

The illicit and illegitimate continued use of Jeffrey Beall's "predatory" open access black lists

Jaime A. Teixeira da Silva¹

¹ *P. O. Box 7, Miki-cho post office, Ikenobe 3011-2, Kagawa-ken, 761-0799, Japan.
jaimetex@yahoo.com*

ABSTRACT: For several years, a US librarian, Jeffrey Beall, blogged about problems he perceived in open access (OA) journals and publishers. During that time, many academics also felt that there were serious and legitimate issues with the scholarly nature of several OA journals and publishers. Beall rapidly gained popularity by recording his impressions on a personal blog, and created two controversial black lists of OA journals and publishers that he felt were unscholarly. Beall's black lists were well received by some, but also angered many who felt that they had been listed unfairly, or who were not entitled to a fair challenge to become delisted. Beall seemed determined to show that the numbers of "predatory" OA journals and publishers were increasing annually, and even began to advocate for the formal use of his black lists as policy, encouraging academics not to publish in those journals or publishers. Institutes were also encouraged to use Beall's black lists to prevent their academics from engaging in a free choice of publishing venue. That posture, antithetic to freedom of choice, may have harmed many academics and budding publishers. In mid-January of 2017, Beall shut down his blog, without warning. This was followed by considerable commotion among publishers, academics and their institutes that had relied on Beall's black lists for guidance. A post-publication peer review of Beall's black lists, Beall's advocacy, and the potential damage that they have caused, has only now begun. Reasons why these black lists are academically illegitimate, and arguments why their continued use is illicit, are provided.

Keywords: accountability, conflicts of interest, open access, peer review, quality control, responsibility, transparency



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The rise and fall of Beall's black lists

In January 2018, an important anniversary was celebrated, for both positive and negative reasons. In January 2017, Jeffrey Beall, a librarian at the Auraria Library, University of Colorado, Denver, decided to shut down his blog. Beall's blog was important to some extent because it raised issues that few others raised, or had the courage to raise, namely a discussion about suspect academic or illegitimate business practices of some open access (OA) journals and publishers, which he labelled as "predatory", a term that was later to be widely used by academics, institutions, other librarians and policy-makers, on occasion in error. This is because while some of those entries may have been based on legitimate academic concerns, and evidence, many others were not, and the waters became gradually murky between scholarly and unscholarly, academic and non-academic, sloppy and professional, and poor and excellent academic content. Under pressure from his employer, and under apparent legal threats (Beall, 2017), Beall whittled the definition of those black lists by referring to the "predatory" nature of those OA journals and publishers as "potential, possible or probable". These three adjectives strongly indicate doubt about the legitimacy of entries on those lists, with possible false entries, casting doubt on the overall legitimacy of Beall's black lists as an academic reference tool. In other words, the use of Beall's black lists to base decisions on acceptable versus unacceptable publishing venues, as formal criteria, raised academic and ethical doubts, not only about the validity of those lists, but also behind the rationale of those relying on them (Teixeira da Silva, 2018). Consequently, using those black lists for any official academic purpose was both academically illicit and illegitimate (Teixeira da Silva, 2017a).

One of the core reasons why those black lists were illegitimate was that Beall never listed the precise reasons for listing these specific OA journals and publishers that would have allowed others to independently verify, or challenge, their listing. A second reason why Beall's black lists were—and continue to be—illegitimate is because Beall displayed considerable opacity about how he developed, curated and maintained, or corrected, them. Moreover, there was a "secret" committee involved in appeals for the delisting from those black lists whose members were never revealed to the public. In addition, apparent hidden conflicts of interest existed with two individuals who were involved in the development of those lists, Bill Cohen and Michael Firmin, the former being intricately associated with "competing" for-profit publishers (Teixeira da Silva, 2017b). Shea Swauger, Beall's direct supervisor, spared no kind thoughts for Beall's perceptions of OA, and his marginalization of those who had always been traditionally marginalized by the publishing structures underlying commercial publishing, referring to the problem not as "predatory" practices, but rather as the lack of information literacy (Swauger, 2017). Incidentally, Beall refuses to correct his own misleading and erroneous literature (Teixeira da Silva, 2016). Collectively, these aspects suggest that Beall's approaches to librarianship were radical, on one hand raising awareness about a potential threat to the legitimacy of the scholarly record, but on the other hand using opaque black lists to negatively profile and cause reputational damage to some entities that may have been valid scholarly OA venues for publication.

Use Beall's black lists at your own risk

Scanning the literature in Google Scholar, PubMed, Scopus, and Web of Science reveals that dozens, possibly hundreds, of papers and editorials were published between 2012 (when Beall published his first black lists) and 2018 that were based on Beall's lists. It is unclear whether they were published because the topic of "predatory publishing" was "hot", or because the arguments that were made and that relied on Beall's black lists were in fact valid. Reliance on retracted literature is broadly considered to be unscholarly, or academically illegitimate (Teixeira da Silva and Bornemann-Cimenti, 2017). Analogously, reliance on or use of Beall's defunct black lists, may constitute unscholarly behavior, especially if those lists are used to suppress academic freedom of choice, or to critique academics for their selection of choice of publishing venue. A process of evaluating the literature that relied on Beall's arguments and policies, such as his call to ban "predatory" journals from the scholarly record (Beall, 2016), as well as editorial policies that are based on his erroneous black lists (JOTT, 2018), all based on blind trust (Crawford, 2016), need to be carefully scrutinized through post-publication peer review. For example, a recent paper by Olivares et al. (2018) noted correctly that the issue of bad scholarly practices is not limited exclusively to OA journals, but could and should also be applied to non-OA journals. However, Olivares et al. based their analysis on Beall's flawed black lists. Potentially, there is literature in a wide range of publishers and journals that has relied on Beall's black lists to support their arguments against OA journals and publishers, or even to mischaracterize academics or research institutes. The risk to the validity of those studies is even more acute if quantitative analyses were involved. Academics are therefore cautioned not to use Beall's lists to support any scholarly claims, or to support criticisms of any OA journal or publisher that used to be on Beall's lists with clear evidence.

Illegitimate use of Beall's lists by policy makers, and their flip-flopping

When Beall's black lists ceased to exist, one of the most fervent organizational supporters of those lists, and of Beall, was the World Association of Medical Editors, or WAME (WAME, 2017), a leading global association of medical editors that has dominated the conversation and policy related to publishing ethics for decades. The WAME leadership, represented by Christine Laine and Margaret A. Winkler, maintained the validity of Beall and his black lists, by resurrecting them in a fortified approach to deal with unscholarly OA publishing operations, but reliant on those lists nonetheless. Laine and Winkler stated: "In compiling his list [sic], Beall used criteria (Table 1) that he based in part on two policy statements—the COPE Code of Conduct for Journal Publishers (11) and the Principles of Transparency and Best Practice in Scholarly Publishing (12) from WAME, COPE, DOAJ, and Open Access Scholarly Publishers Association (OASPA)." Laine and Winkler decided, in a possible act of ethical exceptionalism and prowess of the ethical elite that has come to dominate the for-profit publishing industry (Teixeira da Silva, 2017c), to cement their ideas in a republication (Laine and Winkler, 2017). The ethical ramifications of the support—even if lukewarm—

for the methods used by Beall by leading global ethical organizations is beyond the discussion in this paper, but is worrisome.

These organizations lent moral and structural support to Beall, despite being mildly cautious about their support. In doing so, they legitimized Beall's black lists until he suddenly shut them down. These OA advocates and ethics organizations, which were caught off-guard, began to distance themselves from Beall's black lists, adopting policies that tried to develop white lists instead, as occurred with the DOAJ (Directory of Open Access Journals). Here too, Laine and Winkler stated "While the purpose of Beall's list [sic] was to identify "predatory" journals, the DOAJ has the converse purpose of identifying legitimate open access journals." Are the scholarly objectives of the DOAJ and its allies, WAME, COPE and OASPA, as well as their posture regarding the validity and continued use of Beall's black lists, consistent? On February 1, 2018, Lars Bjørnshauge, the DOAJ Managing Director and Founder, listed the following of Beall and his black lists (p. 37; Bjørnshauge, 2018): "Maintained by one (1) person, a serials librarian; with remarkable ignorance about just serials; who explicitly dislike OA and; operates as prosecutor, judge and jury in one person." This stark transition of support for Beall by the DOAJ, via its earlier clean-up following the Bohannon sting that relied directly on the legitimacy of Beall's black lists (Marchitelli et al., 2017), show the danger that has been posed, for some years now, in formulating publishing-related policy based on Beall's black lists. In plain speak, the DOAJ, and its ethics- and publishing-related allies, have flip-flopped on their position related to Beall and his black lists, calling into question the trustworthiness of these organizations, and their motives and ability to make accurate and sound judgements, decisions and advice to academics.

No losses: time to move on

A post-publication peer review has only just begun of Beall's published literature, Beall's black lists, Beall's possible conflicts and relationships, Beall's policy-pushing and also of literature that has praised Beall and his black lists, or used them in any way to support claims or statements. Despite the documented flaws of Beall's black lists, there are fervent Beall supporters that continue to lend illicit support, either in a bid to sustain his legend, or to sustain his potentially discriminatory policies and black lists (two examples are: <https://beallslist.weebly.com/>; <https://predatoryjournals.com/publishers/>). Why do such individuals or entities continue to promote such black lists when they may already know that they are flawed? Should they not instead think of more creative solutions to highlight and resolve unscholarly publishing practices, OA or non-OA, rather than the potential defamation of perfectly legitimate—but perhaps somewhat green in experience—publishing operations? It cannot be negated that some journals and publishers on Beall's lists are operating in an unscholarly manner. However, it cannot be claimed that this is true for all OA journals and publishers that Beall listed. As equally as those who passionately continue to defend Beall and promote his defunct and illicit lists, there are those, too, who continue to be critical of his actions, intentions, and professionalism (<http://www.scholarlyoa.net/>).

Competing Interests

The author declares no competing interests.

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