Virtuous Circles, Vicious Circles and Virtual Books

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Like most of us who teach courses where the readings are primarily journal articles, I used to use a textbook anthology. Every year I picked the least-worst anthology. I assigned about a third of the readings in the textbook to justify making students buy it and supplemented the textbook readings with books on library reserve, Xeroxes and online articles. I was fed up.

In Spring 2008 I went textbook-free. I linked all and only the readings for my Contemporary Analytic Philosophy course to the class website, along with power point presentations, handouts and external links to online resources.

Many of the texts that we, as instructors, need for a wide range of courses are available online. For some courses, those in which the primary readings are journal articles and historical texts in the public domain, it is currently feasible and, arguably, desirable to build online "books" for classroom use in lieu of traditional textbooks. For other classes, including undergraduate courses in mathematics, logic and the empirical sciences, where readings are not journal articles or historical readings, online textbooks provide an alternative to traditional hardcopy texts.

The feasibility of using online material for classes varies by course and discipline. For some courses, including most in my, going textbook-free is unproblematic and, as I shall argue, is not only cheaper but better pedagogically than using traditional hardcopy texts. For others, the textbook-free approach may not (yet?) be cost effective or even feasible. I suggest however that most instructors can and should be making better use of online resources that are free to end-users.

In this discussion I shall consider the benefits of making more use of these online resources and make some practical suggestions about where to find online materials, how to incorporate them into courses and how to easily create high quality online "books". Finally, I shall consider the beneficial effects of more widespread use of online materials on the market for traditional hardcopy textbooks.

The Problem with Traditional Textbooks

One problem with traditional textbooks is obvious: they are expensive. The cost of books for courses at some public community colleges is often substantially higher than the cost of tuition and therefore is out of reach for many community college students, most of whom are from low-income families. To address this issue community college instructors have made strenuous efforts to find ways of creating more affordable alternatives[1].

Faculty in universities and professional schools, in a range of disciplines are also concerned about the high cost of textbooks. A number have committed to supporting the Student Public Interest Research

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[1] So, for example, the Community College Consortium for Open Education (http://cccoer.wordpress.com/) is a joint effort by a number of community colleges and other organizations in Southern California to create and disseminate "open educational resources". The site includes a number of additional useful links. "Online Texts for Community College Students", (http://insidehighered.com/news/2008/04/29/textbooks) at Inside Higher Ed includes a discussion of issues facing community college instructors and this program.

Groups'[2] initiative promoting the use of free, online and open source textbooks to reduce college textbook costs. "Professors Gone Paperless"[3] includes discussion by an information scientist teaching at the graduate level, an economist at a top tier engineering school and a mathematician as well as useful comments by readers concerning the rationale and mechanics of using online texts, and objections.

Skeptics worry that online books are not subject to the quality control that the Market imposes on commercial products: prima facie, you get what you pay for and, notoriously, the Internet is a repository for enormous quantities of useless junk. In fact, there are a number of high quality texts available online and university faculties are quite capable of distinguishing them from the dross. Moreover, in some fields at least, the Market has not served to improve the quality of commercial products and there is more junk in hardcopy than there is online. Arguably, this is because the reluctance of instructors to use online alternatives gives commercial publishers as a group a monopoly and, in fields where there is a standard, more or less static package of material that students need, they compete with one another in making cosmetic changes, inflating texts and introducing worthless gimmickry—producing textbooks that range from bad to worse.

To see how this dynamic works we only have to consider the large market for introductory logic textbooks aimed at courses commonly known as "baby logic". I have dozens of free samples and in any given academic year numerous publishers' reps visit me to try to sell their products—and encourage me to write yet another baby logic textbook for them. Over the years, these books have become glossier, more gimmicky and more expensive. There just isn't that much you can do with baby logic. It's like college algebra. There are certain things you have to know, certain techniques you need to learn, and that's that. So publishers compete by producing books with distinctions that make no difference or inflating. I recently completed a survey by a publisher who wanted to know whether I preferred horseshoes (UK: hooks) or arrows for material implication and plain "x's" or upside down "A's" for the universal quantifier. I personally prefer upside down "A's", arrows, double arrows, upside down wedges for conjunction and "hoes" for negation but I am not going to switch to a textbook for typographical reasons. This is wasteful baloney.

So, in at least some fields, the market is not working and, arguably, it might work better if online alternatives were competitive. And online alternatives would be competitive if instructors would seriously consider them. Rob Breezer, the professor of mathematics cited in the Inside Higher Ed article, remarks: "The world doesn't need another linear algebra textbook on the market—it needs a free one"[4].

But money isn't everything and for many courses the most important reason for using online resources is quality, flexibility for instructors and convenience for students. The article describes the experience of John Gallaugher, an associate professor of information systems at Boston College's Carrol School of Management, teaching a graduate-level introductory course in information systems: *The book cost about $150. He also assigned supplemental reading — trade press articles, online case studies and the like. Student feedback was clear: The textbook cost was too high, and they valued the supplemental material more. He agreed on the price complaint, calling some versions "oppressively expensive." So Gallaugher stopped assigning the textbook and began developing syllabuses from existing online materials, including his own. He's posted PowerPoint slides and podcasts of his lectures online ever since[5].*

There are ample resources for business education online. University of Pittsburgh professor Bernie Poole, for example, links a wide range of resources at "Business Education Resources"[6] and most economics journals are available through databases to which university libraries subscribe.

A textbook, however carefully chosen, is never exactly what we want in either organization or content. So,

2   http://www.maketextbooksaffordable.org/statement.asp?id2=37614, [02.02.2009].

3   http://insidehighered.com/news/2008/04/16/textbooks, [02.02.2009].

4   http://insidehighered.com/news/2008/04/16/textbooks, [02.02.2009].

5   http://insidehighered.com/news/2008/04/16/textbooks, [02.02.2009].

6   http://www.pitt.edu/~poole/business.html, [02.02.2009].

like Gallaugher, most of us introduce extensive supplementary materials and reorganize the textbook on our syllabi. This is inconvenient as well as expensive for students. Consider the plight of Gallaugher's students before his conversion. After shelling out $150 for the textbook, they had to go online to access case studies and assemble photocopies of trade press articles "and the like" which Gallaugher either distributed in class or placed on library reserve.

From the instructor's point of view it is even worse. Because many of us perceive traditional commercial textbooks as de rigeur, we teach the text. For lower division undergraduate courses in logic, math and the like this isn't particularly bad. Students need to know about modus ponens and the quadratic formula. But if we're teaching courses where the "canon" is shifting, where students need to be cogniscent of recent work or where there is disagreement about what students should read it is disastrous to teach the text.

Keeping up with research in our fields, we know what students should be reading. But once we sock students with the cost of expensive textbooks, many of which are outdated by the time they appear in print, we feel morally obliged to use enough of the text to justify the expense—whatever enough turns out to be. The hardcopy textbook model, and many distance learning and online teaching approaches, level down: they reduce academics, who are qualified, willing and able to assess and produce teaching materials in their fields given their knowledge of current research, to mere teachers whose job it is to work through standard texts and correct exercises—a waste of talent, knowledge and commitment. The availability of online resources levels up: it facilitates university professors' task of using their research for pedagogical purposes and makes it possible for educators at every level, who are willing and able, to produce customized teaching materials.

To see how this can work let us first consider courses where this kind of customization is unproblematic and how such courses can effectively be put online. I have suggested that classes in which the primary readings are journal articles and selections of historical sources, typically collected in textbook anthologies are, currently, the most suitable candidates for online conversion so let us see how this can and should work. After considering such courses, the easy cases, I shall consider courses that currently pose more difficulties.

The End of the Textbook Anthology?

Textbook anthologies are inefficient. Minimally these products provide access to primary readings, selection and organization. Some provide various pedagogical extras including editorial introductions and comments, selected bibliographies, "study questions" and the like. Most are packaged in an aesthetically pleasing format. None of these things are worth paying for.

Access to primary readings for these courses is readily available online and materials that are not available can be scanned and put up at class websites or online library reserve. Librarians and bookstore personnel, who are knowledgeable about copyright regulations, can help instructors meet legal requirements which, in many cases can be satisfied by password-protecting access. Copyright law is complex, and the interpretation of its provisions is in flux and varies by country and jurisdiction. The purpose of this discussion is to canvas the technical and logistical issues involved in the use of online materials. Legal concerns are beyond the scope of this discussion. Instructors who intend to use materials that are not in the public domain need to be cognizant of legal issues and should consult with individuals who have expertise in copyright law and the constraints on "fair use".

Legal issues aside, however, we do not need textbooks to make the readings readily available to students. Moreover, most of us do not need, or want the selection and structure that textbooks provide. We are as qualified as textbook editors to select readings for our courses and organize them by topic, and much better situated to tailor our selections to suit our interests and meet our students' needs. The "ancillaries" publishers imagine will attract us are useless or worse. As for aesthetics, admittedly textbooks are more attractive than the three-ring binders full of printouts that students in textbook-free courses produce. But I do not think that such packaging is worth the price of the book or, more importantly, the cost of selecting readings and organizing courses to fit the textbook in order to justify making students buy it.

In some circumstances a textbook is a quick and dirty solution. If we are teaching general education courses on topics in which we have no expertise and little interest, a textbook anthology with the standard articles suitably organized cuts preparation time. However, even if we want the selection and structure textbooks provide, we can get it without buying the book: we can use the table of contents to structure our courses, and link the readings. It is, of course, easier and more convenient to buy the book and pass the costs onto students—but not by much.

It does seem like cheating to appropriate a table of contents without buying the book. But here we ought to ask why. What if we all did it? What if we simply grabbed the tables of contents of textbook anthologies, put them up at our class websites and linked online readings to the entries?

This would wipe out one of publishers' most popular product lines, making it more difficult for them to operate profitably and so more difficult for them to…produce more textbook anthologies. More poignantly, it would cut down on our publication opportunities. Textbook anthologies provide vita entries and occasionally royalties. Moreover, for every textbook anthology there is one, or more, of our colleagues who toiled to put the thing together—wading through the literature, making the selection and creating the structure, writing introductions and study questions, assembling the project and querying publishers. We would be stealing the fruits of our colleagues' labor, much of it pretty miserable drudge work at that.

But is all this drudgery worth it? There are hundreds of textbook anthologies on the market, which cost thousands of man-hours to produce. The opportunity costs are real: these are hours their editors could have spent working with students, preparing classes and, of course, doing original research. The selections these books include overlap substantially and most of the work is further wasted because the most important product that they provide, information, which was once otherwise inaccessible, is now available on the Internet.

In the past, textbooks and journals provided a medium that increased the amount of information available to students and faculty, who in turn financed publishers so they could make more information available. That was the virtuous circle of publishing. Currently the Internet is a much more efficient medium for disseminating the information than journals and textbooks have traditionally provided so, in an attempt to remain competitive, publishers trick out textbooks with worthless "ancillaries" and make them fatter, glossier and more expensive to add value (as they see it), restrict online access to the content of journals, sell rights, charge licensing fees, and sue for violations of copyright. This is the virtuous circle turned vicious: in the interests of remaining profitable, publishers attempt to restrict access to information[7]. And that is both wasteful and futile, because the availability of content online provides a cheaper and better alternative.

How to make an online textbook anthology

For instructors whose courses typically require textbook anthologies as their primary readings and where the readings are journal articles or sources in the public domain the way. Here is a model.

"Analytic Philosophy"[8] is the "book" for my survey of analytic philosophy course. From the student's perspective it is an integrated package: links to all the readings are on one web page, organized by topic. Students do not have to search for the readings, either virtually or corporeally.

Behind the scenes the readings are in different formats and reside in a variety of places. So, for example one of the preliminary readings, "Guidelines on Writing a Philosophy Paper", is from a website created and maintained by Jim Pryor, a philosopher at NYU, for his classes. Pryor notes that in writing this piece has benefitted from other writing guidelines on the web. All of us who teach produce syllabi, study guides and the like for our classes. When this material is available on the web we can learn from one another in order to improve our own materials or use materials others have produced.

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7   http://insidehighered.com/news/2008/04/17/gsu, [02.02.2009].

8   http://home.sandiego.edu/~baber/analytic/readings.html, [02.02.2009].

Pryor has licensed his paper for distribution under a Creative Commons agreement[9] specifying that it may be shared for non-commercial purposes. Creative Commons (http://creativecommons.org/) is a non-profit corporation that provides free legal tools for marking creative work with whatever freedoms their creators want them to carry. The license Pryor has chosen prohibits users who share his work from altering it but allows them to link it to class websites like mine and use it for non-commercial educational purposes.

Most of the readings on the list however are articles that appeared in journals from the turn of the 20th century to the present. Some, like Bertrand Russell's classic article, "On Denoting", are in the public domain[10]. Works published before 1923 are in the public domain and may be freely used by everyone. Originally published in the journal *Mind* in 1905, Russell's article has been duplicated at a number of sites to which users can link, as I did.

Most of the articles I used for my class however are more recent. Strawson's response to Russell, "On Referring"[11], was published in *Mind* 45 years later. Like many older articles it is available through JSTOR (http://www.jstor.org), an online archive of journal articles. Access to articles in JSTOR is restricted: if you hit the link to "On Referring" you should get a page that resides at the University of San Diego website asking for your name and library barcode. However, like the University of San Diego library, most university libraries subscribe to JSTOR and provide password-protected access to students and faculty.

JSTOR maintains a "moving wall" for articles from most journals, which typically restrict JSTOR access to articles that are at least 3 to 5 years old. However like most university libraries, the University of San Diego library subscribes to a wide range of commercial services that provide access to more recent journal articles, including the contents of current periodicals, and provides password-protected online access to students and faculty.

Virtually all journal articles in my field are available online to most university faculty and students in the US either through JSTOR or other services. A great many recent journal articles are available *without restriction* at their authors' websites. Journals' copyright policies vary but many allow authors to put up published articles locally and make them accessible without restriction. In addition, there is a growing number of consortia, like White Rose Research Online (http://eprints.whiterose.ac.uk/) that maintain open access repositories of journal articles.

Linking books or book sections is more problematic. Some are available online. Oxford Scholarship Online[12], to which my university library subscribes, provides online access to the full text of 2,557 Oxford University Press books to students and faculty at subscribing institutions. Other book sections are available elsewhere without restriction. So, for example, the link to "The Elimination of Metaphysics"[13], a chapter of A. J. Ayer's *Language, Truth, and Logic*, goes to The Athenaeum Library of Philosophy[14]. Historical texts that are in the public domain are easy to find online. Jonathan Bennett's excellent Early Modern Philosophy (http://www.earlymoderntexts.com/) site includes links to full text works by the Rationalists and Empiricists as well as modern English "translations" of these works by Bennett, a distinguished historian of philosophy.

There was just item on my reading list that was not available online, viz. the selection from Wittgenstein's *Philosophical Investigations*. To make this material available to students I had my university library scan the sections I wanted from a hardcopy of the book for "online reserve". If you hit the link to the

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[9] http://creativecommons.org/licenses/by-nc-nd/2.0/, [02.02.2009].

[10] http://www.unc.edu/~unclng/public-d.htm, [02.02.2009].

[11] https://sally.sandiego.edu/validate?url=http%3A%2F%2F0-www.jstor.org.sally.sandiego.edu%3A80%2Fpage %2FtermsConfirm.jsp%3FredirectUri%3D%2Fstable%2Fpdfplus%2F2251176.pdf, [02.02.2009].

[12] https://sally.sandiego.edu/validate?url=http%3A%2F%2F0-www.oxfordscholarship.com.sally.sandiego.edu%3A80%2Foso %2Fpublic%2Findex.html, [02.02.2009].

[13] http://evans-experientialism.freewebspace.com/ayer01.htm, [02.02.2009].

[14] http://evans-experientialism.freewebspace.com/index.htm, [02.02.2009].

Wittgensteain selection you will get an error message saying "the requested page is not available because the course page is currently outside of the acceptable visibility dates". The issue here is legal, not technical: Wittgenstein's *Philosophical Investigations* is in print and under copyright. Consequently, making this material available to my students falls under regulations for "fair use".

As USD librarians, in consultation with faculty at our Law School, interpret US copyright law, I can make this material available online providing that access is restricted to students in the class for which it is intended and isn't available after the class is over. And this highlights the poignant fact that the real barriers to creating online courses are not technical but legal.

The interpretation of copyright regulations is in flux, and US rules may not apply elsewhere. From the legal point of view, I've been told, linking to material that is publically available on the web is safe: legal liability is not transitive. Legal questions however arise if you take down material to which access is restricted and give students access to locally stored copies for their convenience. Making scanned copies of hardcopy material that is under copyright means complying with fair use regulations comparable to those that apply to photocopies distributed to students. Faculty who are concerned about legal issues should consult librarians, who are sensitive to legal issues and informed about current issues in copyright law.

Creating an online "book" for a course is not significantly more difficult or time-consuming than selecting a textbook and putting together a list of readings from it. Arguably, it is less difficult and time-consuming than selecting a textbook, putting together a list of readings and getting students access to those that are not in the textbook by distributing photocopies to students or putting them or library reserve and makes the mechanics of access less cumbersome for students. From the end user's perspective all the readings are in one place, all linked to the class website and accessible from any place on earth.

More importantly, the online "book" format makes it possible to include "readings" that are neither conventional journal articles nor book sections but link-intensive resources for topics under discussion. So, for example "Zombies on the Web", (http://consc.net/zombies.html) one of the readings for the discussion of the problem of other minds by David Chalmers, with pictures, cartoon, links to popular, entertaining sites but also to the most important philosophically serious papers on the issue and other relevant websites.

Pedagogically, this is invaluable. Locked into the hardcopy textbook paradigm students get the idea that mastering the material in the textbook is the whole of learning. But that is not the way in which serious research in any humanities discipline proceeds. Working in these fields, as academics, we explore and that is what, I believe, we are supposed to be teaching students to do. Online "books" are not only cheaper, more efficient and more accessible traditional textbooks—they are better because they obliterate the line between learning and research.

Textbooks distill knowledge for those who want to nail the basics in a field and move on to go further and deeper. Good textbooks include footnotes, annotated bibliographies and suggestions for further reading so that students can go on. Students however rarely follow these suggestions. Online textbooks can link those additional resources and make access to them seamless.

Finally, online textbooks for courses can be integrated into class websites that effectively include everything students need and can be updated as required. The class website[15] for my survey of analytic philosophy, for which this collection of readings is the textbook, includes the syllabus for the course, the schedule of topics and readings, powerpoints for all lectures, handouts and links to selected online resources for further reference. For students' convenience I include also a message board, a link to my university's academic calendar, the location of my office, my email address and phone number. For students who claim that they are unable to find my office I include a link to a campus map (http://home.sandiego.edu/~baber/myoffice.pdf) with the location of my office clearly marked.

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[15] http://home.sandiego.edu/~baber/analytic/index.html, [02.02.2009].

Commercial firms like WebCT/Blackboard (http://www.blackboard.com/) provide "course management tools" to create integrated online resources like the ones described here. These products however are time-consuming and difficult for instructors to use and relatively inflexible. Worst of all, they password protect class materials.

I created my class website on a Dreamweaver template with only minor tweaking and minimal effort. I could have simply used MSWord. All the materials at my site are open and freely available to the world. One of the most important reasons for creating online class websites and online textbooks, I believe, is to make them accessible to the world so that we can learn from one another, get ideas to improve our own syllabi and handouts and, if we find class materials online that are excellent, like Jim Pryor's handouts on reading and writing philosophy, to use them as they stand. Anything we put up to the web and make accessible contributes to knowledge and the progress of our disciplines, even if not to research narrowly defined, to pedagogy.

Online resources in other fields

Philosophy is not uniquely blessed. Texts for courses in other disciplines are readily available online. The Free Library (http://www.thefreelibrary.com/)provides free, full-text access to hundreds of classic literary works as well as a massive collection of articles in various disciplines. I found it in under a second by googling "online Jane Austin"— and sure enough the entire text of *Pride and Prejudice* as well as Jane Austin's other novels were there. For theologians, the Christian Classics Ethereal Library (http://www.ccel.org/) provides free open access to all classic Christian writings.

Without surveying the literature available online for other humanities disciplines, it seems to me a safe guess that any course for which the primary readings are either journal articles or historical works in the pubic domain can be put online with very little effort.

Some courses however are not like that. In mathematics, logic and the empirical sciences undergraduate students do not read journal articles or historical works. They need textbooks with worked examples, explanations and exercises. Such textbooks are commercial products. Writing them is donkey work and does not, at most institutions, count as "research". It seems reasonable to assume therefore that authors are motivated by crassly material interests and will not make their work available online for free.

In fact there is a growing number of free online textbooks for math, logic and the empirical sciences. Forallx (http://www.fecundity.com/logic/), for example, is an excellent standard introductory logic text with worked examples and exercises, published online by P. D. Magnus under a Creative Commons license. Magnus has chosen a Creative Commons license that allows users to modify as well as reproduce and distribute his text, so as I migrate my logic course[16] to the Internet I will modify bits of it and use them for my purposes. Other online textbooks are not native to the Internet. Gilbert Strang has made his *Calculus*[17], a standard calculus textbook which is still in print, available online for free through MIT Open Courseware[18].

Currently the selection of free online textbooks is limited. Arguably however instructors selecting textbooks for their courses should consider online textbooks along with standard hardcopy options. In addition to cost considerations, online textbooks provide both students and instructors with greater flexibility than conventional hardcopy texts. Instructors can make them available online and, if they choose, have them duplicated and bound by their university print shops or produced as conventional books by commercial services like lulu.com. They can be selective about the sections they use or gerrymander them as they wish. Students can read them wherever Internet access is available and print all or part of them in order to read from hardcopies as they prefer.

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[16] http://home.sandiego.edu/~baber/logic/index.html, [02.02.2009].

[17] http://ocw.mit.edu/ans7870/resources/Strang/strangtext.htm, [02.02.2009].

[18] http://ocw.mit.edu/OcwWeb/web/home/home/index.htm, [02.02.2009]. I am not competent to asses calculus textbooks but note that Strang's has a number of reviews and a unanimous 5 star rating on Amazon.

Online books do not have to be read online! Most students in my Analytic Philosophy course chose to print the readings and assemble them as hardcopy books in three-ring binders. In my logic classes, where I made powerpoints of lectures available online some students chose to print off the slides and others did not. People are different. I prefer to read journal articles online because I can split the screen and take notes conveniently in Zotero (http://www.zotero.org/), a free Firefox extension that maintains bibliography, comparable to commercial products like Endnote. Most people hate reading articles on a computer screen: they get articles online and print them off. The availability of texts online makes it possible for students and faculty to choose the format they prefer for both teaching and research texts.

Some things can't be done effectively online by anyone, including intimate interpersonal explorations and logic exercises. Leaving aside personal intimacy, the availability of online materials does not preclude students from using paper were appropriate. Online "books" and courses are not, or should not be, intended to eliminate the use of pens, pencils, or paper, or to replace conventional books.

There are some texts that most of us would not want to read online. I would not want to read *Pride and Prejudice* online, or in pages assembled in a three-ring binder, or on a Kindle device. I would want a nicely produced conventional book to read in bed or on the beach, and add to my book collection. Like most academics and many students I like books as physical objects and collect them. But the availability of online texts does not prevent students from buying books if they choose in editions that suit their budgets or tastes.

The chief virtue of online courseware is, perhaps, the expanded scope of choice it provides, not only in format but also in content and organization. Because this option is available, and academics are increasingly taking advantage of it and publishers of conventional textbooks, who are aware of the benefits they provide, are increasingly pressed to improve their products and offer instructors more flexible options in order to compete.

When I first started teaching I naively proposed to a publisher's rep, who was trying to sell me a massive hardback intro philosophy text with perhaps 200 readings divided into a dozen sections by topic, that her firm should package each of the sections as a cheap paperback. Smiling at my innocence she told me bluntly, "We couldn't make any money that way". Now many textbook publishers provide instructors with the option of creating course packs and customizing textbooks.

Eventually, economists claim, the market works. If that is true then the increased use of online class materials and courseware should benefit students and instructors who use traditional textbooks as well as those who take advantage of online resources by forcing publishers to improve the quality of their products, create additional customization options and, perhaps in the long run when we're all dead, lower prices.

Virtuous and Vicious Circles of Publishing

Information, our stock in trade as academics, is a "public good." It is non-rival: the consumption of information by one individual does not reduce the amount of information available for consumption by others. Currently, given virtually universal access to the Internet, it is also de facto non-excludible: no one can be effectively prevented from consuming it.

Public goods are a well-known problem for market-based systems. The story is familiar: without incentives these goods will not be produced and that is, as economist John Quiggin notes, the rationale for copyright: *Copyright matters because it provides an economic incentive for authors to create socially valuable content in circumstances where, if they weren't given this incentive, they would do something else. The copyright system is necessary to encourage the creation and use of socially valuable content or so goes the standard utilitarian justification for copyright*[19].

According to the standard story, without the incentives copyright provides for producers and vendors of

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[19] John Quiggin and Dan Hunter. "Money Ruins Everything." *Hastings Communications and Entertainment Law Journal* (forthcoming). Available at: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1126088, [02.02.2009].

intellectual property, consumers would have less access to creative works than they would if there were no restrictions on access because there would be less intellectual property produced. When the market works, copyright and other restrictions on access to intellectual property produce a net gain in access to information.

But sometimes the market does not work and the virtuous circle turns vicious. To see this consider "one of those counterfactuals". As a thought experiment, imagine a worst-case scenario at a possible world where there are no textbook anthologies:

You have emerged from grad school without ever having taken an ethics course and at your first job you are asked to teach "Contemporary Moral Issues"[20]. What to do? You google around and pull up a dozen or so syllabi for Contemporary Moral Issues classes that are being taught by colleagues at respectable universities. You note that there is a shortlist of topics they all do as well as some extras. You quickly learn the basic format for an applied ethics course and start putting together your syllabus using a colleague's syllabus as a model. You set up the structure of topics. (Let's see: some general stuff about utilitarianism and other theories with readings from Rawls, Nozick and Peter Singer; then abortion, euthanasia, the environment and so on—gotta use that Judith Jarvis Thompson article on abortion; maybe some extras, like copyright.) Then you plug in the readings. You include the "classic" articles that appear on all syllabi and check out the others that are conveniently linked, picking what you like.

You are a free rider! (You just learnt that term.) You've gotten the selection and structure for an applied ethics course, which your colleague toiled to create, for free!

But is this a bad thing? It's no skin off of your colleague's nose if you tweak and use his syllabus: the selection of readings and structure of his course is a public good—using them doesn't use them up or in any way detract from their value to him or his students. Of course with lots of free riders like you around, he can't *sell* that reading list: that's why there aren't any applied ethics anthologies at this possible world. But even without that incentive, he will still create and improve his syllabi because he's got a course to teach, and will still put them up at his class websites for his students' convenience and his own. Widespread free-riding does not diminish the incentives for producing syllabi: it only eliminates the incentives for publishing them in the form of textbook anthologies. In general, as Quiggin points out, "*the copyright system does not provide incentives to authors to create valuable content so much as it provides incentives to the intermediaries who guarantee the circulation of this content*"[21].

With access to the Internet, and a wide range of syllabi and readings available online, you don't need those intermediaries and, indeed, you and your students are better off without them. Putting together your course in this way means building on the expertise and experience of colleagues, tweaking and improving their materials, and learning, which is surely conducive to good teaching. In fact *everyone* is better off: putting syllabi up at a website and linking readings is much easier, less expensive and less time-consuming than assembling and publishing a textbook; accessing readings online is cheaper and more convenient for students than buying a text book and hauling it around. As for the "intermediaries," instead of wasting their time trying to compete with the Internet by bloating textbooks, they are more responsive to consumer preferences and produce more affordable materials.[22]

If this is correct then the restrictions on access to information that create a demand for textbook anthologies are counterproductive. They are costly and do not create any additional incentives for producing information. They perpetuate a vicious circle in which academics do unnecessary menial works and publishers have no incentive to improve the efficiency of their operations.

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[20] It happened to me.

[21] Quiggin and Hunter, op. cit., [02.02.2009].

[22] Affordability is a significant concern at community colleges and other institutions that cater for economically disadvantaged students. See, e.g. http://insidehighered.com/news/2008/04/29/textbooks and http://insidehighered.com/news/2008/04/16/textbooks, [02.02.2009].

Getting There From Here

The vicious circles I have described persist because we in the profession, in the various roles we play, are not making use of appropriate technology. We dread the start-up costs of using new technologies, overestimate the difficulty of projects as quick and easy as putting up class websites and underestimate the importance of making our teaching materials and papers available online. We aren't aware of the resources that are available and even where we are blessed with well-funded IT departments don't know what to ask for. More often than not we end up in the classic predicament: we know what we need but don't understand the technology; IT staff understands the technology but does not know what we need; and administrators who neither know what we need nor understand the technology make the purchasing decisions.

We have the resources to get to a better there from here. Within our universities we can collaborate with colleagues, librarians and IT personnel to facilitate the use of existing and emerging technologies in support of research and teaching. On the Web, the Open Access News[23] provides information about the open access movement devoted to putting peer-reviewed scholarly literature on the Internet, making it available free of charge, and removing barriers to serious research. Sites like MIT Open Courseware[24] and Carnegie-Mellon's Open Learning Initiative[25] are good models for the effective use of online resources for teaching. I believe most of us have good skills and sufficient technology knowledge to follow those examples.

Refereces:

Community College Consortium for Open Education, http://cccoer.wordpress.com/

Make the textbook affordable, http://www.maketextbooksaffordable.org/statement.asp?id2=37614

Professors Gone Paperless, http://insidehighered.com/news/2008/04/16/textbooks

Business Education Resources, http://www.pitt.edu/~poole/business.html

Analytic Philosophy, http://home.sandiego.edu/~baber/analytic/readings.html

Creative Commons agreement, http://creativecommons.org/licenses/by-nc-nd/2.0/

When U.S. Works Pass Into the Public Domain, http://www.unc.edu/~unclng/public-d.htm

University of San Diego Libraries, https://sally.sandiego.edu/

JSTOR, http://www.jstor.org

White Rose Research Online, http://eprints.whiterose.ac.uk/)

The Athenaeum Library of Philosophy , http://evans-experientialism.freewebspace.com/ayer01.htm

MIT Open Courseware, http://ocw.mit.edu/OcwWeb/web/home/home/index.htm

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[23] http://www.earlham.edu/~peters/fos/fosblog.html, [02.02.2009].

[24] http://ocw.mit.edu/OcwWeb/web/home/home/index.htm, [02.02.2009].

[25] https://oli.web.cmu.edu/jcourse/webui/free.do, [02.02.2009].

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John Quiggin and Dan Hunter. "Money Ruins Everything." Hastings Communications and Entertainment Law Journal (forthcoming). Available at: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1126088

Open Access News, http://www.earlham.edu/~peters/fos/fosblog.html

Carnegie-Mellon's Open Learning Initiative, https://oli.web.cmu.edu/jcourse/webui/free.do