

University of Maryland Francis King Carey School of Law

From the SelectedWorks of James Grimmelman

February, 2007

SSRN Considered Harmful

James Grimmelman



SELECTEDWORKS™

Available at: http://works.bepress.com/james_grimmelman/14/

SSRN Considered Harmful*

James Grimmelmann

February 26, 2007

The Social Science Research Network (SSRN) has adopted several unfortunate policies that impair open access to scholarship. It should enable one-click download, stop requiring papers to bear SSRN watermarks, and allow authors to point readers to other download sites. If it does not reform, those who are serious about open access should not use SSRN.

How SSRN Works

The Social Science Research Network (SSRN) is a scholarly repository for economics, accounting, law, and several related disciplines. It hosts papers for free download and provides an email abstracting service. When an author posts a paper, SSRN creates for it a “download page” containing the paper’s abstract, the author’s contact information, and links that any Internet user can use to download the paper from SSRN. For a time, SSRN required that users create an account and log in to download papers under many circumstances. Following protest from open-access advocates, SSRN revised this policy. It now allows unrecognized users to download papers, but encourages them to create accounts. SSRN counts the number of times each abstract is viewed and each paper downloaded. These counts are used for a number of purposes, including generating lists of the most-downloaded papers, authors, and institutions.

Papers do not “go live” immediately upon posting; they are instead reviewed by SSRN staff, a process that takes several days and can involve edits to the abstract. The staff will occasionally reject a paper. One ground for editing or rejection is that SSRN does not allow non-SSRN URLs to appear in an abstract. The justifications offered vary. I have been told that the reason is SSRN’s inability to provide download support. Another scholar has been told that the reason is to prevent links to commercial sites, and that SSRN bans all external URLs rather than attempt to distinguish commercial and non-commercial sites. This policy is strict, and applies even if the URL is accompanied by an appropriate disclaimer.

The email abstracting service is partly subscription-based. Some abstract series are sponsored by schools and journals, and contain abstracts of new papers from their faculty or published in their pages. These series are free to subscribers. Other series are produced by professors for SSRN itself. A subscription to all of SSRN’s topical series in one discipline costs between \$35 and \$90 a year, depending on the discipline; many institutions purchase site licenses for their members. Each emailed abstract contains links to the author’s SSRN page and to the article’s download page.

What’s Right with SSRN

* This essay is licensed under the Creative Commons Attribution 3.0 United States License, <http://creativecommons.org/licenses/by/3.0/us/>. It is available for download from multiple locations. SSRN: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=965633
BEPress: http://works.bepress.com/cgi/viewcontent.cgi?article=1013&context=james_grimmelmann
Author’s homepage: <http://james.grimmelmann.net/files/SSRNConsideredHarmful.pdf>

The key goal here is open access to scholarship; anyone should be able to find and read all scholarship of interest to her, for free and without difficulty. Open access helps scholars, who depend on other scholarship in their own work. Open access also helps the public (who subsidize scholarship by paying scholars' salaries) by assisting the diffusion of scholarly ideas.

SSRN facilitates the reading of scholarship by enabling free download of any paper posted by its author. It facilitates discovery of scholarship by offering search of the text of abstracts and several kinds of browsing. Its abstracting service, while partly restricted to paying customers, also enables the discovery of scholarship.

What's Wrong with SSRN

Some SSRN policies have unfortunate collateral consequences for open access:

The download-page system prevents direct one-click download. I cannot give you a URL that points directly to a PDF, only one that points to a page with a link to the PDF. This is a small hassle for users, but completely disables automated search tools. Since SSRN itself does not provide full-text search, this means there is no way to search the text of papers posted to SSRN, a substantial barrier to locating scholarship. (Consider the value of full-text search in Lexis and Westlaw, or the usefulness of Google in locating papers from just a distinctive phrase.) In addition, the lack of direct download impedes the development of even better search and indexing technologies. SSRN claims to be working with Google to enable search, but the results are not yet apparent and a truly open strategy would work with all interested search engines.

SSRN now also watermarks all uploaded papers with the URL of their download pages; each of the first two pages in the PDF is stamped with a line reading, for example, "Electronic copy of this paper is available at: <http://ssrn.com/abstract=962596>." These watermarks are ugly; they can cause trouble for automated text-processing tools (such as screen readers for the blind); and they distort a scholar's preferred presentation of her research. Further, they create lock-in. SSRN's URL scheme may change; SSRN may fail to exist; scholars may decide that another repository better serves their needs. The watermarks on already-downloaded copies will continue to point to the old, obsolete URLs.

The editorial review process itself is a minor speed bump on scholarship, but the use of that process to discourage competition is worse. Some scholars prefer to use SSRN's abstracting service but host their papers elsewhere (e.g. at a school or personal site, where no watermark would be applied). By going out of its way to remove references to non-SSRN download sites, however, SSRN leverages the popularity of its abstracting service to promote its download service at the expense of other repositories and the scholars who would prefer to use them.

The old policy of often requiring login to download was also a serious drag on open access; it made anonymous reading difficult or impossible. The right to read anonymously is an important principle. Not all SSRN papers will be highly sensitive, but some will. (Consider Tim Wu's *The World Trade Law of Internet Filtering*, at <http://ssrn.com/abstract=882459>.) Fortunately, SSRN has revised this policy.

Three broader concerns link these specific problems. First, they suggest that SSRN often does not fully understand open-access principles or appropriately value them. A sincere institutional commitment to open access is critical for an institution that seeks to be a canonical scholarly repository. Second, they involve anti-competitive behavior that seeks to channel all access to scholarship through services under SSRN's sole control. This desire for centralization runs counter to basic lessons of open access, which favor broad and redundant distribution, and a healthy ecology of diverse institutions and tools. Third, these measures all cost effort and money to implement. We, the scholarly community, are paying to have our access unnecessarily restricted by SSRN.

A Few Objections Answered

Aren't these complaints small beer?

It is true that my objections to SSRN are individually small on the scale of open-access concerns. But they are hardly insignificant. The lack of full-text search alone puts a significant brake on the discovery of relevant scholarship, and many scholars seriously object to the watermarks. It is also telling that it took significant lobbying to convince SSRN to make login consistently unnecessary.

Doesn't SSRN have the legal right to do these things?

Of course it does, but the point is what SSRN *ought* to do, and how we ought to respond when it does not. To flip matters, SSRN certainly has the legal right to do better by open access. If it does not, we also have the legal right to take our business elsewhere.

Isn't SSRN a business that should rationally act in its owners' interests?

Given SSRN's stated commitments, I am not convinced that profit has played a significant role in its decision-making. But if this general argument is to be used to justify the anti-competitive aspect of SSRN's actions, then the future of open-access scholarship should not be trusted to a for-profit entity. The use of the business corporate form here is appropriate to the extent that the business's owners' goals align with the goals of open access. If the two diverge significantly, we as scholars should prefer the latter.

Isn't SSRN's continued success necessary to the cause of open access?

Actually, no. The arXiv physics preprint archive, the Internet Archive, and the Wikimedia Foundation are all highly regarded, successful institutions that have used the nonprofit form to place openness above self-preservation. There are also for-profit repositories that have adopted better policies than SSRN has. Within the scholarly field, the Berkeley Electronic Press improves on SSRN in many of the areas I have noted; it features near-instantaneous paper upload, full-text search, one-click download, no watermarking, and (it claims) lower costs to subscribing institutions.

Isn't it vital to have a single central repository for scholarship?

No, for a variety of important reasons:

First, the question depends on a false premise. The threat of defection may cause SSRN to improve or cause convergence on another, more open repository. Either result would further open access without affecting centralization.

Second, as long as papers are online somewhere and in standard, indexable formats with good metadata, readers will be able to experience them as though they were hosted centrally, thanks to high-quality general-purpose search engines. Disaggregation of hosting tools and search tools would encourage innovation in both.

Third, there are fewer economies of scale in centralized scholarly hosting than one might assume. The total resource burden associated with downloads of any one school's faculty scholarship is well within what that school can sustain. Given that academic institutions already invest in web hosting, and that hosting more generally is already a highly commoditized service, centralizing scholarly hosting brings few additional savings in bandwidth and server costs. While there are some savings involved in having a single architecture and interface design, duplication of effort has not stopped scholarly institutions from performing many other design and IT functions for themselves.

Fourth, monocultures are vulnerable. Trust failures, technical failures, design failures—all are mitigated if scholarship is backed up using redundant servers, institutions, protocols, and formats. We can always survey scattered, divergent, redundant copies after a disaster to figure out what we have and how to reintegrate it. We cannot recover from the loss of anything kept only in one place.

Isn't download-counting is a necessary function that justifies restrictions?

Download-counting, while a fun parlor game, is a proxy for a proxy, not a high priority justifying substantial investment. Readership is an inexact approximation to quality; downloads similarly provide only a guess at readership. SSRN's restrictions may even inhibit the development of innovative distributed mechanisms to measure quality. Further, some of those restrictions are actually unnecessary to the stated goal. If the problem is ballot-box stuffing, the easiest response is simply to ignore the questionable downloads in the final counts, rather than taking steps to make downloading harder. Conservation of resources may be a better argument for at least some restrictions. Still, other institutions have found ways to discourage mistaken or wasteful downloads while still allowing one-click download.

Why shouldn't SSRN tie its abstracting service to its hosting service?

There is nothing wrong with the useful technical integration that enables an author to circulate an abstract and host a paper with one upload. The problem is that SSRN uses its watermarking and no-outside-URLs rule to prevent authors from combining SSRN abstracting with hosting elsewhere. (Note that SSRN has no problem with authors who use *only* the abstracting, since many papers are abstracted through SSRN but not made available online at all.) This kind of

forced bundling inhibits competition from other repositories and inhibits innovation in tools that work with abstracts.

Of course, open access is imperfectly served by those abstracting series that one needs to pay to subscribe to. Because of the network effects associated with a high-volume abstracting service, scholars who might wish to use a different, more open system must realistically also use SSRN's comparatively closed system. Scholars and institutions should investigate the possibility of creating and encouraging free alternatives.

What is to Be Done

When measured against open-access principles, SSRN falls short in several ways, none of them justified. There are good alternatives available that do not fall short in all these ways, including hosting by individual scholars, by schools, and by other scholarly repositories. Their existence shows that SSRN could do better. SSRN should enable direct download, make watermarking voluntary and opt-in, and allow references to other download sites. If it does not do so, scholars should use these other alternatives to distribute their papers.

Revision History:

February 26, 2007: Initial draft.

February 27, 2007: Added download locations. Changed "each page" to "each of the first two pages in the PDF" to reflect a positive change in SSRN's watermarking implementation.