Chapter 16
Open Access Policies: Between Rights and Obligations

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ABSTRACT

Scholarly publishing is central to the efficiency of research, dissemination of research findings and diffusion of scientific and technical knowledge. Studies however reported that gaining access to published research findings is still a problem due to the increasing costs of journal subscription, a system protected by copyright law. This chapter briefly explains open access and explores its strengths and weaknesses. It further explains why the UK accepted the Finch Report recommendations to encourage innovations by enabling more people to read and use research publications. This chapter emphasizes that the benefit of open access policy as an incentive to enhance innovation must be encountered with caution as it will bring varying implications for different countries and disciplines. It also argues that although those involved in scholarly publishing have the right to be fairly compensated, they also have the moral obligation to ensure its dissemination for the benefit of public interest.

INTRODUCTION

Development in local and international business depends very much on continuous research and innovation conducted in different areas. Efficient research relies on the availability of resources and the ability to access previous research findings that can be build upon, compared and learned from especially with the support of information communication technology. Yet, researchers sometimes face difficulties in obtaining access to published research findings and relevant academic publishing that might be important for their research. Researchers for instance, have declared to boycott big publishers’ journal for selling journals in large bundles and charging exorbitant prices for journal subscriptions (The Economist, 2012). The UK House of Commons Science and Technology Committee (2003) has also reported the negative impact of publishers’ pricing and bundling policy towards libraries ability to purchase journals required by the community. The difficulties in
accessing research works is partly caused by copyright law that has failed to bring about a reasonable balance of interests (Hilty, 2007) by granting copyright owners temporary exclusive rights to creators enabling them to exploit or to license them to others.

The problem of costly access to research materials may hamper research, development and innovation which is necessary for government and business entities alike, not only in developing world but also in develop countries such as the United Kingdom (UK). Even in a country that is a strong proponent of copyright protection, it is acknowledge that copyright present a challenge as well as opportunity in maximizing economic growth and innovation (Hargreaves, 2011). The UK faces the challenge of accessing resources and materials by adopting a positive approach towards open access. Nevertheless, its adoption of open access to solve the problem, particularly the gold open access approach definitely have its own pros and cons.

This chapter generally looks at the debate on the use of open access publishing, which basically calls for unrestricted access to research findings or scholarly works that is normally locked in a costly subscription journal. It particularly analyze why the UK, a country that is highly advanced in its research and development, very protective of its intellectual property and a proponent of a strong copyright system has taken up the idea of gold open access system where scholarly articles are openly shared with users. The chapter further examines both the benefits as well as the challenges brought by open access system adopted in the UK. This chapter then argues that, while open access system may solve the problem of access to research materials and publications, not all countries may be able to fulfill the obligation and requirement that contributes to the success of open access. It finally reminds that while stakeholders of any research works should have the right to be fairly paid or compensated for their work, they also have the moral obligation to ensure that their research findings could be shared and used for the benefit of the society.

BACKGROUND

The advancement in technology has created various opportunities for companies and countries to change their strategies in research and dissemination of knowledge. Technology has also decrease operating cost, time spent, resources as well as the labour needed to do certain work. Through digital transmission of work, it brings about the ease of reproduction, dissemination and storage (Peters, 2008). At the same time, technology also raises competitiveness across geographical boundaries. Such phenomena can be explained in the development of open access approach to scholarly works.

Various studies have been conducted on the issue of open access ever since it was advocated by the open letter of the Public Library of Science (2001) that is committed towards making the scientific and medical literature a public resource. Yet, open access is still considered as in its early stages of development albeit the existence of various research which discuss on different aspects of open access. Frosio (2014) has specifically conducted a study on literatures pertaining to open access and found several research gaps that could be undertaken by further researchers. To this extent, there is not much literature that devote on the adequacy of the open access publishing system. Hence this chapter seeks to address the pros and cons of open access publishing as well as to explore the reasons behind the adoption of open access and its development in the UK to provide lessons learned for other countries to consider.

Open access aims for everyone that has internet access to be able to read and use the scientific discoveries that are generated through research particularly those which are largely funded by public monies (Doyle, 2004). The Budapest Open
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