



# Scholarly Book Authors' Bill of Rights

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I published my first single-authored book in 1979, my first edited book the same year; my most recent in September 2022. Although there never was “a golden age” of scholarly publishing, many elements have deteriorated significantly since that date. I write about some aspects of change in a continuing series of essays. (See my “Peer Reviewing is Becoming More Cavalier, Self-Serving and Ignorant,” *Times Higher Education*, June 2, 2022; “Editors Have Become So Wayward that Academic Authors Need a Bill of Rights,” *Times Higher Education*, August 18, 2022; “The US’ New Open Access Mandate Must Not Line the Pockets of Grifters,” *Times Higher Education*, Nov. 17, 2022; “Demythifying: An Author and Retired Professor Challenges Some Long-Held University Press Assumptions,” *Publishers Weekly*, Dec. 19, 2022; “Demythifying the University Press,” *Publishers Weekly* (online), Dec. 16, 2022; “Pay to Play—Publish for a Price: The Myths and Manipulation of the New Corporate Open-Access Journals,” forthcoming.)

The greatest decline has come in the past five to ten years. I experienced it closely between the publication processes for my 2015 *Undisciplining Knowledge: Interdisciplinarity in the Twentieth Century*, and 2022 *Searching for Literacy: The Social and Intellectual Origins of Literacy Studies*.

As I recheck this essay for submission, I must add that I am now dealing with Routledge/Taylor & Francis republishing my Academic Press and Transaction classic *The Literacy Myth* (1979, 1991, 2017) without copyright permission. And Parlor Press, a small “scholarly” publisher founded and operated by “scholars” repeatedly breaking written commitments and a formal contract by dishonestly and unethically

changing its “rules”; contradicting its own commitments; authorizing me to pay for copyright for the cover illustration; holding my completed and edited manuscript for more than six months; and sending an insulting review based on less than one-fourth of the book manuscript. I am consulting intellectual property rights attorneys about both publisher’s actions.

My academic career encapsulates several major eras in scholarly publishing including the rise and fall of university presses, and the muddled maze of commercial publishers moving into and out of the academic realm, from textbooks with expectations of high sales causing uncontrolled



competition, and the rise and partial decline of more specialized monographs and collections.

Never unimportant, economic calculations rose to rule. More and more university and commercial publishers make their publishing decisions on data-less guesstimates of sales and unacknowledged sponsorship or underwriting by outside agents, including expectations of major sales of university presidents self-promoting volumes by alumni and giveaways. Book series fill with such tomes. I only touch on selected aspects of jigsaw puzzles without solution in this essay.

The 2015–2022 saga of *Searching for Literacy* tells a revealing, continuing story. The critical analysis of the history of the study and understanding of literacy was written under contract with a moderate-sized advance for a large commercial academic publisher, Routledge. With the contract negotiated in 2015, the manuscript with all necessary permissions was delivered on schedule with required permissions for quotations.

The editor with whom I had collaborated professionally up to that point sent the manuscript to an academic series editor. Although slated for the series, this British professor had played little role up to that time. As it happens, several passages in one chapter criticized—with documentation—this person's questionable published work.

I quickly received a very awkward communication from the in-house editor. They informed me with no explanation that they were breaking the signed contract but allowing me to retain the advance on royalties. Shocked, I asked for an explanation, communication with the series editor, and an opportunity to discuss alternatives including mutually acceptable revisions to my text.

Unprofessionally, against all publishing ethics, and potentially in legal violation of the signed contract, I was told—point-blank: NO.

Unprecedented and unique in my own and my colleagues' experience, this episode coincided with my decision to retire from my professorship and related to a several years of illness. The book manuscript sat untouched on my study's shelves.

In mid-2021, I began thinking about the languishing manuscript. I took it off the shelf, reviewed it, and scanned the published literature for the past few years. I determined that there was no reason to revise before proposing it to other publishers.

I sent query letters to about a dozen university and commercial scholarly presses. About half expressed interest in seeing either the entire manuscript or sample chapters. Informing all of them that I was speaking with multiple publishers but would not contract with one of them without

discussion with all, I received three contract offers and was on the verge of a fourth before withdrawing from that house.

I chose Palgrave Macmillan (headquartered in Switzerland and The Netherlands) because of the professionalism and enthusiasm of the executive editor based in London, the value of her comments on how most effectively and expeditiously to respond to the reviews, and her collegiality and flexibility in negotiating the contract. Working with her and then the production editor based in Shanghai was fully satisfactory professionally and personally.

On one morning when I awakened very early in the US, the three of us emailed at the same time. As in almost all my previous books (after the first when my wife and I compiled and alphabetized on 3 x 5 index cards), I commissioned and paid directly for a professional indexer. At this point, four months into production, the process closely resembled my experiences publishing in the US or England when all operations were highly centralized.

Matters declined rapidly when the electronic manuscript moved to India for preparation of final electronic copy and production. First the online proof correction site did not work. I emailed corrections to the head of a "team," who responded inconsistently but also assured me that my changes were made.

When the e-book went live (without my being sent a link as promised) and then when I received a paperbound MyCopy for authors, at my own expense, I found that the most significant corrections had not been made, regardless of repeated assurances to the contrary.

The next set of failures squared the circle. The e-book was "published" on August 19, 2022. I had been promised multiple times that my contractual and my endorsers' copies would be sent at that time. They were not ordered for almost two full months. Countless emails, false promises, and lies transpired before the books were sent express mail to the wrong address, one that the Indian head somehow found online, not the address I requested and provided. Never before have I experienced a lapse of time between actual publication and dispatch, even arrival of my copies.

Perhaps not surprisingly, the MyCopy that I ordered and prepaid myself as required arrived in a few days. I strongly suspect that economics, combined with incompetence, dishonesty, and complete unprofessionalism, created these results.

Palgrave tardily reprinted both e-book and hard cover editions. But they never corrected all the errors. I was never shown corrected copy to approve. Having previously published almost 30 books in a number of countries, these professional failures, lies, and literal breaches of contract are unprecedented in my experiences.



Unlike my previous books, at my editor's request I wrote a blog post about the book for their marketing department to circulate. I published essays about the book's central themes in both higher education publications and daily newspapers.

I have not heard a single word directly from marketing nor been sent copies of any promotional materials other than my own blog entries.

I made a formal complaint to my executive editor about all these failings. I have only received paper apologies without substance or corrective actions. There must be consequences throughout the publisher's systems and structures. Of that there is neither recognition nor action.

Is it too much for me to declare that we need a Scholarly Author's Bill of Rights? This parallels my earlier proposal for a Journal Authors' Bill of Rights.

For discussion and debate, I propose the following:

### Academic Authors' Bill of Rights: Draft for Discussion and Debate

To be endorsed and enforced by professional disciplinary and interdisciplinary organization, AAUP and similar groups, PEN America, publishers and publishers associations.

1. Authors, editors, editorial board members, reviewers, and all publishers' departments share in the requirements for professional conduct, collegial responsibilities, constructive criticism, academic standards, journalistic ethics, and an educational mission dedicated to the advancement of knowledge and the intellectual growth of all parties.
2. Scholarly publishers should provide clear and direct information about the interests and scope of their list, mission, and aims; specific or current interests; and emphases.
  - a. This should include information on all processes and procedures including expectations for the major steps in the editorial and review processes and reliable estimates of the time duration for each step. Editors should communicate with submitting authors about any delays or changes.
  - b. All publishers should provide submission sites and proof correction sites that are accessible, consistent, and operational, and workarounds when sites are nonfunctional (which is common).
3. Editors must meet stated criteria for selection and undergo training and/or internship. They are responsible for overseeing the relevant fields of scholarship, and must demonstrate the knowledge, skills, and

responsibilities of book editing broadly defined. This needs to be overseen.

- a. All submissions must be promptly acknowledged, with an outline of steps to follow, and reasonable expectations for the time required for editorial, review, and appropriate production processes.
4. Editors have the obligation to identify and solicit qualified reviewers who conduct themselves professionally, responsibly, constructively, and educationally.
  - a. Reviewers must meet at least minimum scholarly qualifications for conducting the review they agree to do. Editors should never violate this minimum; reviewers should never accept an invitation outside their areas of expertise.
  - b. Peer-reviewing/peer-reviewers long held an accepted meaning. That needs to be reestablished. "Peer" represented shared bases of knowledge and collegiality. The working concept combined a sense of equals working together constructively. Today, too often reviewers demonstrate ignorance of the subject *and* a false display of power. Reviews too often demonstrate a glaring lack of familiarity with the text itself as well as the subject.
  - c. Editors should consider following the practice of some scholarly journals in requesting that submitting authors nominate potential qualified reviewers. Some, but not necessarily all, of a manuscript's reviewers might be selected in that way.
  - d. Reviewing must be accorded the status of professional service and receive appropriate acknowledgment in annual and promotion reviews.
  - e. Scholarly publishing may require a register of unprofessional reviewers who should be avoided.
  - f. Editors must be alert to unprofessional, inappropriate reviews, and remove them from the review process. A third review should be sought immediately, and the author informed of a delay.
5. Editors should be open to regular constructive, educational, and professional discussions with authors about reviews and decisions to publish or not their submissions. Constructive criticism and professional education should be central goals for all parties in the collegial process. Editors should respond professionally and respectfully to legitimate questions.
  - a. Editors must recognize and recommit to the century-long meaning of "revise and resubmit," as opposed to immediate outright rejection if there is a difference of opinion among reviewers. Expectations of all parties—author, editor, reviewers, editorial or advisory boards—must never be in doubt.



6. Authors' rights do not end with acceptance or rejection of a proposal or manuscript. They extend through the entire publication, copyediting, production, printing, sales and marketing, and supply processes.
- a. This includes consistent professionalism, expertise at all steps in the publication process, and regular communications. Special emphasis falls on clear communications including confirmation of all important actions.
  - b. Major examples of publishers' failures in my own and my colleagues' recent experience include these unprofessional breaches of contract:
    - i. Proof correction sites that do not operate.
    - ii. Submission of textual corrections that may be confirmed but are not made on the final text. Despite irregular but eventual confirmations and promises, my recent book's e-book and print editions have errors that I reported and was told were corrected. This is unacceptable. No after-the-fact correction can include previously released editions and copies.
    - iii. Failure to explain the procedures, circulation, and accessibility of e-books, online chapters, and print editions. Different publishers

make works available in different ways; there is unnecessary confusion.

- iv. Delivery of authors' contractually guaranteed copies and copies promised to endorsers upon publication.
7. In sum, publishers must honor their contracts or face penalties. These issues lie at the intersection of professional standards and legal responsibilities.

Once again, let the debate begin.

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