

Theological Librarianship Talks Open Access

Peer-reviewing the Publishers: the Scholarly Open Access Appeals Board, 2013-2016

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At the beginning of 2017, librarians, researchers and publishers the world over were stunned to discover that Jeffrey Beall's *Scholarly Open Access* blog and its blacklist of "potential, possible, or probable predatory scholarly open-access publishers" had been taken down. Yet, in the age of the Internet, nothing can ever really be removed. Thanks to the Internet Archive's Wayback Machine, Beall's blog can still be consulted. Yet, if Beall's voice has largely disappeared from the debates over open-access publishing, it has by no means fallen silent. In a June 2017 issue of the Croatian journal *Biochemia Medica* devoted to predatory publishing, Beall reflected on the brief history of his much-read blog:

"Over the five years I published my blog and its list, publishers and standalone journals constantly tried various means of getting off the lists. Over time the requests to remove journals and publishers increased in number, as more and more universities recommended the lists or used them as official blacklists. Also, the methods publishers used became more intense.

Often owners of predatory publishing operations would email me, extolling the virtues of their journals, describing the rigor of their peer review and the credentials of their esteemed editorial boards. Some of them did a self-analysis using the criteria document I used and made available, and without exception these self-analyses found that the publisher didn't meet any of the criteria — not even close — and deserved to be removed from the list immediately."¹

The above remarks are the closest that Beall gets to describing the work of his appeals board. As a member of that board, I read many of those emails and self-analyses from publishers who appealed their inclusion on his lists. In what follows, based primarily on my own experience, I describe the creation, composition, and workings of the appeals board and discuss in more or less detail each of the nineteen appeals that Beall sent to us. Unless otherwise noted, all references are to emails sent or received by the author.

The Appeals Board

On February 14, 2013, the *Chronicle of Higher Education* reported that the Canadian Center of Science and Education was threatening to sue Jeffrey Beall. In addition to removal from his blacklist, the center asked for \$10,000 in legal fees and damages.² As far as I am aware, this was the first lawsuit that Beall was threatened with, just over a year after he had begun *Scholarly Open Access*. This lawsuit, I believe, also provided the immediate impetus for the creation of the appeals board, which was announced on February 27, 2013: "This blog will be adding an appeal process soon. If any publisher or independent journal feels that it should not be included on one of the two lists (publishers, independent journals), a process will be in place to handle appeals. The appeal process will involve a blind review by a three-member advisory board that will study the appeal and make a recommendation (keep, remove) to the website owner."³ I applied to join the board on March 1. Beall replied three hours later saying that I was one of only four applicants. One of the four, he noted, was seeking "ethical clearance." He must have decided as a result to augment his initially conceived three-member board, since he accepted all four of us. That same day, he amended his blog to show that board members were no longer needed.

One week later, on March 7, 2013, Beall introduced the board members to each other. At first, all of us were men: a mixture of researchers, editors, and publishers. Later, a female librarian joined our ranks. Beall then described to us

¹ Jeffrey Beall. "What I Learned From Predatory Publishers." *Biochemia Medica* 27, no. 2 (2017): 273-9. <https://doi.org/10.11613/BM.2017.029>.

² <http://www.chronicle.com/article/Librarians-Rally-Behind/137329/>.

³ <http://scholarlyoa.com/2013/02/27/appeal-process-to-be-implemented-for-this-blogs-lists/>.

how the appeals process would function, a process he publicized on the blog four days later: “Publishers can appeal the inclusion of their journal or publisher on this blog’s lists. If you believe that your journal should not be included on the list, please send an email to the blog’s owner, Jeffrey Beall, at [email address redacted]. In the email, please state the reasons why you believe your publisher or journal should not be included. The email will be forwarded to a four-member advisory board. The board will then review the publisher’s website and conduct on the publisher’s operations. The board will then advise the blog’s author to retain or remove the listing. Appeals are limited to one every 60 days.”⁴ When forwarding the first appeal, Beall mentioned that he wanted us to “be like peer-reviewers.” And that is primarily how I thought of our work, peer-reviewing the publishers. The publishers did not know who we were, but we certainly knew who they were.

The Publisher Appeals: 2013-2014

We received our first appeal on March 13, 2013, from an Eastern European publisher of sixteen (now nineteen) journals, primarily in science and engineering. By way of explaining how this publisher came to be on his list, Beall shared with us four negative emails that he had received about this publisher. One was from an academic librarian in Texas and the other three were from professors in Spain, Portugal, and Illinois. They primarily complained about the publisher’s conferences rather than its journals, which did not charge author publication fees. The two recommendations that I retain, one of which is my own, recommend accepting the appeal.

Appeals continued to come in at about the rate of one per month. The second, received on April 15, 2013, came from a standalone journal/publisher in the social sciences and humanities. Some of Beall’s reasons for blacklisting the journal included its claims to be American and to have an American address, even though it was based in India. Moreover, it boasted an unrealistic three-day peer review. In addition to his correspondence with the publisher, Beall also included an email from an Indian researcher. In our comments on the appeal, one board member noted that the editor-in-chief was described on the journal’s website as being located in “Taiwan, Province of China.” Another board member used iThenticate to discover that two published articles contained plagiarized material. We unanimously recommended that the appeal be rejected.

On May 14, 2013, we received an appeal from a South Asian publisher of scientific journals. Supporting documentation included an email from an American academic denying that he had agreed to serve on the editorial board of one of this publisher’s journals. In my comments, I noted that only three of the publisher’s nine journals had published any issues. I noted with curiosity that a Google search had revealed an academic claiming (on his CV) to be on the editorial board of one of the journals, though he was not listed on the journal’s website. I also mentioned that the aforementioned academic who had been wrongly listed as an editorial board member was no longer listed as such on the journal’s website. In conclusion, I argued that the publisher did not appear to be predatory, just new and inexperienced. I recommended keeping an eye on it; another board member agreed with me.

Just a day after receiving this appeal, the *Chronicle of Higher Education* reported that Beall had been threatened with another lawsuit, this time by the publisher OMICS, seeking a preposterous \$1 billion in damages.⁵ This publisher, who incidentally never appealed its inclusion on the blacklist, was charged for deceptive practices three years later by the Federal Trade Commission.⁶

On June 20, 2013, Beall sent us two appeals. The first came from an Indian publisher that seemed very new and whose journals had little content; two of us agreed that it did not appear to be predatory. We did, however, agree that the second appeal, from a Filipino publisher, probably was predatory. Not only did it claim a bogus impact factor based on dubious metrics, two of its journals claimed the same ISSN and the publisher allowed escort services to advertise on its website.

⁴ <https://scholarlyoa.com/appeals/>.

⁵ <http://www.chronicle.com/article/Publisher-Threatens-to-Sue/139243/>.

⁶ <https://www.ftc.gov/news-events/press-releases/2016/08/ftc-charges-academic-journal-publisher-omics-group-deceived>.

Beginning with an appeal from an “American” journal on August 16, 2013, the publisher appeals started to get more and more interesting. Like many predatory journals, this journal’s title proudly proclaimed it to be American, even though the only thing American about it was its Delaware registration. All of its authors were from Africa and Asia. The journal was interesting because its publisher had clearly read the material on *Scholarly Open Access* and understood why the journal might be considered predatory. He admitted that the journal’s first “real” issue was actually its third; the first two consisted of conference proceedings as part of the journal’s “soft” launch. He furthermore claimed that 90 percent of the journal’s authors had been published for free. When I recently revisited this journal, I was shocked to discover that a subscription is now required to view articles.

In addition to the publisher’s appeal letter, Beall also forwarded to us his own email to the publisher pointing out plagiarism, and a recent *Library Out Loud* blog post concerning the publisher. The latter was particularly concerned that SCOPUS was indexing this predatory journal. In my comments on the appeal, I pointed out that the publisher had excused the poor editorial quality of the journal by saying it was done by volunteers. Moreover, I noted that no contact information was provided for the editor-in-chief. I was unable to judge the quality of articles because the website was down for maintenance. I continued: “The journal’s section policies are bizarre, listing a section for Arabic Publications. The editors [sic] of that section are: Tony Montana! The journal’s most recent issue, however, does not show any Arabic-language articles despite the fact that many of the published articles are written by authors with Arabic names. I also don’t understand how [the publisher] can say that ‘Copyrights of published papers belongs to the authors with first publication rights granted to the journal.’ The journal itself says otherwise with its CC BY license.” In short, this was an easy appeal to reject.

The next appeal, on Sept 27, 2013, came from a controversial American publisher who noted that one of his editors was considering resigning because her university considered the journal to be predatory, and that a conference attendee had also asked him about being on the blacklist. Beall included the publisher on his list because of well-publicized instances of plagiarism, which the publisher had failed to retract. For that and much else, the board unanimously recommended that the appeal be rejected, and it was.

Around this time I received my first spam request to act as a peer reviewer to a blacklisted journal, the *African Educational Research Journal*. The title of the manuscript was “The role of the Holy Spirit in the life of the Penteco/charismatic believer.” Requests like this — whether to be an author or peer reviewer, editorial board member or conference presenter — are often what alerted Beall and his international network of tipsters to the existence of these predatory journals. When I forwarded the email to Beall, he advised me to politely decline the request, which I did. This generated an automatic response from the journal: “Thank you for your mail. We shall respond to it soon.” They never did.

On December 30, 2013, Beall sent us another controversial appeal, this time from a large UAE-based publisher of more than sixty open access journals. Again there were issues of plagiarism. Beall was not alone in criticizing this publisher; *The Scholarly Kitchen* and the Open Access Scholarly Publishers Association (OASPA) also did. The appeals board unanimously recommended that the publisher remain on the blacklist.

Beall sent us an appeal on April 4, 2014, from a “Chinese” publisher registered in Switzerland that he had blogged about and added to his list just months earlier. The publisher’s appeal comprised an eight-page document responding to each of Beall’s “Criteria for Determining Predatory Open-Access Publishers.”⁷ In my comments, I noted that the publisher was a member of OASPA, that OASPA had just conducted its own investigation of the publisher, and that OASPA was satisfied that the publisher had met its membership criteria. Unfortunately, OASPA failed to provide any of the reasons behind its conclusions. Additionally, I expressed disappointment that the publisher had responded to Beall’s criteria, but not to the specific concerns detailed in his blog post. I recommended that the publisher remain on the blacklist “pending further information.”⁸

⁷ At the time of the appeal, Beall’s criteria document was in its second of three editions: <http://scholarlyoa.com/2012/11/30/criteria-for-determining-predatory-open-access-publishers-2nd-edition/>.

⁸ See below for the publisher’s second appeal on October 6, 2015.

On April 12, 2014, Beall notified me that one of the board members had resigned. He announced the appointment of a replacement on May 13. A fellow academic librarian, she was the board's first female member. At the same time, Beall presented a new appeal from an African publisher of more than 100 journals. This publisher also responded at great length to each of Beall's criteria. While none of us could come up with any major problems with this publisher, we nevertheless concluded that it published poor scholarship and recommended that it remain on the list.

Although *Science* journalist John Bohannon's sting had occurred the previous year, its repercussions were still being felt.⁹ On September 8, 2014, we received an appeal from the publisher of a journal that had accepted one of Bohannon's fake papers. Instead of responding to every one of Beall's criteria, this publisher addressed three topics: publishing fees; scholastic standards; and location. The publisher concluded by welcoming suggestions and comments "from experts like you who are active in open access journal publishing" on how the publishing process and journal quality could be improved.

This was a frequent refrain. Many publishers seemed to treat Beall as a publishing consultant who could help them improve their businesses. Commenting on the appeal, I expressed incredulity that a publisher who purported to be concerned with keeping costs down actually be located in Silicon Valley. Moreover, one of its journals was overly broad in scope, publishing articles about microfinance repayments in Nigeria, population policies in China, and Gothic fiction. Another board member noted that the publisher failed to mention the sting in his appeal and that the editor of the journal that published the bogus paper had not resigned from his position. We recommended that the appeal be rejected.

The Publisher Appeals: 2015-2016

Nearly a year went by without another appeal, so I wrote to Beall on June 1, 2015, asking if there were any appeals forthcoming. He responded the next day saying that he might have one coming soon and that he was having trouble "keeping up with everything." On August 11, 2015, he forwarded a two-page appeal from a Canadian publisher of scientific journals. I was late in weighing in on this appeal, but my fellow board members unanimously recommended that the publisher remain on the list; and so it remained.

The "Chinese" publisher whose first appeal we had considered in April 2014 sent a second one on October 6, 2015. This was the only time that a publisher appealed more than once, and it was well past the 60-day minimum time between appeals that Beall had asked for. Although I don't remember being aware of it at the time, this second appeal contained the only evidence I have that Beall sent our comments to the publishers along with his decision to keep the publisher or journal on one of his blacklists. The comments were kept anonymous, of course, as befits peer reviewing. Thus, the publisher's appeal comprised a thirteen-page response to Beall's criteria as well as a three-page response to our comments on the previous appeal.

The response to my comments was illuminating and yet disappointing. The majority of the response consisted of a refutation of the blog post that the publisher had not addressed earlier. This was detailed and generally convincing. The publisher did not, however, share with the appeals board any details of the OASPA investigation that I had wondered about, though it was evident from the publisher's comments that Beall had not shared with the board all of the relevant documentation he had received. Finally, the publisher rightly noted that my recommendation to keep the publisher on the list was based on presumption of guilt. One board member and I were satisfied with the appeal and recommended accepting it, while another recounted additional evidence against the publisher, but recommended a compromise: namely, that the publisher be removed from the list, but that one of its journals (the one with the most retractions) be retained. The last board member to weigh in recommended rejecting the appeal based on poor publication ethics.

Just three days later, Beall apologetically sent us another publisher appeal. I think he would have preferred to space them out more, but he was beginning to feel pressured by this publisher, who claimed that four months earlier he had

⁹ J. Bohannon, "Who's Afraid of Peer Review?" *Science* 342, (2013):60-65. <http://science.sciencemag.org/content/suppl/2013/10/03/342.6154.60.DC1>.

sent Beall an appeal that had gone answered.¹⁰ The publisher then threatened legal action, which he did in an email to the president of the university where Beall is employed, claiming that Beall was abusing public property by responding to his blog during work hours and using his university email address for all communications. This publisher also brought up OMICS' threatened lawsuit, implying that Beall was obviously guilty. We unanimously agreed that this publisher should remain on the list.

On November 11, 2015, Beall sent another appeal with an apology, this time for the increased frequency of appeals, noting that his blacklists were gaining traction. Unusually, the publisher whose appeal we were asked to consider was not an open-access publisher. Beall considered the publisher to be misleading authors into thinking that it was open access by charging author publication fees and then claiming to make articles openly accessible on its website for at least three years. On November 23, Beall sent us additional information about the publisher that he had received from an Australian researcher who wished to remain anonymous. This person provided evidence of multiple false representations made by the publisher, especially about the editorial board members of its journals. We unanimously recommended that this publisher remain on the list.

Beall sent us the appeal of a small Canadian scientific publisher of a single journal on January 18, 2016. I commented as follows: "My impression is that this publisher isn't predatory, just low-quality — but not as low-quality as some of the others we have rejected. It seems to be providing an outlet for African and Asian scholars to publish in a Western journal at a low price. In general, the journal appears to be too broad in scope to be useful to anyone except the authors. I believe it's what you would describe as a paper mill. Whether or not the scholarship is any good is another matter. I'm not qualified to say." The others recommended rejecting the appeal, one noting that an editorial board member had passed away four years previously, but was still listed on the journal's website!

Separately, on the same day, Beall sent a second appeal, also from a standalone journal. Again, I think he was feeling pressured, since this appeal was sent by the journal's attorney, an escalation based on lack of response. It was the first such appeal from an attorney that we had received. The lawyer claimed that the journal manager had unsuccessfully tried to contact Beall on May 15, 2015, and again on May 30, 2015. He also referenced the OMICS lawsuit, but by way of dismissal, saying that he would not use such tactics, since he preferred tact and common sense. He even sympathized with Beall's situation, saying that he too had worked in academia.

By this time, I was busy finishing the last semester of my MLIS program and so did not comment on the last two appeals, which were sent on February 23, 2016, and July 6, 2016. The first was from a publisher of pseudoscience. Beall sent further information about this publisher on March 11, namely a blog post referring to a paper denying climate change that had appeared in one of this publisher's journals. One board member recommended rejecting the appeal, citing unethical peer review practices. The second appeal came from a UK-based publisher. Beall's reasons for listing the publisher included excessive APCs, transfer of copyright to the publisher, and lack of peer review. The other three board members all recommended rejecting the appeal.

On November 17, 2016, I sent Beall a letter of resignation from the appeals board, which was not acknowledged. A few months later, I discovered that the blog had been taken down. I have had no further contact with any of the board members. In preparation for this article I wrote Beall another letter, to which he has also not responded.

Conclusion

Serving on the *Scholarly Open Access* appeals board throughout its four years was a valuable and fascinating experience. I cannot say that I learned more about open access publishing and its predatory underbelly from considering publisher appeals than I (or anyone else) could have learned from simply reading Beall's blog. However, the experience brought home to me the reality of predatory publishing in a way that I could not have fully grasped otherwise. I also realize how subjective our judgments could be. I don't believe, however, that they were any more subjective than those of peer reviewers the world over, though they were of greater import, affecting far more people than a single author. In summary, based on the above appeals, the most serious allegations against predatory publishers seem to be two:

¹⁰ This statement agrees with Beall's own admission to me back in June about having trouble "keeping up with everything."

1. Plagiarism: failing to detect and retract plagiarized articles and plagiarizing the websites of other publishers for policy statements; and
2. False representation: copying or imitating the name of a well-established journal, pretending to be American, putting the names of Western academics on editorial boards without permission, and boasting of fake impact factors or being indexed by something that is not an index.¹¹

By way of comparison, some of these complaints are identical to the three charges brought by the FTC against OMICS: misrepresentations regarding journal publishing, misrepresentations regarding conferences, and deceptive failure to disclose publishing fees.¹² The misrepresentations regarding journal publishing specifically concerned impact factor, indexing, peer review, and editorial board members.

While librarians, publishers, and researchers continue to debate the merits and methods of Jeffrey Beall's blacklist, it remains to be seen who or what will fill the void left by his blog's absence. More fundamentally, however, we must continue to question current business models and innovate more efficient ones in our ongoing efforts to make scholarly publishing truly sustainable.

¹¹ I have deliberately not mentioned APCs, for although most predatory open-access publishers do charge author publication fees, they are much lower than those charged by reputable publishers.

¹² <https://www.ftc.gov/system/files/documents/cases/160826omicscmpt.pdf>.