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BOOK REVIEWS COMPILATION
OPEN ACCESS BOOKS ON OPEN SCHOLARLY COMMUNICATIONS

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In the spirit of the focus of this thematic issue of the *African Journal of Information and Communication*, we explore the increasing number of open access books dealing, from a variety of perspectives, with the question of access to knowledge in a digital age in a composite book review.

The books in this review article have been selected both for their broad relevance to scholarly communications and access to knowledge (A2K), as well as for practising what they preach in that they make their full texts available online for free download, alongside print versions provided for sale. They provide examples, therefore, not only of the increased access that can be provided by Open Licences (of particular importance in resource-starved African universities), but also demonstrate the success of new business models, in which openness and free access are perceived to be compatible with conventional print publication. It is particularly encouraging to note the presence of several leading academic presses now adopting this publishing model.

As is argued in Adam Haupt's *Stealing Empire*, one of the books reviewed here, the exploration of the role of the Internet in providing access to knowledge involves a range of disciplines, including law, politics, philosophy, economics, technological engineering and communication studies. There are also lessons to be learned from what is happening across different media sectors. Equally, there is a need to address the question of intellectual property law and the power of the media from the perspective of the global South, where the question of access to scientific knowledge is likely to produce different answers to those that emerge from the dominant knowledge economies of the English-speaking North in particular.

The first book reviewed deals with the importance of the public domain, and the battle over its erosion, as corporate media try to capture profits in a changing digital environment. Next, two books deal with the impact of new technologies on research, teaching and learning in universities, exploring the potential for open access and open educational resources. Finally, a book that uses examples from the media, music and film sectors, explores the dynamics of co-option and resistance to global corporate power from a South African perspective.

Boyle, J (2008). *The public domain: enclosing the commons of the mind*. Yale University Press, New Haven and London.
Full text downloadable under a Creative Commons licence from http://www.thepublicdomain.org/
Reviewed by Andrew Rens

In *The public domain*, James Boyle, William Neal Professor of Law at Duke University, explains how the public domain, the rich common heritage on which creative work draws, has been enclosed. Boyle discusses how the public domain encompasses not just works for which copyright has expired (such as the work of Charles Dickens), but also freedoms in respect of works currently in copyright, such as using the plot of a novel. The public domain, intended to serve as a fertile field for new generations of writers and inventors, is being privatised by what Boyle terms 'the Second Enclosure' – comparing the dramatic encroachment of intellectual property rights to the forced exclusion of English and Scottish peasants from their lands.

This 'Second Enclosure' has been made politically possible by the presentation of the Internet as a 'terrible menace' to the self-styled cultural industries. Boyle's verdict, ten years after the Digital Millennium Copyright Act, is that the cost to liberty of this enclosure vastly outweighs any benefits the legislation confers on one particular industry lobby group. Although lobbyists for the Digital Millennium Copyright Act claimed that it was intended merely to secure the monopoly granted to copyright holders by existing legislation in a digital environment, the Act grants a second separate monopoly to certain classes of rights holders. This second monopoly over the technological means by which digital works can be shared is a partially successful attempt by the incumbent oligopolies of the recording and movie sectors to gain control over the far larger electronic consumer goods industry.

In presenting the enclosure of music, science and technology, Boyle clarifies the vital role that limitations in the structure of intellectual property rights play in enabling creativity, innovation and competition, the very ends which intellectual property law is apparently intended to achieve. Boyle is overtly committed to free markets, property and democracy. Writing as an expert on intellectual property, he explains how copyright, trademark and patent are intended to harness market mechanisms to facilitate free speech, demonstrating a manifest grasp of the rationale for intellectual property. It is precisely because of this commitment and expertise that his critique of the Second Enclosure is all the more damning. Boyle recounts developments and debates in the United States, presenting readers from outside the United States with a cautionary tale. This is also a history which has relevance to other countries, as the changes which Boyle describes are being aggressively exported.

Boyle reminds us that the cultural ecology resembles the natural ecology in two ways. It is both fragile and complex, with interactions that are not always visible, so that altering or destroying one part of the system can have unforeseen, even devastating consequences elsewhere in the system. The second resemblance is that current economic and legal systems have not required certain corporate actors to internalise the full costs of their actions. Everyone is affected by the degradation of the cultural environment in different ways. But once each person understands that their particular problem is due to a pervasive, if diffuse, malaise of a single system, then a united response can begin. Boyle calls for a cultural environmentalism, a movement in which entrepreneurs, librarians, computer programmers and artists unite in a common cause – the health of the cultural environment.

Although the book must deal with complexities of technology and law, Boyle makes these more approachable through powerful metaphors and a certain dry wit.

KATZ, R (ED) (2008). *THE TOWER AND THE CLOUD: HIGHER EDUCATION IN THE AGE OF CLOUD COMPUTING,* EDUCAUSE, BOULDER COLORADO.

Full text downloadable as an eBook from http://www.educause.edu/thetowerandthecloud

Reviewed by Cheryl Hodgkinson-Williams

The tower and the cloud provides a comprehensive overview of the powerful but disruptive force of information and communications technologies (ICTs) in higher education (HE). The 20 essays provide a fairly broad overview of the ever-increasing strategic role of ICTs in the core missions of higher education, focusing on HE and ICTs, the globalisation of HE, accountability; ICT governance; open information, open content, open source, and scholarship in a globally connected world.

Although the book's title may seem a little obscure for those seeking to understand issues surrounding escalating use of ICTs in research and teaching, these two themes comprise at least half the book. The book explores the interplay between the history, traditions and technology that make up the academy (the 'tower') and the truly global network higher education community offered by the unbounded nature of networked technology in the 'cloud'.

While arguing that there are many benefits for individuals, educational institutions and society from open content, Malcolm Read cautions institutions to weigh the business case for this, as the associated costs can be considerable. Costs are primarily associated with producing high-quality material, copyright clearance, quality assurance and currency of materials. Andy Lane explores some reasons why individuals and institutions create and share open content (personal fulfilment, reputation and income influence) and then tackles the question of who creates the pedagogical value of open 'educational' resources (OER).

Kristina Woolsey notes how researchers have exploited new technologies to model phenomena, gather data and represent results, but notes that lecturers and publishers, accustomed to using and reproducing print representations of expertise, have been slow to take the advantages of new media for teaching, thereby limiting the reach of teaching materials.

This book provides a useful overview for higher education policy-makers, academics and educational publishers charged with the responsibility of optimising the use of ICTs to support the key missions of higher education.

IIYOSHI, T & VIJAY KUMAR, M (EDS) (2008). *OPENING UP EDUCATION. THE COLLECTIVE ADVANCEMENT OF EDUCATION THROUGH OPEN TECHNOLOGY, OPEN CONTENT AND OPEN KNOWLEDGE,* MIT PRESS, CAMBRIDGE, MASSACHUSETTS.

Full text downloadable under a Creative Commons licence from http://mitpress.mit.edu/catalog/item/default.asp?ttype=2&tid=11309

Reviewed by Kevin Williams

Opening up education provides a sound, accessible introduction and guide to, as well as a cautionary tale concerning, Open Education. The text would be suitable as a course reader or

as a reference for policy-making. The 27 essays (plus introduction and summation by the editors) link considerations of technology, pedagogy and epistemology in a balanced, critical, and scholarly manner.

Essay topics range from critical reflection on extant projects (including technology design and application), through strategy and policy, and pedagogic and curricular concerns and opportunities. The focus of the work is not so much on the technologies of 'openness', but on the intellectual endeavour that must necessarily precede and accompany the deployment of such technologies (Stuart Lee's *The gates are shut: technical and cultural barriers to Open Education*, David Kahle's *Designing open educational technology*, and Diane Harley's *Why understanding the use and users of Open Education matters*).

Obstacles and challenges to the 'openness' project, including powerful vested interests (*cf.* David Wiley's 'OpenCourseWars', are realistically acknowledged in many of the essays. David Kahle argues that the foundations of open education include 'access, agency, ownership, participation and experience' (p.27).

In the light of these values, perhaps the signal criticism one would have of this text is its overwhelming Western, Northern voice. While there are explanations for this, the absence of non-Northern / non-Western voices potentially undermines the very values on which 'Openness' has been established. John Daniel, in a review quoted on the back cover, 'challenges the developing world to appropriate this most promising innovation … instead of letting it underperform as merely a mechanism for the educated elite to facilitate informal learning by the less fortunate'.

Perhaps 'access, agency, ownership, participation and experience' could have been strengthened in line with this challenge, had the so-called 'developing world' been given a voice in discussing openness?

Haupt, A (2008). *Stealing empire: P2P, intellectual property and hip-hop subversion*, HSRC Press, Cape Town.

Full text PDF download available from
http://www.hsrcpress.ac.za/product.php?productid=2219&cat=14&page=2

Reviewed by Eve Gray

Stealing empire is published by the Human Sciences Research Council (HSRC) Press in South Africa, a pioneer in open access publication of scholarly books. The strategic assumptions that the HSRC made in 2001, when it adopted this approach to meet its publishing needs, have proved to be well founded: the global reach of their publications and the volume of readership have increased substantially as a result of the combination of highly professional publishing standards and a dual open access and print approach. This has enabled the HSRC Press to overcome many of the barriers that have traditionally inhibited the dissemination of scholarly works from Africa.

At first sight, a book on hip-hop subversion might seem remote from the concerns of scholarly communication. However, the central focus of Adam Haupt's highly theorised book provides a sophisticated analysis of the impact of economic globalisation and the role of the dominant media corporations in the progressive enclosure of intellectual property rights and the erosion of the commons. This analysis could be of equal importance in scholarly communication, as the author suggests in his conclusion, where he argues that further

research could well explore the enclosure of the commons in universities, in journal publishing and scientific knowledge (p. 200).

For the theoretical underpinning of his analysis, Haupt draws principally (but certainly not exclusively) on the work of Hardt and Negri and their concept of 'Empire'. The book thus explores the ways in which power is manifested in global capitalism, and the complex ways in which this is resisted, in multiple sites rather than via the simple binaries of global South and global North, 'international' and 'local'. The revelation that this approach brings is no less striking in the analysis of the progressive enclosure of intellectual property rights and erosion of the public domain that have characterised the strategies of the media owners in recent decades, something that has been relatively well covered in other studies. This is 'stealing empire' – in the sense that what is being appropriated properly belongs in the public domain.

It is Haupt's exploration of the 'power of the multitude', of the decentralisation and mobilisation across national boundaries, of the resistance to corporate power, that offers fresh perceptions that could, for example, offer a better understanding of the hegemonic power that dominates the scholarly recognition and reward systems via corporate journal publishing. Using examples from film and music, Haupt demonstrates the ways in which global media seek to co-opt and appropriate subversive voices, in films like *The Matrix* and in the commercialisation of hip-hop and rap music. The book then moves to the variety of ways in which these subversive voices reclaim 'empire', mobilising local voices and stealing back the commons. The Southern African case studies that Haupt draws on include online media mobilisation, culture jamming, feminist re-appropriation of cultural spaces, and radical hip-hop as political and social statement. He has a chapter on the enclosure of the commons and the reclamation of this terrain through open source and Creative Commons licensing, a chapter that provides a useful overview of developments in South Africa, as well as charting the limitations of the Creative Commons agendas from the perspective of the developing world.

Some readers might resist the level of theorisation of the argument in *Stealing empire*; however, as Professor Martin Hall argued at the launch of the book, this use of theory is in itself an act of stealing empire, given that the developing world tends to find itself the subject of theoretical analysis rather than the analyst.

Editor's Recommendations (Eve Gray)

There are a number of other important books relevant to open access and scholarly communication that are also available for open access download. These include:

Lessig, L (2008) *Remix: making art and commerce thrive in the hybrid economy* by Bloomsbury Academic, London.

Available for download at http://www.bloomsburyacademic.com/pdf%20files/Remix.pdf

In this book, more accessible than his earlier titles (which are also available for free download under open licences), Lessig, the key driver of the Creative Commons licences and a leading authority on IPR in the digital world, analyses the ways in which copyright laws are progressively being appropriated to serve corporate rather than creative interests, and how we are in the process criminalising a generation. His concern is that this is stifling the creativity of an entire generation, who, adept at using new technologies, find all their creativity

declared illegal. Lessig warns that the war on the younger generation will have dire consequences for society in the United States. He offers solutions through the use of Creative Commons licensing in a read-write culture, to make space for collaborative cultural development in a hybrid economy.

Downloads of Lessig's earlier books: *The future of ideas*; *Free culture*; and *Code version 2,0* are available free from http://www.lessig.org/blog/

Benkler, Y (2006) *The Wealth of networks: how social production transforms markets and freedom,* Yale University Press, New Haven.
Available for download and annotation at Yale University Press Books Unbound
http://yupnet.org/benkler/

Yochai Benkler's seminal work on digital culture goes beyond the question of cultural production and IPR to argue that we are at a point of systemic change in economic and social production as a result of the platform offered by the Internet. He argues that modes of social production are reshaping the way economics and markets work. This in turn offers new opportunities, particularly relevant to the developing world, to enhance individual freedom, cultural diversity, and global justice. Benkler warns, however, that this process is by no means inevitable: a systematic campaign to protect the entrenched industrial information economy of the last century threatens to derail the emerging networked information environment.

Willinsky, J (2005) *The access principle: the case for open access to research and scholarship,* The MIT Press, Cambridge, Massachusetts.
Available for free download (with registration required) from
http://mitpress.mit.edu/catalog/item/ebook.asp?ttype=2&tid=10611

This is a straightforward and thorough account of the issues that challenge scholarly publishing in a digital age, exploring the arguments about access to scholarship and showing the need for commitment to a scholarship that is open and collaborative. Willinsky describes different kinds of open access publication, the contradictions of copyright law and the economic implications of open access. He pays particular attention to the role of developing countries and devotes attention to technological solutions to open access publishing. ❑