



ELEPHANT

IN THE LAB

OPINION

A groundbreaking DEAL?

Short title	A groundbreaking DEAL?
Long title	Pay to Publish Open Access: On the DEAL-Wiley Agreement.
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From Subscriptions to Publish and Read

The [DEAL consortium](#) negotiates nationwide licensing agreements for its “nearly 700 mostly publicly funded academic institutions in Germany such as universities, universities of applied sciences, research institutions and state and regional libraries”. Of concern are three major negotiations, namely those with the large corporate publishers [Elsevier](#), [Springer Nature](#), and [Wiley](#).

The aim is to draw out of expensive subscription contracts and flip to publish and read (not to be confused with read and publish) agreements. The difference between read and publish (RAP) and publish and read (PAR) is that with a RAP agreement, the costs are based on the subscription fee for reading, whereas with a PAR agreement, the costs are based on a calculated publishing

volume. PAR refers to the fact that the publishers' job is to publish and, thus, they should be paid on the basis of the publishing—not the reading—volume.

Publish and read is supposed to enable wide-spread open access publishing: all researchers from participating institutions can read all articles as well as publish open access in all journals. As such contracts are supposed to be set up for several years, they actually come close to being subscriptions with the add-on that researchers are empowered to publish open access. Hence, attention must be given to the latter aspect as this determines the transformative effect such a contract may have.

The New Deal: Publish Open Access and Read for Free

Roughly, key elements of the newly-announced deal are:

- Publish and read agreement running for three years.
- The PAR (publish and read) fee is €2,750 per estimated article.
- Processual actor on sides of German institutions will be MPDL Services GmbH (part of the German Max Planck Society; MPDL: Max Planck Digital Library), which will handle all payments to Wiley (PAR fee as well as APCs).
- The individual costs for the participating institutions will be calculated according to existing licensing costs and the respective publishing volume of the institution.
- **Publish components:**
 - The calculated publishing volume in all Wiley journals (for all German researchers acting as submitting corresponding authors at participating institutions) is just shy of 10,000 articles. This is an estimate and is subject to variation. If the volume diminishes, the institutions pay less, and vice versa.
 - Most articles will be published with a CC-BY licence. Though, some journals only offer CC-BY-NC und CC-BY-NC-ND.
 - For publications in gold open access journals (currently 110 titles in the Wiley portfolio), an article processing charge (APC) applies. Researchers from participating institutions are granted a discount of 20% on those APCs.
 - No coercion to publish open access. Though all authors are enabled to publish open access, they are free to waive their open access option and instead choose to publish a paywalled article.
 - Coalition S is said to accept the publish and read deal as compliant with plan S.
- **Read components:**
 - Access to the entire portfolio of articles in Wiley journals (1,420 former hybrid journals, 178 closed journals, and 110 gold open access journals). On [Wiley's journal library site](#), the publisher currently states to publish 1,722 journals. The stated numbers of journals in the press release amounts only to 1,708 journals, so that 14

titles won't be included. This may be due to cancellations. However, this also means that all society journals are included in the PAR deal.

- Permanent access to the archive of articles reaching back to 1997.

Find the English [press release of the agreement here](#) and [a more detailed fact sheet](#) in German here. The contract is said to be published in due course.

Open Access Comes at a Cost

Most of the components of the new deal are great in so far as they enable easier adoption of [open access and open scholarship](#) principles in general. That all articles submitted by researchers from participating institutions can be read and re-used for free by any researcher worldwide is indeed a breakthrough. If this part of the deal were adopted by other research-intensive countries (or indeed by all countries), the impact would be revolutionary. The advantages of open scholarship may finally be more fully harnessed.

Yet, there are concerns left that this deal may not be able to live up to its early praise. In the end, this deal is only the first of its kind and will supposedly be used to pressurise Elsevier and other corporate publishers to follow suit. This is part of the reason why the negotiations are held in public: to pressure other publishers as well as to empower other countries to take similar actions. As such an element of bargaining, this contract works well—but comes at a cost.

The Potential Costs of a Publish and Read Agreement

The PAR fee of €2,750 is quite high. With the estimated annual publishing volume being 10,000 articles, the initial price tag of the contract may be €27,500,000. This is not explicitly stated in the fact sheet issued by DEAL and is also subject to variation. However, the cost of €27,5m excludes the cost for gold open access. If the APCs for [Wiley's current fully open access journal portfolio](#) are averaged, the mean rate is €1,882 per gold open access article. If the number of gold open access publications is estimated to be 2,5% for articles in Germany, there will be additional costs for gold open access APCs for about 250 articles. This would amount to €470,500 (€1,882 x 250); with the 20% discount this would be €376,400. All in all, the PAR agreement may amount to annual costs of roughly €27,9m.

If this is compared with Elsevier, Wiley seems to have negotiated well. The overall subscription fees paid to Elsevier by participating German institutions previously amounted to about €50m p.a. The publishing volume of Elsevier is roughly 16,500 articles (compared to Wiley's 10,000). In Summer 2018, [Elsevier and DEAL negotiated](#) a potential publish and read agreement in which DEAL proposed a publish and read fee of €2,000 per article (which Elsevier eventually rejected

due to them wanting the payment of the publish and read fee *in addition* to the previously-paid subscription fees).

The publish and read agreement would have amounted to about €33m—a scenario in which Elsevier would have lost about €17m directly; but the payment of additional APCs may have had applied. In addition, Elsevier may have lost parts of its bargaining power towards other countries, as a substantial number of articles would have dropped out of subscription journals. However, this is contestable (Elsevier publishes 400,000 articles p.a. so that the published volume of German researchers amounts to about 4%).

Now, Elsevier publishes substantially more articles than Wiley does (in addition to insubstantial [claims of quality](#)). How, then, will the now-agreed Wiley deal improve DEAL's position in negotiating with Elsevier?

The Questionable Transformative Power of APCs

In addition, the APC add-on leaves Wiley room to play. Currently, the APCs for gold open access articles can be assumed to be below the negotiated PAR fee of €2,750. As each article published as gold open access will drop out of the estimated publishing volume of 10,000 articles, Wiley has an interest in either raising the APC for gold open access or increasing the PAR publishing volume (and lowering gold open access respectively). If—under the ensuing plan S development—more and more authors rush to gold, a scenario would be more likely in which prices increased. This, however, would be prevented by the potential plan S (and others, such as the DFG's) price cap on APC payments.

With such a scenario being ruled out, Wiley may run the other strategy to increase PAR options instead of gold open access for their high impact journals. This may already be [part of the agreement](#) in which Wiley will establish an “interdisciplinary journal [which] will publish top-tier scholarship from the global research community and will serve as a unique forum for the development of new open access publishing models”. This may point to a mega journal solution which may provide an option to easily scale volume through a cascading process. In the end, Wiley would not have entered such an agreement if it meant increasing losses. This, however, is only speculation.

Open Access Rooted in an Expensive Pay to Publish Idea

The far-reaching transformative impact of the new deal will only be reached if such PAR agreements will become more widely adopted. This, however, may have devastating effects on equality. If more and more countries or consortia entered into PAR agreements, the effect would be that researchers at participating institutions would publish open access (under the quasi APC PAR model), and researchers at non-PAR institutions would be faced with the choices to: publish

for free in a paywalled journal (though there may be only be few or even no subscribers left); or publish for an individual APC to enter open access. The obvious route for Wiley, then, is to achieve an APC publishing landscape in which the overall level of charges is higher than the current income of subscriptions.

This shows how corporate publishing—though now under contract in a new “publishing services deal”—still governs how scholarly communication proceeds. If the overall level of charges increases, it will further segregate institutions and researchers, leading to an open access world in which financial means decide who participates. The equation that there are enough cheaper open access options available only works if institutions and researchers move away from prioritising high impact outlets over individual publications. This, then, is no different to where we are without the new deal, thus, abolishing the notion of transformative impact. DEAL’s intention may be good. But to be changed for the better, scholarly communication still requires action on sides of the researchers lest the transformation is directed by corporations.

UPDATE: Two corrections were included during an update of this article:

- Information on Elsevier: The reasoning for Elsevier rejecting the DEAL proposal in Summer 2018 was included, and a mistake in the calculation of Elsevier journals published by German researchers rectified.
- The estimated number for gold open access articles in Wiley journals from researchers across Germany was reduced. This decreased the estimated overall cost of the agreement from €30,3m to €27,9m.

This is a crosspost from Le Publikeur Blog: [LINK](#).

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