CHAPTER 2

Foundations for an Open Access Policy

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Open access (OA) is typically defined[1] as a framework for the online distribution of research that is "free" of cost and other barriers. While "open access policies" are a recent legal construct, some principles of open access are embedded in the past expressions of the Jewish and Christian theological traditions, including: oral stories and poetry, written narrative and laws, distributed letters and instructions, and tracts and books. These examples typically prioritized distribution to the widest possible audience while seeking to minimize costs and other barriers. A modern open access policy within a seminary or other institution of higher education attempts to make the scholarship of the institution (and particularly the faculty) freely available online to the widest possible audience. This chapter will address framing the faith and scholarly traditions that support an open access policy and accompanying digital repository, preparing the politics and process of adopting an open access policy, and implementing an open access policy within theological schools.

Sharing Faith: Faith Traditions and Open Access

In order to form faith across geography and time, the ancient Hebrews would retell stories through song and ritual, hold public meetings at the gate of the town, and read scrolls aloud. Over time, this led to the development and ongoing transmission of the biblical text. In an oral culture with a low level of literacy, the

access challenge was primarily one of geography. In order to hear or (if literate) read from the texts, one simply had to be proximate to the texts and to those who could read.

A number of examples in the biblical text describe reading to those assembled. Famously, King Josiah is handed a scroll found during the renovation of the temple and "Then the king went up to the Lord's temple, together with all the people of Judah and all the citizens of Jerusalem, the priests and the prophets, and all the people, young and old alike. There the king read out loud all the words of the covenant scroll that had been found in the Lord's temple" (2 Kings 23:2, Common English Bible). Similarly, the scribe Ezra is ordered to read the law to "all the people gathered together" in Nehemiah 8. Likewise, Baruch reads the words dictated by Jeremiah in Jeremiah 36. Each reading is notably public and delivered to "all the people" without indication of an explicit admission fee to be present for those readings. There may indeed have been costs for being present, including costs for travel, the pause in labor, and taxes/tributes to be made, but there was no known extra charge for being a part of the hearing crowd.

The production and duplication of biblical texts was a costly enterprise in terms of the labor of a limited cadre of literate people and the basic elements of papyrus, scroll, etc. This work was compounded over decades, centuries, and millennia of transmission, revision, addition, and subtraction. These costs were largely borne by the cultic enterprise–either through a central authority or networks of cultic leaders and supporters.

Fast forward to the time of Jesus, who picked up the scroll of Isaiah and read to those gathered in the synagogue that day (Luke 4). Like the Hebrew Bible examples, there is no mention of payment for Jesus to borrow the scroll nor for the listeners to attend to his reading and teaching in the synagogue. Much of the corpus of the New Testament consists of letters that were widely distributed through extensive copying. Even the Apostle Paul indicates a collection of scrolls and parchments in 2 Timothy 4:13–the first Christian theological library.

While the funding and economics of copying texts is never directly addressed within the biblical text, the history of scribal copying and the development of the codex suggests that much of the duplication and transmission was centered around early scribal networks (Haines-Eitzen 2000). Manuscripts would travel through these scribal networks to be copied and combined with other manuscripts, often through a system of barter, gifts, and loans. Thus, new copies of manuscripts were created for and distributed to other scribes and to those with interests in propagating the faith. This is not unlike a precursor of open access–the journal exchange–where univerities publishing scholarly journals would exchange free subscriptions with other universities.

The advent of the printing press during the time of Martin Luther, and his own translation of the Bible into the German vernacular, increased the capacity to publish for wider distribution to a reading audience. Soon, a significant part of the spread of religious movements was directly related to the distribution of low-cost tracts and other materials to the largest possible population (Holborn 1942).

All of the examples above exhibit some barriers to "free." There's a geographic barrier to a public scroll reading in Jerusalem if you live in Jericho. To join in the retelling of stories or ritualistic actions, you need to know the language and/or have an allegiance to the tribe. While the Reformation's publishing practices certainly emphasized distribution, barriers included the actual cost, literacy, and the limited global distribution network. Even modern open access requires that readers overcome the potential barriers of internet access, tools enabling "discoverability," and digital literacy.

Open access does not mean there are no actual costs. The parchment must be bought, the scroll has to be written and copied, and the people must be gathered away from their work to listen. Reformation tracts also had to be written, printed, and distributed. An open access policy requires an institutional repository or other technological system to store and make these works available through a network and individual devices. Each of these has tangible costs and requires people with specific skills of writing, technology, and, increasingly, the law. To the degree possible, barriers and costs for the individual are reduced as much as possible and subsidized explicitly or implicitly by the cultic enterprise, government, wealthy patrons, and others. While the texts are known to be modified or selectively made available to support specific interests, a clear value remains within the tradition for providing religious instruction and texts to the widest possible audience.

Promoting Knowledge: Scholarship and Open Access

The analogy of an open access policy to the production/distribution of religious text has at least one significant difference from the work of a seminary or theological school: the work produced by most faculty tends not to be religious texts, but rather scholarship. Rather than strengthening existing faith and proselytizing others, scholarship advances an academic field of study. The impact of scholarship can also be directly related to its accessibility and distribution. If other scholars or practitioners related to an academic field of study do not have access to a work, they are unable to benefit from, critique, or further the scholarly insights.

Open access policies can be especially difficult to demystify and normalize due to the language of intellectual property, copyright, licensing, and mandates. For theological faculty, these can be unfamiliar and fraught terms within the relatively novel concept of open access and open access policies. In order for a faculty to approve an open access policy, they have to become more familiar and engaged with these concepts and terms. A more theological and historical framing (such as above) can often be a helpful starting place.

Legal issues cause many faculty to become uncomfortable, particularly in regards to navigating the significant relationships with their employing institutions and publishers. Faculty resist the idea of any institutional ownership of or encroachment upon their intellectual property. There can be a fear of an institution repackaging their content without permission, or in some egregious cases using (and thereby profiting from) a faculty member's intellectual property long after the faculty member has departed, retired, or died. Faculty can be nervous, in relation to publishers, about claiming too much in regards to their intellectual property, such that their current or future work might be ultimately rejected by the publisher. Faculty are more likely, as a result, to give away their copyright entirely and agree to unfavorable terms so that their works might be accepted for publication.

There has to be a level of understanding, comfort, and trust with the key idea of licensing intellectual property to others for an open access policy to be successful. Licensing is the key legal framework that makes open access work, moving from copyright law to contractual law.[2] Once understood and appropriately limited, licensing faculty intellectual property to one's institution and, when possible, to publishers, allows for maximum faculty ownership and flexibility in managing their own intellectual property.

Open access does not have nearly the uptake within humanities disciplines as in the sciences and social sciences. Theological faculty teaching or doing research in areas intersecting with the sciences or social sciences may have been more likely to have encountered open access. Thus, some basic description of open access may be helpful in order to provide the faculty with common baseline understanding. Ethical arguments could be made about engaging a global scholarly conversation or engaging practitioner scholars with limited resources. Also, open access is less known in the humanities/theology due not to the merits of the idea but to economics and the relative importance of journal and monograph publishing in the humanities. Humanities journals cost considerably less than science journals and the financial barrier for access to articles is not nearly as high, so the impetus and funding in the system for open access tends to be lower. Monographs tend to be more important in the theological disciplines, with business models for book

publishing distinctive with more paid labor for acquisition, editing, design, and marketing.

Another argument is to demonstrate the growth over time of open access policies, particularly at the specific schools where faculty have received their doctoral degrees. The open access policies and accompanying repositories, in some cases, may be underutilized in the humanities/theology. But such a demonstration does help a faculty consider where their employing institution sits within the pantheon of theological schools dedicated to scholarship. It will also encourage the desire to participate in growing trends in scholarly communication.

The primary and determinative argument is about promoting access to faculty scholarship. Faculty tend to be particularly sympathetic to the idea of making their articles and essays available to a broader audience. In their own research, many have experienced wanting immediate access to an article in a journal or an essay in a book not available from the library. They could easily imagine the additional frustrations for global or isolated scholars and pastors who sometimes inquire directly to them for copies and offprints.

In preparing a Frequently Asked Questions or other document, librarians or other individuals promoting an open access policy need to position the policy as helpful and non-threatening. The policy reduces the need for individuals to negotiate with publishers. The policy positions the library to help faculty manage scholarly output and rights. One may need to emphasize that the seminary is not claiming or taking faculty copyright nor does this limit where faculty can publish. If there's a conflict, the institution will issue a waiver–no questions asked.

The open access policy itself can take any number of forms, but one of the most common is the Harvard Model Open Access Policy (*osc.hul.harvard.edu/modelpolicy/*). Anyone seeking to promote this to a faculty will need to become familiar with the specific language and reasoning behind each statement. Uninformed variations on the model can have unanticipated legal consequences. A faculty will want to tread carefully in attempting any edits. Some faculty, appropriately nervous to suggest changes to the text itself, may appreciate the opportunity to craft a longer preamble that articulates or theologically frames their own values and commitments. The Model Policy only states "The Faculty of XX is committed to disseminating the fruits of its research and scholarship as widely as possible." Most theological faculty could easily produce a more detailed rationale. Also, many local adoptions will dispense with the boilerplate references to "The Provost" or "Provost's Office" and simply indicate the appropriate named role within their own context.

Foundations for a Digital Repository

A digital repository, sometimes also referred to as an institutional repository (or IR), is an archive and mechanism for managing and storing the intellectual output of an institution in digital form. A digital repository can technically hold any digital object, but the focus on "intellectual output" tends to limit content to student dissertations, projects, or theses; faculty articles and other typically short-form works; institutionally-sponsored journals or magazines; and significant archival/historical materials produced by the institution. The key here is twofold. First, the repository is an archival collection based upon a connection to the institution itself and not as a disciplinary repository. Second, this organizing principle allows for an alignment with an institutional open access policy that is designed to collect and make available the scholarship produced by an institution.

Faculty experience with digital repositories may not be widespread. Some may have used or created profiles on service providers like academia.edu, or loaded materials to slideshare.net or figshare.com. Some younger faculty may have deposited their dissertations electronically within the institutions where they earned their doctorate. Even in R1 universities with active repositories and official open access policies in place, colleagues in schools of theology have less than a handful of faculty making regular deposits. If looking for support to approve an open access policy, faculty need to be able to see an active repository in order to seed their own imaginations.

One strategy is to begin to build and seed the repository with the publications of the most willing and politically influential faculty. Of course, open access policies tend to primarily address articles; when identifying initial faculty participants, one needs to identify faculty with the proper corpus of potential materials, as well as consider more carefully diversities of discipline, tenure, rank, gender, culture, and ethnicity. The idea is not to pre-build the entire repository but to seed it enough to provide some imagination to other faculty. Ideally, the faculty participating in this initial work will become important advocates, so it is important to make this as easy on faculty as possible–which means the library may be doing the bulk of the work. In many cases, one will have to work with the faculty member to provide pre-publication versions. Ideally, early adopters will also start to see hints of impact by seeing web analytics of others accessing their work, global queries of interest or appreciation, etc., which should make them ideal advocates.

Politics and Process of Adoption

Insightful arguments from the faith tradition and scholarly communication are insufficient to what is fundamentally a political process: the requirement of a faculty vote. Librarians, deans, and provosts forget this to their peril. Engaging the political process requires time and advocates. If one wants to successfully adopt and implement an open access policy, one must first start with the foundations. Can one argue theologically, ethically, and practically about open access and the potential impact of an open access policy? Can one develop enough of a proof-of-concept repository in order to provide faculty with vision of the process and impact? Has one learned enough about the issues around both repositories and open access policies to successfully advocate these to others, translating between legal/technical terms, theological values, and everyday language?

With these foundations in place, one must engage the proper process for approval. Some on nearly every faculty are sticklers for process and having appropriate time for deliberation and debate. If the open access policy is going to be part of the faculty handbook, then one will have to first engage with the committee with oversight of that handbook. Similarly, one may want to consult with the tenure and promotion committee and/or other committees devoted to faculty scholarship. Ideally, these smaller committees of the faculty create further circles of advocates for the open access policy. It can also be a place to test one's arguments and listen carefully for further concerns or objections. One can also ask for advice or recommendations in terms of what information, and in what format, might be most useful ahead of a faculty vote. Some might respond to an open forum; some might like to have a discussion at one meeting and hold off the faculty vote until the next.

If there are faculty who will voice strong objections, it is helpful to identify them sooner rather than later. One does well to listen carefully and acknowledge their concerns even if ultimately unable to persuade. In some cases, there may be faculty advocates willing to help intercede directly with their colleagues ahead of a general faculty discussion or meeting. At the faculty meeting itself, regardless of whether the vote is immediate, one can briefly lay out or recap the case for the open access policy and demonstrate the repository. Particularly among those already participating in the repository or other advocates, choose and prepare two or three to speak in favor.

Doing all the things noted above does not guarantee ultimate passage but does help maintain a positive tenor of faculty conversation. The ultimate goal is not simply the passage of a policy but development of a collective investment in and ownership of the policy. To implement the policy, one will largely be dependent on the faculty themselves to provide notification, appropriate versions, and metadata

related to the production of new articles, essays, and other works appropriate to the open access policy and repository. A reluctant faculty vote may be a moral victory but, without a concomitant active participation, the implementation of the open access policy and growth of the repository will be limited.

Implementing an Open Access Policy

If one's faculty has passed an open access policy, congratulations! While the policy itself is effective for the present and future publications, one may want to continue to add prior faculty works as a means of building the content faster. Also, once individual faculty begin to see the impact of the repository and develop a comfort level with the process, active participation in the open access policy is encouraged.

A workflow can be organized depending on the size of faculty and available library staff (or other seminary staff) to deploy to this effort. To manage prior faculty works, one can use common bibliographic utilities (Atla Religion Database, OCLC WorldCat, Google Scholar) and faculty CVs to develop a comprehensive bibliography of faculty publications. Then, look up publisher copyright and self-archiving policies by using tools such as Sherpa Romeo (*sherpa.ac.uk/romeo/index.php*) that would allow posting the final published version. In many cases, one may need to ask individual faculty for pre-print versions of their articles. Don't forget that essays published within reference works and some other edited volumes can also be good candidates for inclusion. To add them to the repository, one will need to manage the actual files (usually PDF), develop standards for adding appropriate metadata and proper citation to the published work, and attend to other publisher requirements (typically embargos).

While the policy states that the faculty will submit articles, the reality involves implementing multiple approaches. Some faculty may indeed get into the habit of submitting appropriate articles to the digital repository with only a minimal need to check the quality of submission and metadata. Oftentimes, faculty will submit annual reports including lists of publications to the dean/provost or to staff in public affairs. If the open access policy can be integrated into these already-existing processes, it is more likely to become an institutional habit.

Conclusion

Two key factors are trust and normalization. By building the foundations with trust first and engaging in the faculty process, the result will be an approved and active open access policy that helps to feed the digital repository. The work of the open

access policy and digital repository also needs to be normalized in two senses. First, positioning this work as "normal" in relation to historical precedents within the religious tradition, activities of other aspirational schools, and with a value for promoting faculty scholarship within a global environment. Second, this work must be normalized into institution workflows and faculty publication practices. While the effort can be difficult, a successfully implemented open access policy and digital repository can begin to have a significant virtuous cycle of increasing the scholarly profile and impact of a theological seminary.

Works Cited

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Notes

1. For a broader overview, see Suber's *Open Access Overview* (*legacy.earlham.edu/~peters/fos/overview.htm*) or the Budapest Open Access Initiative (*www.budapestopenaccessinitiative.org/read*).
2. See especially the work of Creative Commons (*creativecommons.org/*) for further explanation and examples.