

Learned Publishing (2003)16, 290–292

My first question when I received the invitation to attend the second Zwolle (pronounced Zwollah) conference on Copyright and Universities in December 2002 was ‘What does Zwolle stand for?’ Acronyms and abbreviations form so much of the language of academic publishing these days – OAIs, JISC, DOIs, etc. – that my immediate assumption was that Zwolle was just another example. In fact, Zwolle turned out to be a small, attractive town in The Netherlands. However, what it stands for, and is rapidly becoming synonymous with, is a unique approach to the management of copyright in higher and further education.

The conference discussed and agreed the wording of the Zwolle Principles. These are as follows:

Objective

To assist stakeholders – including authors, publishers, librarians, universities and the public – to achieve maximum access to scholarship without compromising quality or academic freedom and without denying aspects of the costs and rewards involved.

Principles

1. Achievement of this objective requires the optimal management of copyright in scholarly works to secure the clear allocation of rights that balance the interests of all stakeholders.
2. Optimal management may be achieved through thoughtful development and implementation of policies, contracts and other tools, as well as processes and educational programs (collectively ‘copyright management’) that articulate the allocation of rights and responsibilities with respect to scholarly works.
3. Appropriate copyright management and the interests of various stakeholders will vary according to numerous factors,

What does ZWOLLE stand for?

Judith Harvey
MCB UP Ltd, Emerald

© Judith Harvey 2003

ABSTRACT: Zwolle stands for a unique approach to the management of copyright in international higher and further education. The stakeholders in copyright management include authors, publishers, librarians, universities and the public. The seven Zwolle Principles were agreed at the conference on Copyright and Universities held in Zwolle in The Netherlands in December 2002. The principles and the examples of good practice in copyright management represent the best opportunity for resolving differences and achieving convergence of the interests of stakeholders.



Judith Harvey

including the nature of the work; for example, computer programs, journal articles, databases and multimedia instructional works may require different treatment.

4. In the development of copyright management, the primary focus should be on the allocation to the various stakeholders of specific rights.
5. Copyright management should strive to respect the interests of all stakeholders involved in the use and management of scholarly works; those interests may at times diverge, but will in many cases coincide.
6. All stakeholders in the management of the copyright in scholarly works have an interest in attaining the highest standards of quality, maximizing current and future access, and ensuring preservation; stakeholders should work together on an international basis to best achieve these common goals and to develop a mutually supportive community of interest.
7. All stakeholders should actively promote an understanding of the important implications of copyright management of scholarly work and encourage engagement with the development and implementation of copyright management tools to achieve the overarching objective.

I must admit that I was a little nervous about attending a conference also attended by senior librarians and academics, and with the express aim of discussing access to the scholarly literature. However, armed with Emerald's new and very author-friendly copyright policy, I advanced on The Netherlands with grim determination. It was therefore with some surprise (and considerable relief) that I soon discovered that Zwolle was the chosen location for a peace conference.

The conference was cleverly structured to avoid confrontation. By raising the debate to a strategic level it was usually possible to avoid skirmishes about pricing, publishers' profits, restrictive copyright policies, etc. By focusing on where we are going rather than where we have been, the various stakeholders were able to approach the topic constructively. The objective of the Zwolle

Principles sums up the collaborative nature of the Zwolle approach. Indeed, several times during the discussions there was a realization that the stakeholders had many issues in common. For example:

- That librarians, academics and academic publishers are fighting over the same, ever-decreasing pot of money.
- That publishers, librarians and academics all want to achieve maximum dissemination of scholarly information.
- That authors, users and the public need to understand and actively engage with copyright if we are to achieve the overarching objective.
- That maintaining the quality of scholarly information is vital.
- That copyright must be addressed as an international issue and that it is possible to reach agreement on a set of Principles relating to copyright despite the differences in the copyright law of the various countries represented at Zwolle.

Obviously, there were differences of opinion. One such related to the assignment of copyright to publishers. However, after an excellent presentation from Martin Blume, editor-in-chief of the American Physical Society, and the discussions that followed it was agreed that it does not matter who owns copyright as long as the owner makes sure the other party is granted back the rights they need to fulfil their goals. Many of the university representatives began to realize that there are distinct advantages in having copyright managed by publishers. These advantages include:

- Publishers have already invested in processes and people to manage copyright. Why would universities want to reinvent the wheel by investing in processes and people as well? To put this another way, copyright management is not core business for universities but it is the lifeblood of publishing.
- International publishers are ideally placed to deal with problems of plagiarism, libel and other examples of copyright abuse. In fact, they are more likely to tackle such problems if they own copyright and if any legal action is in the publisher's com-

a realization that the stakeholders had many issues in common

mercial interest as well as in the interests of the author.

- Publishers are better able to maximize reference linking, online deposit and dissemination (via both traditional means and third party arrangements) if they own copyright. Again, the common goal of maximum dissemination is more likely to be achieved if publishers have a financial incentive to do so.

Another difference of opinion arose over the profits or surpluses publishers make from exploiting copyright. Again, Martin Blume provided a clear explanation of why publishers needed to make a profit. The American Physical Society is known as a not-for-profit publisher but it is required to make a surplus on its activities to invest for the future and to provide funds for the Society.

The fifth Principle neatly sums up the Zwolle view on such differences of opinion. I would add that often at the conference, through discussion and debate among stakeholders, apparently divergent interests did, in fact, coincide once all parties understood each other's needs.

The conference provided a rare opportunity to put across the publishers' point of view on copyright. Indeed it became clear that one of the main causes of friction between librarians, academics and publishers is a lack of understanding of what publishers actually do. The conference was also an excellent opportunity to be part of the scholarly communication debate in an atmosphere of positive collaboration. It was relevant for both commercial and not-for-profit/society publishers.

I was very pleased to be invited to join the Zwolle Group as a representative of a commercial publisher. The Zwolle Group membership includes representatives of all the stakeholders mentioned in the main objective of the Zwolle Principles. The role of the Zwolle Group is to promote the

Principles and to produce examples of copyright management that adhere to these Principles. The examples are designed to help stakeholders with the development of their own policies, contracts and other tools for the management of copyright.

The Emerald board has endorsed the Zwolle Principles because we believe that they represent an opportunity for the business and are not a threat. I encourage other publishers to adopt the Zwolle Principles and to join in the debate. We would like to hear from all types of publisher – large and small, commercial and non-commercial, book and journal publishers, society publishers, multi-nationals and national publishers from all parts of the world. The Zwolle Principles, the Zwolle conference and the examples of good practice that are being compiled represent the best opportunity for resolving differences and converging the interests of the different stakeholders. We need a strong representation from publishers to make Zwolle work.

Please visit the website <http://www.surf.nl/copyright> or contact Gerard van Westrienen (vanwestrienen@surf.nl) for more information. If you would like to talk to a publisher about Zwolle or if think your copyright policy is, in whole or in part, an example of good practice that supports the Zwolle Principles, please let me know (jharvey@emeraldinsight.com). We are also looking for sponsors to help fund work on examples of good practice and for advocates to help promote the Zwolle Principles. Finally, if you would like to receive copies of the Zwolle-zine – the quarterly electronic magazine that aims to inform interested parties about developments in the field of copyright and higher education – please send an email to copyright@surf.nl.

Judith Harvey

Editorial and Production Director

Emerald

60–62 Toller Lane

Bradford BD8 9BY, UK

*apparently
divergent
interests did, in
fact, coincide
once all parties
understood
each other's
needs*