

PROPOSITION

Publisher, be damned! From price gouging to the open road

David Harvie, Geoff Lightfoot, Simon Lilley* and Kenneth Weir

Centre for Philosophy and Political Economy, University of Leicester School of Management, Leicester, UK

All four authors are members of the Leicester school of critical management and have previously written together on academic publishing. David Harvie lectures in finance and is interested in ethical issues related to this and other matters. He is a member of The Free Association writing collective. Geoff Lightfoot lectures in entrepreneurship and has particular interests in the ideology of markets and critical accounting. Simon Lilley works on information aspects of organisation and is currently head of the School of Management at Leicester University. Kenneth Weir is interested in accounting practices, especially critical and social accounting.

Introduction

There's real life for you, embodied in that little cart. The open road, the dusty highway, the heath, the common, the hedgerows, the rolling downs! Camps, villages, towns, cities! Here to-day, up and off to somewhere else to-morrow! Travel, change, interest, excitement! The whole world before you, and a horizon that's always changing! (Toad, in Kenneth Grahame, *The Wind in the Willows*, 2012 [1908], p.26)

The economics and organization of academic publishing have been the subject of much controversy recently – within the UK and internationally. Both journalists (e.g. Monbiot, 2011) and academics (e.g. Gowers, 2012) have objected to publishers' pricing practices and business models. The past few years have not only witnessed debate, but more energetic activity too. One publishing giant is currently boycotted by academics, and not for the first time. In a few instances, editorial boards have resigned *en masse* in protest at high subscription prices. We have seen the creation of numerous open-access initiatives and dozens of new open-access journals, including the *über*-respectable Public Library of Science (PLOS). In 2012, a group commissioned by the UK government published the results of its year-long study

*Corresponding author. Email: sdl11@leicester.ac.uk

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into the academic journal market and the feasibility of adopting open access (Finch Report, 2012).

In this Proposition, we review some of these developments. We first examine the subscription pricing and bundling practices of commercial publishers, which we contend have led to publishers enjoying bumper profits – at a time when many other industries are struggling – and a range of problems for libraries. We then look at academics' attempts to exert pressure on publishers – specifically to reduce journal subscription prices. Their efforts have been largely unsuccessful, but frequently they have triggered exodus and the creation of exciting alternatives to existing models. Next we turn our attention to the impact of publishers' practices on libraries and scholars, both as users and producers of research – and also on governments, which might, at the very least, expect profitable publishers to contribute to tax revenue. In the final substantive section, we reflect on the Finch Report, *Accessibility, Sustainability, Excellence: How to Expand Access to Research Publications*, concentrating on its treatment of commercial publishers and the publishing industry (Finch Report, 2012). We conclude by drawing some parallels with the music industry and suggesting that academics disgruntled with commercial publishers might learn some lessons from the Grateful Dead.

Prices and profits

What has been characterised as rampant price inflation is one characteristic of the market in academic journals – or at least those journals published by commercial publishers – with several studies since 2000 indicating rapidly increasing prices charged by for-profit publishers (Bergstrom, 2001; Bergstrom and Bergstrom, 2004; Dewatripont *et al.*, 2007; Harvie *et al.*, 2012). Bergstrom and Bergstrom (2004) suggest that a journal page published by a for-profit publisher is between three and five times more expensive than one published by a not-for-profit publisher. One factor driving increasing prices is journal reputation (Bergstrom, 2001) – but this leads to increasing profit margins (McCabe, 2004). In short, widely-cited journals are perceived to be higher quality, which allows for-profit publishers to charge higher prices for such journals; if widely-cited and more highly-priced journals also enjoy higher circulation (because they are widely-cited), then publishers also benefit through lower average production costs (McCabe, 2004; Dewatripont *et al.*, 2007).

In a broad and detailed econometric study of the pricing practices of social science and natural science journals, Dewatripont *et al.* (2007) draw three conclusions. First, for-profit publishers charge roughly four times more than not-for-profit publishers. Second, highly-cited journals are more expensive than journals that are less cited, the logic being that these journals are of greater value to academics and therefore these academics' institutions will be willing to pay a subscription premium. Finally, the average prices of journals across scientific fields can vary by a factor of up to six, which is correlated with publishers' market position and power: the greater the concentration ratio in a given field, the higher the average journal price.

In a recent paper (Harvie *et al.*, 2012), we linked Dewatripont *et al.*'s results to those of an Office of Fair Trading (2002) study, which concluded that the journal publishing market was not working well. The OFT study expressed particular concern at both publishers' pricing practices and profitability, alleging that price

increases were above inflation. Similarly, the OFT highlighted the price disparity between commercial and non-commercial scientific, technical and medical (STM) journals, also noting that commercial STM publishing is 10–15% more profitable than other forms of commercial journal publishing. The study suggested that journal publishers' practices – in particular the bundling of journals – created and sustained potential barriers to entry, a finding echoed by the Finch Report (2012).

Clearly, the journal bundling and pricing practices of academic publishers have had a significant impact upon both their revenue and profit levels. In 2011, operating profit margins¹ of the largest publishers of academic journals approached 40% (*Economist*, 2013). Digital sales accounted for 40% of one publisher's group revenue and around 60% of total scientific, technical, medical and scholarly (STMS) turnover (see Milliot, 2012). STMS has generated overall revenue growth for this publisher at a compound rate of 12% annually for the five-year period up to 2012. Other academic publishers have reported similar improvements in their bottom lines (see Strempel *et al.*, 2010; Strempel and Kilkelly, 2011). Despite the pressure publishers' commercial practices have put on already-stretched university budgets, academics have – for the most part – seemed reluctant to challenge these practices and the business model that underpins them (see Beverungen *et al.*, 2012).

Controversy and academic publishing

While some of the examples discussed here revolve around individual publishers, controversy is nonetheless attached to the vehicle of academic publishing as a whole, and for-profit publishers in particular (Gasson, 2003). McGuigan and Russell (2008), for instance, note that one publisher's operating profit margins in journal publishing activities over the three years 1998, 1999 and 2000 were reported at 25.7%, 23.4% and 21%, respectively. This is the same period over which the editors of the *Journal of Logic Programming* were engaged in collective negotiations to reduce the library subscription fee for the journal. Unsuccessful in their efforts, the entire editorial board of some 50 editors resigned *en masse* and created *Theory and Practice of Logic Programming* (Birman, 2000). Meanwhile, the publisher, which held the intellectual property rights of the old journal, recruited a new editorial board and re-launched it as the *Journal of Logic and Algebraic Programming*. It is encouraging to discover that *Theory and Practice of Logic Programming*, which is now published by a university press, has a higher impact factor than the commercial journal (0.667 versus 0.506 in 2011) and about half the subscription price (in 2013 an institutional price of £391 for online and print versus £739).

Another controversy followed in August 2006, this time within mathematics, as the editorial board of *Topology* entered into negotiations with its publisher to reduce subscription prices, a move prompted by fears that policies for pricing mathematical journals generally had had a significant and damaging effect on *Topology's* reputation. By the end of 2006, *Topology's* editors had had enough, conceding that their collective efforts to reduce prices had made little impact. Again, there was a mass resignation and, in 2008, the launch of a new journal, the *Journal of Topology*, published by a university press on behalf of the London Mathematical Society.² Again, the commercial publisher found new editors for the pricey *Topology*, but no issue of this journal appeared after December 2009.³

Broad dissatisfaction with academic publishers has culminated in the Cost of Knowledge campaign,⁴ spearheaded by academics within mathematics and launched

online in January 2012 as a public site for protest against exorbitantly high journal prices, controversial intellectual property laws aimed at restricting the flow and exchange of information (see Peterson, 2013), and the bundling of journals (the ‘Big Deal’). This last offers institutional libraries a collection of journals on a bulk subscription basis, usually on a long-term arrangement, giving an initial discount to the cost in exchange for assurances that subscriptions to these bundled journals will not be cut in the future.

Coupled with the online protest, Gowers (2012), one of its initiators, has called for academics, irrespective of discipline, to boycott one academic publisher by pledging not to edit, referee for or submit articles to any of the journals it publishes. Launched in February 2012, this petition has gathered more than 13,000 signatures in little over a year, and has received positive media attention (see, for example, Neylon, 2012). Since its launch, we have also witnessed the publisher concerned distancing itself from some intellectual property laws, in particular the proposed Research Works Act in the United States, legislation that would have severely limited open access to federally-funded research. The publisher has further acquiesced, somewhat, to Cost of Knowledge pricing demands: in September 2012, the publisher sent an open letter to the mathematics community which announced a price reduction for core mathematics titles of US\$11 per article, a decrease that placed it ‘below most university presses, some societies and all other commercial competitors’.⁵

The concession has done little to dampen the controversy. Indeed, it has continued in other fields as other academics have brought similar concerns to the fore. Within the field of biomedical sciences, Winston Hide publicly resigned in May 2012 from his position as associate editor of the journal *Genomics*. Expressing discontent at for-profit publishers who sequester research findings behind high paywalls, Hide (2012) explains the detrimental effects that such paywalls can have on research communities, especially in poor countries, as well as on the budgets of the university and college libraries:

No longer can I work for a system that provides solid profits for the publisher while effectively denying colleagues in developing countries access to research findings.

From Big Deal to big squeeze: the impact on libraries ... and the Treasury

Hide (2012) frames the high prices of journals as a problem of epistemology: excluding access to current and state-of-the-art research prevents potential contributions to prevalent scientific problems. High journal prices are also detrimental to new knowledge creation within social science since these prices limit access by academics and students to potential knowledge commons, thus compromising their capacities to develop such commons (Harvie *et al.*, 2012). Researching the impact on libraries of for-profit publishers’ practices, we find that over the past decade, while overall university spending has increased by 60% in real terms, that of libraries has risen by only 31%; libraries’ largest cost is staffing, but next comes information provision – spending on books and journals, both printed and electronic – which accounts for a little over a third of total spending (Harvie *et al.*, 2012, pp.909–10). We further note that:

Since 1999, spending on books has fallen by almost a fifth in real terms, and from almost 12 per cent of libraries' total spending to just over 8 per cent. Expenditure on serials, on the other hand, has increased sharply: from just under £70 million to over £130 million. In real terms this represents an increase of 63 per cent; journals' share of total library spending rose from 16 per cent to almost 20 per cent. (Harvie *et al.*, 2012, p.910)

The Research Information Network (RIN) and the Society of College, National and University Libraries (SCONUL) directly attribute these significant changes in library budgets to the Big Deal bundling practices of commercial publishers:

Librarians thus find that increasing proportions of their budgets are tied up in big deals, with an inevitable impact upon other budgets, including those earmarked for buying books. (RIN/SCONUL, 2010, p.14)

Oxford Dictionaries defines deal as 'an agreement entered into by two or more parties for their mutual benefit, especially in a business or political context'.⁶ The Big Deals offered by commercial publishers produce such ill-effects on the budgets and operations of libraries that we find it necessary to question whether the benefit really is mutual. Where is the benefit to libraries? Or to students? Or to academic researchers, whose unpaid (at least by publishers) labour creates articles, referees' reports and editorial expertise? The *Oxford English Dictionary* gives another definition of 'deal', which seems more appropriate: 'a transaction of an underhand or questionable nature'.⁷

Much of the academic labour that produces scholarly journals is not only not paid by publishers, but is frequently not even adequately supported. We have recounted elsewhere academic dissatisfaction with the business model of one academic publisher and, in particular, the publisher's reluctance to provide resources to support the editorial process of one of its journals (Harvie *et al.*, 2012). This dissatisfaction prompted attempts to relocate the journal to an alternative publisher.

... it quickly became clear to us that journals are a bit like Premiership footballers in terms of their transferability. The publisher who we had interested in taking the journal on reported that they could not 'legally' make an approach to the current publisher to begin negotiations on this because such was only acceptable if and when the current publisher had clearly communicated a desire to sell in the absence of prior approach. And, as we have been reminded only too often as editors, we have no intellectual property rights whatsoever in the organs we realise through our unpaid labour. (Harvie *et al.*, 2012, p.911)

The publishers of academic journals may not pay for the labour that creates content, but such labour does not go entirely unrewarded. Academics are, of course, paid a salary by their university employers, who – at least in the UK and at least for the moment – in turn receive funding from the government. Academic labour is thus partly funded by the taxpayer. One might therefore adopt a more philosophical approach to journal publishers' pricing practices and their resultant profitability. Surely what goes round, comes round: at least a chunk of publishers' healthy profits will end up in Treasury coffers (whether in the UK or some other nation state that finances university research).

Alas not. It turns out that of the big three academic publishers, two are headquartered in tax havens, one in Luxembourg and the other in Delaware (Harvie *et al.*,

2012, pp.905–906). A smaller academic publisher has gone to the trouble of becoming a Jersey company domiciled in Zug, the canton with Switzerland's lowest tax rates (see Goodway, 2009; Reece, 2009; Warner, 2009). Adjustments in the tax regimes of both Switzerland and the UK have encouraged the company to consider a return to the UK (Cookson and Houlder, 2013).

‘The open road, the dusty highway ...’

The dust has yet to settle on the Finch Report (2012), *Accessibility, Sustainability, Excellence: How to Expand Access to Research Publications*, commissioned by the UK government in early 2011 and published in June 2012. The group's remit was:

to examine how to expand access to the peer-reviewed publications that arise from research undertaken both in the UK and the rest of the world, with a particular focus on articles published in scholarly journals ... and to propose a programme of action to that end. (p.13)

Finch has come out quite clearly in favour of open access. Distinguishing two variants: so-called ‘gold open access’, in which research articles are available, without charge to the reader (or their institution) immediately upon publication via the publisher's own platform; and ‘green open access’, in which a version of a research article is made freely available via a repository following an embargo period after initial publication. Finch sees the gold scenario as preferable. [The Report even includes an appendix hubristically entitled ‘Transition to the open road: gold scenario modelling update’ (pp.125–36).] In July 2012, a month after the Report's publication, the government endorsed the Finch recommendations and, in particular, its preference for gold open access, announcing a scheme that will make all research funded by the UK taxpayer freely available online within the next two years (Sample, 2012).

Much has been written about the Finch Report and its reception. Clearly, many commentators welcome Finch's support for open access, as we do ourselves. But critics have focused on the costs of open access, in particular the transition costs, which the Report estimates to be £50–60 million per year, to be paid by the higher education sector (Finch Report, 2012, p.11). Here we are particularly interested in how the attempt to reconcile the interests of different stakeholders has led Finch to propose, and the government to endorse, a model which will paradoxically intensify financial pressures on British universities. Thus, it is likely to make the environment for researchers even harsher.

Addressing the conference of Research Libraries UK in November 2012, Janet Finch was candid about the remit of the group she chaired.⁸ She acknowledged ‘genuinely different interests ... different stakeholder groups [whose interests are] not easy to reconcile’, before suggesting that they were looking for a best-fit solution. In other words, it appears the Finch remit was to attempt to do just that – reconcile these different interests. In particular, besides wider access for readers both within and outside the academy and lower costs for universities, one criterion for success is ‘financial sustainability for publishers, including learned societies ... [a] viable publishing industry’.

The question Finch has not addressed – either in the Report or in her presentation to Research Libraries UK – is why the UK needs a viable publishing industry. Indeed, the phrase ‘publishing industry’ appears just once in the Report, the same

number of times as the word ‘profits’, while ‘commercial’ appears only a handful of times. In fact, reading the Report, one is left with the impression that academic journal publishing is a benign, almost idyllic, sector of society, in which commercial publishers coexist peaceably with learned societies, working harmoniously to increase the sum of human knowledge:

Publishers come in many guises: those that publish thousands of titles and those that publish one; the commercial and the non-commercial; university presses and learned societies; and open access and subscription-based, with many operating both models. All are interested in sustaining and developing services for the effective publication and dissemination of research publications that are underpinned by peer review. Subscription-based and open access publishers operate different business models; but both are interested in securing the revenues that enable them to offer high-quality services to authors and to readers/users. (Finch Report, 2012, p.90)

Such a happy picture is, we believe, highly misleading (see Lilley, 2012). We do not deny that publishers provide several valuable services to authors and readers/users – editing, proof reading, layout/design, web hosting, database management and so on, though we would not always describe these services as high quality. We certainly believe that variously skilled workers make a valuable contribution to the dissemination of research findings. But, publishing, as currently configured, is an industry and, as such, it is driven by profit. As we have argued above, these profits are often extraordinarily high.

Since the Finch Report elides the relationship between publishers’ practices and profits, it is instructive to do a little investigation of our own. As we have noted, the Report recommends gold open access, whereby articles become freely available immediately upon publication via the publisher’s own platform. The key economic variable here is the author processing charge or article publishing charge (APC). The Finch Report quotes a figure suggesting that for currently existing open-access journals, the average APC is US\$900, about £600 (Finch Report, 2012, fn. 125).⁹ The Public Library of Science now publishes seven journals. Its APCs range from US \$1350 (£900) for *PLoS ONE*, through US\$2250 for *PLoS Computational Biology*, *PLoS Genetics*, *PLoS Pathogens* and *PLoS Neglected Tropical Diseases*, to US \$2900 (£1940) for *PLoS Biology* and *PLoS Medicine*.¹⁰ We can compare these figures with those of a commercial academic publisher offering authors gold open access for a fee of £1788 – the effective APC.¹¹ Another commercial publisher sets a fee of £1600 for the same service.

It is worth making a few estimates here. Commercial agencies quote between £10 and £20 per thousand words for combined copy-editing and proof-reading services, while a one-off article (of approximately 30 pages) can be commercially formatted for about £100. In other words, an 8000-word academic article could be copy edited, proof read and designed for less than £300. Since formatting involves a high fixed-cost element (setting up style sheets and so on), one would expect this cost to fall for a journal-like publication as economies of scale kick in. As far as web hosting and database storage and management goes, this area is evolving rapidly (no doubt conforming more or less to some variant of Moore’s Law) and we admit we are not experts. However, it seems one can quite easily purchase a cloud-hosting bundle offering website, plentiful storage space and lots of bandwidth to allow easy access/downloads for as little as £10 a month.

Our own institution, the University of Leicester, employs approximately 2000 academic staff. If each of these 2000 researchers were to publish one article a year on average, the cost would be something like £3.5 million (given an APC of £1750), a third of the £10m the government has offered to ‘pump-prime’ the transition to open access, or 6–7% of the £50–60 million annual cost estimated in the Finch Report. Academic researchers and their employers have struggled (for the most part ineffectually) to force commercial publishers to reduce subscription prices under the existing model; why would they (we) have any more success in reducing author processing charges?

It is not far-fetched to suggest that the Finch Report is simply an attempt to respond to, and harness for the benefit of the publishing industry (i.e. commercial publishers), a bottom-up shift in the nature of academic publishing. It can be seen as a Trojan horse, ‘a successful case of lobbying by publishers to protect the interests of publishing at the expense of the interests of research and the public that funds research’, as one critical blogger puts it (Harnad, 2012).

Here we agree with Debby Shorley (2012), director of library services at Imperial College, London, who acknowledges that ‘many [publishers] are, quite legitimately, determined to maximise their profits’, but who goes on to suggest that others (such as universities, researchers and so on) should compete with these publishers. In other words, instead of worrying about publishers’ profits, and attempting to regulate these profits, we should simply accept that publishers have different interests – occasionally complementary, but frequently antagonistic – from researchers. Given this context, and given capitalist society, researchers’ interests might be best served by some form of self-publishing. Thus, Shorley (2012) continues:

Maybe the real benefit of the Finch Report is not that it gives us a solution – it doesn’t – but that it has sparked discussion in high places. It may make those involved in publicly funded research bold enough to turn the current scholarly communications model on its head and allow our universities to regain control of their intellectual capital by disseminating the research they produce.

Conclusion: home taping didn’t kill music

Can we, as researchers, be bold enough to take up the challenge that Shorley identifies? It is easy to sit, simmering with discontent, while our research environment becomes ever more fraught and the ideals of the Humboldt University seem ever more distant, and do nothing (*Economist*, 2011). But doing nothing may be part of the solution (Gusterson, 2012). Let us explain by drawing a parallel with the music industry. In 1979, the peak year for vinyl single sales in the UK (Ewing, 2010), a 7-inch single from a major retailer cost between 99 pence and £1.09 (a little under £3 in today’s money). The standard price today for a single track from Apple’s iTunes is 99 pence; in slightly more open markets, such as www.Amazon.co.uk, the price is 89 pence and from other distributors the price can be as low as 29 pence (Ewing, 2010). And, as Ewing points out, the market is booming with over 150 million singles sold in 2009. Thus, despite a background of 35 years of dire warnings from the music industry that home taping and/or piracy is killing music, more music is being produced and reaching more people than ever before, at a much lower price. While more academic knowledge may be being produced, the price of reproduction and dissemination has not followed the music trajectory, even though the possibilities for similar reductions in price are obvious, particularly as the income of

academic authors is not directly dependent on the sales of journals, whereas at least some monetary benefit accrues to artists from the sale of music. Why, then, has academic knowledge become more expensive for consumers while music has become less expensive, and what can we do about it?

We suggest that the academic publishing industry is as resistant to change as the music publishing industry was. But the music industry lost its ability to protect the *status quo* of excessive profits through sustained assault by people who used the latest technology to distribute music through alternative channels. Once it became easy to access music for free (albeit by means of questionable legality), the price of supply through legitimate sources had to fall. And fall it did, without obvious deleterious effects on the production of music itself. We do not suggest that people engage in outright piracy of academic works, not least because the penalties for perpetrators can be severe. But it may be that we could be more sympathetic to the ‘trading’ of academic knowledge, just as the Grateful Dead allowed people who made tapes of their concerts to trade them on a not-for-profit basis (Fraser and Black, 1999): ‘the legally regulated world of intellectual property rights and copyright enforcement actions is replaced by a self-regulating enterprise in which commercial interests do not influence the values of the group or subculture’ (Fraser and Black, 1999, p.33). Thus it is that doing nothing to prevent the trading of electronic copies of our academic work could act to circumvent the perils of engagement with the academic publishing industry.

Notes

1. The operating profit margin is a relative measure of a reporting entity’s profitability. It measures the operating profit as a percentage of turnover.
2. The full resignation letter is available online, available from <http://math.ucr.edu/home/baez/topology-letter.pdf> [accessed February 2013].
3. According to the journal’s page at *Science Direct*, available from <http://www.sciencedirect.com/science/journal/00409383/48>.
4. <http://thecostofknowledge.com/>.
5. <http://www.elsevier.com/physical-sciences/mathematics/letters-to-the-community> [accessed February 2013].
6. <http://oxforddictionaries.com/definition/english/deal>.
7. <http://www.oed.com/view/Entry/47701>.
8. Available from <http://www.youtube.com/watch?v=5O1RvrzU86c&feature=youtu.be> [accessed March 2013].
9. This average includes very low-cost journals published in developing countries.
10. See <http://www.plos.org/publish/pricing-policy/publication-fees/>.
11. See <http://journalauthors.tandf.co.uk/preparation/OpenAccess.asp#link2>.

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