

## Making Scholarship: Ownership or Attribution

### **ppt Apple Phone of 1983**

In 1983 – that is *twenty-five* years ago – Harold Williams, the CEO of the Getty Trust, and Nancy Englander, his director of Program Planning, made the case for the establishment at the Getty of an operating program called AHIP or the Art History Information Program. They wrote to the Getty board of trustees in support of a multi-million dollar budget for this program at the intersection of art history and information technology:

"Our objective could be to assure that the existing material – written and visual – is readily accessible to scholars so that they can devote a greater proportion of their time to scholarship and make it more thoughtful and efficient."

The "dramatic developments in new technologies" that were identified in that note – video cassette and video disc, cable television and satellite transmissions, and advanced high resolution T.V. images – may seem quaint in a world where they have been long realized or surpassed, like this precursor to the iPhone.

What strikes me as incredibly insightful, however, was the eager but thoughtful anticipation of inevitable technological change, the expectation that technology would or could deeply affect one of the most esoteric fields of the humanities, and the well-grounded assumption that our focus for the humanities should remain on the delivery of **content** – digital surrogates of works of art, of primary documents, of publications. In short, of everything that could make scholarship, even as we know it, more thoughtful and efficient.

**ppt [acls.org/programs/Default.aspx?id=644&linkidentifier=id&itemid=644](http://acls.org/programs/Default.aspx?id=644&linkidentifier=id&itemid=644)**

In 2006, the ACLS Cyberinfrastructure for the Humanities report slightly missed – to my mind – as clear a statement as might have been made of the issues that continue to plague the attainment of this goal of general, unimpeded access to good surrogate – images primarily for non-text materials – of primary and secondary resources.

1. Cyberinfrastructure for the humanities is not nearly the same as it is for the sciences. It is not super high band width switches and petaflop computing, even if those are nice things to have if one needs them. It is instead content first: content of indisputable quality and comprehensive scope with assured source and inalienable attribution.
2. This content infrastructure for humanities is no less valuable than the process infrastructure for the sciences. And there is, if in non-traditional places, a lot of money to build it.

The goal of cataloging and digitizing content and so enabling networked research and scholarship is only worth pursuing, however, if humanists are willing to take advantage of the unique opportunities that the networked environment offers – opportunities to find and access surrogates of primary and secondary materials as well as publish and communicate in ways and with efficiencies heretofore impossible. And we all know that this is largely not happening.

After spending a decade examining the various real and imagined impediments to doing this, I am convinced that a cultural shift in attitudes toward intellectual property will be the primary agent of change. This will have to be – and could be – a shift of sufficient magnitude to match the dramatic but often underestimated shift in opportunities that the digital network offers. That cultural change, I believe, means finding more value for intellectual property in the guarantee of attribution than in the traditional 'real property' sense of ownership.

**ppt [dlib.org/dlib/november05/hamma/11hamma.html](http://dlib.org/dlib/november05/hamma/11hamma.html)**

This is not a legal issue but one that goes to institutional policies, how we do our business of scholarly communication, and how we imagine it as a more sustainable business than it is today. This applies as well to new creative works of scholars and others as it does works already in libraries, museums and other collecting institutions. Among the many parallel examples, consider:

Rarely is there a serious financial upside in publishing scholarly works. Value for the author resides by and large in personal reputation built on his or her work – work that is securely attributed and securely the author's original.

Rarely also is there a serious financial upside to compiling and maintaining collections of primary works in museums, archives and libraries. Without the tax benefits of public charity status and contributions from patrons (including the provost's office) these places would go out of business. Value for collecting institutions resides in reputation for the quality of collections – and that reputation is secured through use of the collections in exhibitions and publications with secure and appropriate attribution of provenance.

Think, for a moment, with reference to this example, of how perverse the world of traditional publishing in art history has become. Museums, hoping to add to their revenue, charge licensing fees for all images, largely images of works already in the public domain – some collections up to \$1000 for a single use of one image. Art historians have a hard time paying that especially when a monograph depends on the availability of lots of images since it makes publications **very** expensive or, more and more as time goes by, **prohibitively** expensive and simply impossible. For narrow interests of income on one side and having a traditional book on the other scholarship is grinding to a halt. It seems to me that this is in no one's interest.

Do museums make much money on licensing images? In other words is this worth it? After accounting for the staff time and other resources to manage the business of licensing, there is very little money being made. And when they do make money it is largely out of the hides of the scholars and the foundations that support them, in other words, exactly those for whom most research institutions, including museums, exist. When a year ago the V&A announced royalty-free licensing for academic publishing, their director mentioned that academic publishing fees accounted for 75% of all licensing revenue.

Would scholarly reputations suffer from easily and freely available digital publishing distributed under one flavor or another of a Creative Commons license? In other words is the paper book with traditional copyright worth it? More and more, I think, no. The oft-cited requirement of having traditional peer-reviewed publishing as the basis for tenure decisions is likely as red a herring as potential licensing income for museums. The academic officers I've been able to ask have said that universities long ago figured out how to deal with non-traditional publications for those fields that have been able to embed value in digital publishing and online distribution.

I discussed at length one side of this – that is the freeing of public domain works from collecting institutions in this article in D-Lib nearly three years ago. Permitting, indeed doing everything to encourage, high quality images of public domain works to take advantage of the very fluid network environment we have today would far out-weigh in mission value the paltry sums collected in licensing. But the solution is truly multi-sided.

### **ppt scholarship diagram**

Collecting institutions could take advantage of the digital network to make good images and other surrogates of primary materials available in ways we could not

have imagined twenty years ago. They could, without harm, drop a bundle of gate-keeper functions and effectively release resources for scholarship. Scholars could also participate by making their work equally available in the network. With shared protocols and an understanding of open access as it applies to archives as well as to creative works those same collecting institutions could help complete the circle actively and thoughtfully returning authored works to the network with as little gate keeping as the original materials. What, after all, do museums and libraries collect but authored creative works?

Existing copyright law is not an impediment to imagining and realizing a model like this. A key impediment is our use of existing copyright law, our institutional policies to maintain a monopoly control over the little bit of the creative process we happen to have in our hands.

We use copyright to protect income based on the use of images of public domain works. We use copyright to protect traditional publishing models that are less and less required by the business of scholarship and may have little or nothing to do with our future. We use copyright to mitigate success by declaring ownership over things of little property value rather than ensuring what truly matters – attribution and authenticity – in ways that would benefit everyone involved in the business of creativity whether the output is a painting or a publication.

“The quest for open access is not a matter of content communism. Without open access the Web is bound to replicate the insular structure of information in the print world. Lack of open access constitutes one of the main obstacles to the full exploitation of the innovative potential of the Web for research and scholarship. In the sciences open access refers to publications as well as their hinterland of data, simulations, software etc. In the humanities open access should similarly refer not only to publications but also to testimonies of cultural heritage, to historical works of art, literature, and science, to image, film and sound collections, to statistical data.” A quote from Jurgen Renn, I think.

So, we need to make a deal here, where we re-imagine our use of copyright in ways that help rather than hinder our achievement of efficiencies in our digital network. I don't think it is impossible. It may have to wait a generation for directors of libraries, museums and archives who truly grasp what they stand to gain, but I don't think it is impossible. And discussions like this surely help.

In addition to some imagination, we would need at least two additional elements to increase our comfort level:

- the technology to help assure the rules of fair play are followed, or foul play tracked, i.e. that would ensure **accountability** in the management of attribution and authenticity in an open electronic network
- professional scholarly communities with standards for access and for practice to help implement and guarantee the longevity of the new environment, e.g. **sustainability**.

Fundamentally, however, I believe these are minor compared to the initial and enabling action, namely one that changes where we the research community and it's supporting collecting institutions find value – in attribution, not ownership.