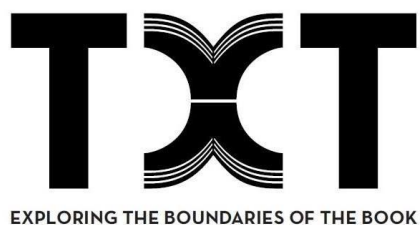


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Publisher and Scholar: An Interview with Wirt Soetenhorst

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Wirt Soetenhorst is the director of Boom uitgevers Den Haag (BuDH, Boom publishers The Hague) located in the Hague. In 1992, Soetenhorst finished his PhD on the right of the publisher. Today he is working on his second PhD. His research focuses on the academic publishing industry in the 21st century, more specifically on the business and innovation models that an academic publisher should use to sustain his position as a leading provider and disseminator of scientific information.

How did you end up in the publishing industry?

I actually studied law. When I got my law degree, I was entering the job market at a time when, just like now, it was very difficult to find a job. I already knew that I wanted to work in the publishing industry. So I applied at Kluwer, but they didn't find me commercial enough. In addition I had no experience in publishing. I had written a scientific article on the protection of publishers. On the basis of this article I wanted to conduct further research for a PhD thesis. I knew I had an interesting

topic. It was clear that if I did an internship at the same time, I would gain a lot of relevant experience. I interned at Meulenhoff and Fuga. Ultimately Fuga offered me a job. That was in 1991. The trouble, however, was that I had not completed my PhD yet. So I worked half of the time on my thesis, and the other half for the publishing house. I completed the manuscript in November 1992; I had written it in eighteen months, mostly on the weekends and during my work. The route I took into publishing was thus through internships and dissertations.

What is the added value of Open Access?

The added value of Open Access against Toll Access is, obviously, that it is open. That means it is accessible to all. I used to think, 'Most people may think "open" is a relative concept'. However, I have noticed the benefits of Open Access myself while doing research. When I started my research I thought, how do I get my information, because I cannot go to the library at the Max Planck Institute. This is where I used to go,

because at that time it was the only institute where you had all of the resources! Today, you don't have to go there anymore. However, the most important added value is that it is open: this should not be up for debate, and it just needs to stay open. It is 'here to stay'. Also, I think that publishers should clarify the added value of Open Access. The publisher needs to show what he adds to the first draft of the author.

When an author submits an article, or gets invited to submit an article, it is first reviewed by a board. Then it gets edited, reviewed and metadata are added. So a lot of things are done to it. One should understand that there is a limit to Open Access, in the sense that a publisher does all these things with the initial article, and therefore he is free to ask a fee for it. The discussion should be turned around a little: the publisher should explain what he does. When Open Access is considered as one business model among others, then I see no problem with it.

What led you to do a second PhD in publishing?

I found that very little is written on scientific publishing in the Netherlands despite three of the greatest scientific publishing houses in Europe having their roots here: Springer, Kluwer and Reed Elsevier. If I write something about publishing, I want it to have a certain degree of validation. Wanting this validation, it makes sense to enter the field of scientific

research. I got a position as an external PhD in Maastricht.

I just wrote an article on the paradigm shift in legal education; it was published by Cambridge University Press. The nice thing about this is that I try to apply in my job what I learn from academic research.

Here at Boom we have two publishing houses, imprint Boom Juridische uitgevers (BJu) and in addition we have an imprint called 'Lemma' which deals with the higher education market. This market shows that the demand in textbooks is plummeting. In any case the scientific publishing houses have survived it all, while the internet by definition is trying to eliminate the role of the publisher as a communication intermediary. However, Open Access is changing this somewhat

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now. Publishers have embraced Open Access, and are all setting up their own platforms. What I research is how publishers are doing this, and what legal lessons the legal publisher can learn from this. I found that very little research has been published on this in the Netherlands. In 1986, Van den Brink, a former minister and Elsevier man, wrote a book on the subject entitled *Information about information*. In 1996, a book by Joost Kist, a former director of Kluwer appeared, *Biblio Dynamica*, on the information services of the scientific publisher. I figured that I would write the third book. However, my book will pay more attention to publishers of legal literature.

Do you think the problems scholarly publishers are dealing with are the same problems trade publishers are facing?

No, they are completely different markets. Our target market is either the scholar or the library. Libraries don't have the ability to spend much money because of cuts in funding. Incidentally, with Open Access attention also should be paid to, for example, the public funds debate. Open Access is more nuanced than one would think.

On the contrary, the subscription model is much simpler, because it is not necessary for an author to search for funding.

The trade market is very different; as an overall market it is not innovative. Scholarly publishers were already busy innovating in 1994, when the internet was really starting to take off. With trade publishing houses this is still not the case. It is also important to consider that the situation for publishing houses globally is different to the situation in the Netherlands. In America for example, there are almost no bookstores left. There is an increase of small specialised shops for lovers of specific genres. But the general book trade is really another story; it is simply not going well. While scholarly publishers have to deal with much less regulation, the regulation in the trade market is very strict, which is very disruptive. So it really is a whole different market.

Instead of being pessimistic about earlier initiatives, we started up a new one.

How do you see the future for scientific publishing trade?

The prospects for the legal publishing field in the Netherlands are not great. This is mainly because legal scholars in the Netherlands are not very high on the Netherlands Organisation for Scientific Research priority list. I find this very unfortunate. There are more people involved in legal research and at law school than in the rest of the academic world put together. In the other scholarly fields there are

publishers and scholars, and those two must work together, whether they like it or not. In the legal field there is a third party, namely those in the legal professions; lawyers, judges and prosecutors. The legal profession has a vital part to play. We earn our money not only in academia, but also in the field of legal practise.

This is a field in which I still have a lot of faith, certainly because we are a smaller and more specialised publishing house. I think the really big houses will have a harder time.

Where bookshops are concerned, there can be seen an increase of small specialised bookstores for lovers of certain genres. I can see this happening to publishing houses as well. And make no mistake, the funny thing about publishing is that anyone can do it. Anyone can start a publishing house. The barriers to entry are very low. The success rate is, of course, not very high. But it could happen, just look at *PLOS ONE*.

PLOS ONE is a Gold Open Access pub-

lishing house. They started in 2006 and now have 30,000 publications a year in the biomedical field. It shows that the scientific publishing house is forever evolving. There will always be a need for people who make sure that it is made accessible. I believe in the legal scientific publishing house and in publishing in general.

Boom Publishers launched Open Access Advocate in April 2014. What is the purpose of this platform?

There is a discussion going on the legal sector. This is basically the same discussion as in the academic market. Scientists say that they want Open Access because the universities and their research are funded with public money. Law firms say the same thing. Lawyers are paid by the company they work for, however, they write articles for free. But to use the information they have to buy the magazine. This is why one can see a similar movement in the legal professions as in the academic market: information needs to be freely accessible.

Three years ago a platform called Open Comments was established. It was an initiative started by large law firms in the Zuidas in Amsterdam. The reason for this was that these firms felt that comments on legal articles and jurisdictions should be open and accessible for everyone. But not much came of this initiative. We figured that since two years had passed, it was time to create a new platform. We have called it 'Open Access Advocate'. We put all the articles by lawyers in a magazine, and nine months later the articles are freely accessible. Instead of being pessimistic about earlier initiatives, we started up a new one. We experimented with it

and we will see what comes of it.

In addition, we found that there must be a business model for dealing with the platform. We decided to use a combination of Green and Gold Open Access, which means we make all our own publications open. Other party publications are welcome on the platform. But if something new is offered that needs to be edited and reviewed, we do ask for a fee.

On the one hand our platform is a reaction to other platforms that already existed. However, we also wanted to position ourselves as an inventive and bold publishing house, without immediately giving it all away. Because we have Open Access Advocate, it will not only get items that are placed in the depository by the academics, but also get works from lawyers. That is, on the one hand, of course, pretty scary, because that would mean that people can say: 'I will just wait for the articles to appear in the public registry.' However, it can also 'turn out to be very positive' or 'work out very positively' as people say I want immediate access and I don't want to wait nine months. This reaction created our new model: not just a subscription but a membership. A Gold member has access to everything right away, while others have to wait.

What are promising initiatives, besides Open Access, in the publishing industry at the moment?

I strongly believe in showing what one does with semantics, like showing semantic webs to display content in completely different ways. A part of that is of course the distillation of data, and that is exactly what everyone is talking about. So much can be done with it. A simple

example I can give you is from our jurisprudence database. In that database we add the names of lawyers and judges to cases. This means that a customer is able to look up which lawyer won the most cases in a certain area. I believe that information like this is the publishing of the future. It is more about building relations. Some of these relations we cannot even imagine using in the future. The same applies to scientific publications by scientists working at a hospital for example. It is going to be all about data, mainly about services originating from data. Developments in the science field are always ten to fifteen years more advanced than the developments in the legal field.

In the legal field it is only now that we are concerned with making a citation index while, in the scientific field, the discussion started on peer review tipping and on how we want to return to our roots. The root of legal publishing is education. My main concern is that we teach too little. There is still strong pressure to give less education and to do more research. I hope we will see a move in the opposite direction in the future with more focus on education.

I really believe in the development of platforms. We need more user-friendly ways to upload master theses and dissertations to depositories. This is still all very much in the early stages. STEM publishing houses no longer pay attention to books. The legal world is still very book oriented, so it is exciting to see what will happen.

What does the name Tablr Legal stand for?

Two years ago I had the idea that it should be possible to access all content on a tablet for a fixed amount of 15 Euros per month. Getting it on your tablet would mean you can read the content online and offline. So we sent a letter to three hundred of our authors. Three out of three hundred authors signed up. This is only 1%, so maybe we were a little early. Perhaps laptops are still used more than tablets and the app is therefore less attractive.

Now we are seeing a two way movement. There is a search movement in the legal field. They want a great big database with everything in it where one can search for whatever one wants through all the resources. And on the other hand we see a read movement, which entails reading the downloads or books on a tablet. But in this case the search is done somewhere else.

What we notice with our clients is that they find it strange that they have to pay for both the magazines as well as for Tablr. But from our point of view, these are different services. The magazines are placed in an aggregator, so they can be read online on a computer. However, if a tablet is used, the articles can also be read offline. So there is a difference between the two, but the clients don't quite understand it. Having a business model is not the most important thing; focusing everything on having a plan like this is a waste of effort. Victor Tratch, a very clever businessman and founder of Biomed Central, once said: 'I do not think in models, I think in ideas'. Here at Boom we, for the moment, can still afford to do this. We turn ideas into reality and see what comes of it.

In 2010 Boom started working together with Eleven International Publishing. What was the reason for this?

We can see that many of our authors publish in English. Publishers always have to make a choice: trade publishing and so no English-language scientific publishing or a scholarly publishing. I think that if a publisher chooses the latter, then he should also publish in English.

At Boom we thought: if we limit ourselves to the Dutch market, we would be merely a distributor or a printer rather than a publisher. So we choose to be an international publisher. We have now combined our list of international English authors with Dutch academics. This way it has a little more cachet.

That was the idea behind it, but we have to really invest in it, because we have competition in the Netherlands: the biggest one is Kluwer, then there is the SDU (formerly the government printers) and then there is us. Further, the market is very well organised and defined: universities, colleges, education, professionals in the legal market and the scholars. It is therefore important to find a specialty or a niche. For our English language publications we limit ourselves to the legal market and criminology. However, there are many providers for these markets. It is a tough market, but we want to continue to work in it for as long as we can.

What is the next project on your agenda?

My next project is finishing my own research, with the help of Professor Adriaan van der Weel. I want to get the legal and scientific community in the

Netherlands a step further. I want them to be better organised, less reactionary and more aligned to international scientific publishing houses. We need much more cooperation to serve the interests of our customers. Today all publishers claim to be customer oriented, but specific customer requests are all too often not met.

I have written a piece for the *Legal Information Management Journal*. The article is based on a lecture I gave in November 2013, about how education has changed. When I look at the difference between when I started studying law in the early 1980s, and how it is now, I see that universities at the moment are very busy with e-books and online content. Universities are acting as publishers, which I quite like, but this means we as a traditional publisher should also be able to educate. So my second focus point is education.

We already teach, for example, we started *Law at Web*. This is an online web training course, in this case for lawyers. Similar programmes can also be developed for students or for PhD candidates. We are seeing that the traditional roles are disappearing. This does not mean that publishers should take on every role that arises. That is more like the American principle of 'the winner takes all'. I, on the other hand, think that we should keep the more European thought: 'we are all in this together'. ■