared for authors.

The BOAI does not advocate open access for copyrighted literature against the will of the copyright holder or in violation of copyright law. Nor does it advocate any change in copyright law. It seeks to maximize open access within existing copyright law, in accordance with the wishes of the copyright holders.

Is open access compatible with peer review?

Completely. BOAI seeks open access for peer-reviewed literature. The only exception is for preprints, which are put online prior to peer review but which are intended for peer-reviewed journals at a later stage in their evolution. Peer review is medium-independent, as necessary for online journals as for print journals, and no more difficult. Self-publishing to the internet, which bypasses peer review, is not the kind of open access that BOAI seeks or endorses.

Is open access compatible with print?

Completely. Open access is online access, but it does not exclude print access to the same works. Open access is free of charge to readers, but it does not exclude priced access to print versions of the same works. (Because print editions are expensive to produce, they tend to be priced rather than free.) Open access does not exclude printouts by users or print archives for security and long-term preservation. For some publishers, print will exclude open access, but the reverse need never occur.

Is open access compatible with high standards and high quality?

Completely. The short answer is that the same factors that create high standards and high quality in traditional scholarly publications can be brought to bear, with the same effects, on open-access literature. The long answer depends on whether we are talking about Self archiving or open access journals.

- **Self-archiving.** Scholars self-archive either unrefereed preprints or refereed postprints. Let's take these in order. (A) By calling preprints "unrefereed" we mean, of course, that they are not yet peer-reviewed. Their quality has not been tested or endorsed by others in the field. But this is because they are unrefereed preprints, not because an archive gives open access to them. As long as they are labelled as preprints, there is no misleading of readers and no dilution of the body of refereed or peer-reviewed literature. (B) Refereed post prints have been peer-reviewed by journals. The standards by which they have been judged and recommended are those of journals in the field, and these standards do not depend on a journal's medium (print or electronic) or cost (priced or free). The quality of the articles endorsed by these standards depends entirely on these standards, not on the fact that an archive provides open access to them.
- **Journals.** The quality of scholarly journals is a function of the quality of their editors, editorial boards, and referees, which in turn affect the quality of the authors who submit articles to them. Open-access journals can have exactly the same quality controls working for them that traditional journals have. The main reason is that the people involved in the editorial process, and the standards they use, do not depend on the medium (print or electronic) or the cost (priced or free) of the publication. This is clearest in the case when the very same people who edit print or limited-access journals also edit open-access journals, either because their journal appears in two versions or because they resigned from a journal that didn't support open access and created a new open-access journal to serve the same

scholarly community. Open-access journals do not differ from toll-access journals in their commitment to peer review or their way of conducting it, but only in their cost-recovery model, which has no bearing on the quality of the articles they publish.

Is open access compatible with an embargo period?

No. open access is barrier-free access, and embargo periods are barriers to access. Many of the benefits of open access are not achieved when embargoes are in place. However, while delayed free access does not serve all the goals of the BOAI, it does serve some of them. Just as open access is better than delayed access, delayed free access is better than permanently priced access. Note that authors can always ensure immediate open access through Self archiving or by publishing in Journals that provide immediate open access to their contents. Please see our similar reply to the question on initiatives to make journals affordable rather than free

Why doesn't the BOAI call on scholars to put their works into the public domain?

Putting online works into the public domain is one way to create open access to them. But this method leaves authors with fewer rights than they might want, e.g. the right to prevent plagiarism or the publication of corrupted versions of their work, while using copyright law to protect authors' basic rights does not interfere with the kind of open access that matters for research and education. The primary purpose of BOAI is to enhance and accelerate research. Researchers do not need the right to publish mangled or misattributed versions of the work of other researchers. Hence, letting authors retain the right to control the integrity and proper citation of their work will not interfere with the kind of open access that BOAI endorses.

Must users ask the author (or copyright holder) for consent every time they wish to make or distribute a copy?

No. The author's consent to open access for a given article is manifested by Self archiving the article in an open-access archive, by publishing it in an open access journal by some explicit statement attached to the article. Open-access archives and journals will help readers by making clear that they offer open access to all their contents, and they will respect authors by offering open access only to the works for which their authors have consented to open access. However, if a copy righted work is on the internet but not in such an archive or journal, and there is no other indication of the copyright holder's wishes, then users should seek permission for any copying that would exceed fair use.

Isn't this wishful thinking? Do you really believe that online archives and journals are free?

"Free" is ambiguous. We mean free for readers, not free for producers. We know that open-access literature is not free (without cost) to produce. But that does not foreclose the possibility of making it free of charge (without price) for readers and users. The costs of producing open-access literature are much lower than the costs of producing print literature or toll-access online literature. These low costs can be borne by any of a wide variety of potential funders, among which BOAI has no preferences. For more detail, see our questions on how to provide free access to literature that isn't free to produce and how open access journal pay their expenses.