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Uncensored Scholarly Communication Fragments

Part One: Reflections on “Transformative Agreements”

The “Transformative Agreement” is Daylight Robbery
 The “Transformative Agreement” is a Luxury We Can’t Afford
 The “Transformative Agreement” is Worse Than You Think
 “Transformative agreements” are Destined to Fail
 “Transformative agreements” are Dead on Arrival

*“The crisis consists precisely in the fact that the old is dying and the new cannot be born;
 in this interregnum a great variety of morbid symptoms appear.”*

-Antonio Gramsci

The academic publishing oligopoly has vomited up a new monster to haunt us: the so-called “transformative agreement.”¹ Given the amount of cheerleading for these contracts it might be easy to miss that they match Matt Taibbi’s description of Goldman Sachs, as a “great vampire squid wrapped around the face of humanity, relentlessly jamming its blood funnel into anything that smells like money,” more than it does anything worth celebrating. In response to the considerable time and energy that have been spent trying to legitimize “transformative agreements,” I offer a critical analysis of these contracts along with a discourse on alternative ways of publishing that are liberating and based on cooperation.

“Transformative agreements” (TAs) are also known as read-and-publish, publish-and-read, and offsetting agreements. It’s a contract where an institution pays for (1) a subscription to a publisher’s bundle of journals and (2) for their author’s articles to be made open access in some of those journals. That’s the simplified version. The fine print of these deals is worth examining. The deals only cover articles where the institutional affiliate is the *corresponding* author. They only cover certain article types. The eligible journals include some fully OA journals, but most are hybrid journals. The publishing fees are not cheap. Projekt DEAL’s contract with Springer Nature charges a €2750 APC for most articles, which is an inflated price detached from the true cost of OA publishing (HRK, 2019). However, recognizing the absurd price, Projekt DEAL negotiators still hope for a “market situation where publishers offer a service for a competitive price” (ScienceMag, 2019). On top of the high price to publish, the contract doesn’t include the *Nature*-branded journals! Some of the most desirable journals for authors are not covered, so the articles will remain locked behind a paywall or incur a very high APC. Similarly, Norway’s “transformative agreement” with Elsevier only covers publishing in 90% of their journals. The *Cell*-branded (and other “third-party”) journals are excluded from the contract (IHE, 2019). *Cell*’s APC is \$5,900 (Cell, 2019). A better name for a “transformative agreement” would be pay-a-lot-to-read-and-maybe-publish.

These contracts clearly aren't transformative when the monopoly publishers still maintain control over the journals and the academy refuses to change its reward structureⁱⁱ. It is hard to see how a "transformative agreement" helps Carnegie Mellon University "[champion] an international movement to revolutionize academic publishing" (CMU, 2019). I argue that "transformative agreements" are counter-revolutionary. That is, they are contracts that strengthen the oligopoly's power by appearing to meet the needs of authors and readers. A counter-revolution makes the existing system of power more resilient, especially now that the oligopoly has found a new way to create profit. The hybrid journal model is being normalized and entrenched with the "transformative agreement." This highly conservative model of OA isn't a sign of progress. It allows universities off the hook too easily for failing to address the role that impact factor, metrics, and "prestige" play in an academic's career. A "transformative agreement" allows for much-needed changes to be avoided. Therefore, it's a dangerous/reckless move to call these contracts "transformative," as it disguises the large transfer of money to the oligopoly and the lack of fundamental change in academic culture, while foreclosing the opportunity for an actual publishing revolution.

Global Inequality/Neocolonial/Imperial

Ideas don't emerge from a vacuum. They stem from ideology and material conditions. The "transformative agreement" is a product of the dominant ideology---neoliberalism. Neoliberalism is a racist political and economic project that increases inequality within the US and globally. Its obsession with markets and privatization has permeated throughout society, including universities and their libraries (Ghamandi, 2018). It should be expected, then, that those who administer civil institutions and corporations favor a neoliberal form of OA, mainly represented by APCs.

"Transformative agreements," reflective of a hyper-competitive and selfish academy, are predicated on APCs and will increase social and economic inequality. The oligopoly's pay-to-say model applies to both fully OA and hybrid journals. The latter journal type is a two-tier system. Schools with a TA will increasingly have their articles OA, but they will be side-by-side with paywalled articles. An author's affiliation with a wealthy school will increasingly determine their article's global accessibility. There would be increasing inequality in visibility, readership, citations, and career success if TAs become commonplace. The inability to afford the oligopoly's APCs disproportionately affect people of color across the globe and testimony to this effect has been shared for some years now (including at the 2019 Library Publishing Forum, OpenCon, etc). This doesn't seem to bother "transformative agreement" advocates. Instead, these advocates are using TAs to make OA appear generous; the research is gifted to the world. However, the OA provided in a TA feels rather neocolonial because it makes no attempts at reciprocal knowledge sharing. (TA are like MOOCs; allows richer schools to have a louder voice. They favor the already favored.)

In order to make the TA seem attractive, the Neoliberal Library must exhibit indifference and render certain things invisible. For example, it takes some mental gymnastics to see how a TA could be described as an "offsetting deal." When an institution signs a TA and makes more articles OA inside of hybrid journals, everyone else effectively pays more. The price of a subscription or "big deal" doesn't drop as the percentage of OA articles in hybrid journals increases. This means that everyone

else's subscription immediately loses value as more articles are made OA through a TA. An institution is almost guaranteed to overpay for a subscription to hybrid journals (which are most of the oligopoly's journals) when paying in advance as opposed to paying after the fact and accounting for articles made open through APCs.

The Neoliberal Library has no will or true interest in developing cooperative and socialized OA publishing, so it must remain oblivious to these points. By continuing to treat publishing as predominately a market activity, the Neoliberal University fails to adequately invest in its own publishing programs and ignores international efforts to publish in non-market ways. An on-going legacy of colonialism means that Western nations conveniently forget that Redalyc, AmeliCA, and other non-commercial OA publishing are flourishing. Neoliberalism tries to render cooperative ways of organizing publishing invisible because it thrives on competition and deadening one's imagination. Oppressive power structures and will concede piecemeal reforms rather than allow itself to be replaced with liberating and collective solutions. Neoliberalism's foot soldiers—the professional-managerial class—administer weak, incremental change that keeps social and economic relations mostly the same. This misleadership class works hard to make cons like TAs seem like common sense and a victory worthy of celebration.

- *There's been ample testimony from people across the world to show that APCs create new barriers, revealing them to be exclusionary, classist, and racist.*
- *TAs: reckless, dead end, shoot ourselves in the foot, are librarian malpractice*
- *don't understand the celebration after signing so-called transformative deals. I'm not going to celebrate handing huge amounts of money to monopolies and getting a little in return.*

UC

The UC system deserves credit for not renewing their contract with elsevier. But I don't quite understand some of their responses. E-corp wrote [a letter](#) to the UC Board of Regents calling several high-ranking UC administrators liars. I think the appropriate response would be to unveil a plan to make the oligopoly irrelevant—to use their endowment to strengthen their own library publishing service (CDL's eScholarship) or the UC Press. Instead, UC still wants a so-called transformative deal.

- UC statement after CMU TA was unsatisfactory
<https://osc.universityofcalifornia.edu/2019/11/cmu-statement/>
- “Change” is not inherently good nor liberating
- TAs are misguided goal & limit parameters of acceptable thought
- OA as culture of dependence vs. OA as part of self-determination
- Is academia just a transfer of wealth to private industry?
- TA as shown in Cambridge UP deal is startling
 - It changes in 2020 to encourage authors to share costs, previously described as “having skin in the game”

- Creates new administrative/bureaucratic hurdles to getting published and has to be done through Copyright Clearance Center!
- No easy way to see what expected APC contribution is until after acceptance and logging in

Part Two: Scholarly Communication Freedom Dreams

Revolutionary Change, Solidarity, Self-determination, Mutual Aid

It is not good praxis to simply offer criticism. We should announce what we think *should be* and struggle towards it as well. The mainstream form of OA will always reflect the dominant ideology—neoliberalism. So, unless we reject the marketization and commodification of everything, neoliberal forms of OA will continue to develop. However, a caring, liberating, and emancipatory publishing culture wouldn't magically appear if the oligopoly suddenly disappeared or diminished dramatically in size. Academia is a site of domination and hierarchy that must be undone as well. Universities encourage us to be apolitical and therefore these ideas appear subversive, radical, and extreme! But are they any more radical than 35%+ profit margins? Any more radical than the fact that university presidents are increasingly millionaires while over half of the faculty are not tenure-eligible? The changes that a lot of us want to see in scholarly communication are incompatible with capitalist logic, for Audre Lorde reminded us that the master's tools cannot be used to dismantle the master's house.

My reading of social change history tells me that it's impossible to definitively say what scholarly publishing should look like. This is a road we'll have to make by walking (Horton). So, while I hesitate to prescribe a certain future, I'll share principles that could guide us there. A healthy scholarly publishing culture is rooted in solidarity, mutual aid, and self-determination. It's non-hierarchical and democratic. It controls capital rather than be controlled by it. Self-determination is a human right to determine one's own future and make choices free from outside influence. It is the freedom to pursue economic, social, and cultural development (UNPO). In order to do this in scholarly publishing we would need to collectively own and manage the means of production: the infrastructure, equipment, assets, etc. that are used to create, disseminate, and preserve the scholarly literature. There is no technical barrier to achieving this. We can turn to AmeliCA, the Open Library of Humanities, and the members presses of ScholarLed to see this principle in action.

These efforts practice mutual aid. This refers to ways that individuals and groups can work together to meet common interests in liberating and equal ways. It's how they have all stay free from author-facing charges and keep costs manageable. Mutual aid is a concept familiar to librarians (ex. interlibrary loan, shared preservation networks, copy cataloging, etc.), but neoliberalism tries to depict it as naïve or unnatural. The Open Library of Humanities is now entirely dependent on 300+ library partners for funding. Its legal charter ensures independence from corporate control and faithfulness to its mission. The five member presses of ScholarLed are working on the COPIM

(Community-led Open Publishing Infrastructures for Monographs) project to further translate these concepts into concrete and durable actions.

Educate, Motivate, Organize

If we don't act urgently, but also with the understanding that this is a protracted struggle, the publishing oligopoly will continue to co-opt OA and strengthen their position. Neoliberal administrators in the US will adhere to conservative forms of OA and will not voluntarily revolutionize the way scholarship is produced and evaluated.

- Educate ourselves, each other – read within Black radical tradition. It's taught me more than the LIS lit
- Now is the time to expand the range of acceptable thought
- Share analysis, be a permanent persuader. Commit to radical truth-telling. Risks are reduced as more people do this.
- Chickens coming home to roost. The contradictions are too apparent to ignore. The analysis can provide clarity. That's why I find it helpful to weaponize theory and history. I've been critiqued for lacking nuance (which often means a failure to take a stand). Clarity means I don't need to rationalize or engage in bothsidesism (false balance).
 - *we need to reevaluate ourselves and redefine the world from our own standpoint by using privileged intellectual resources*
 - *Serve masses by destroying exploitative state*
 - *Liberate by translating reflections and critical consciousness into concrete actions*
 - *Focus on immediate goal of "conquest of power"*

We can have a global system of OA that's cooperative, democratic, liberating, not predicated on APCs, if we fight for it. This will not be given to us by corporations or administrators. The system must be rebuilt from the ground-up, not regulated or mandated from top-down. The future of publishing must be in the hands of researchers and scholars ourselves. Our publishing culture will be only as good as we make it.

Revolutionary, truly transformative, publishing would be done in-house and self-determined. It would be done cooperatively and inter-institutionally by fully-funding and expanding our library publishing programs and existing presses. This isn't rocket science, but does require breaking with old ways of thinking. It requires an inversion of values and rejecting the status quo, white supremacy, and the neoliberal ideology that got us into the mess.

- Stop expecting or begging corporations to "do the right thing" – it's legally impossible when they must prioritize shareholder wealth.
- Invest in our own publishing programs and presses, instead of robbing money from them in favor of oligopoly
- Listen to and empower people on ground-level
- \$\$\$ is in system, but hierarchy, bureaucracy, ego, misleadership class are greatest obstacles

Luckily, the Global South and certain scholar-led efforts like OLH and ScholarLed are leading the way and creating models that we can learn from and adapt. They aren't waiting to be saved and are removing, not adding, new barriers to participating in the world of ideas. We should be in solidarity, cooperation, and providing mutual aid to organizations like AmeliCA. Their model rejects the neoliberal project and is anti-imperialist. AmeliCA breaks from the Eurocentric models and counterposes the Plan S regulatory approach by practicing self-determination and creating liberating structures. We can practice self-determination and form publishing cooperatives here in the US. But the urgent task is to redistribute this knowledge in service of a liberating OA future by grounding closely within our profession, in academia, and broadly with the masses.

If not now, when?

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UNPO. Self-determination

ⁱ Describe use of quotation marks: Will not participate in language that normalizes these contracts. Language shapes consciousness. Need to be careful in its use. Who can oppose a “big deal”? A “transformative agreement” magically becomes part of a “revolutionary” program

ⁱⁱ I now refer to the university “reward” structures as disciplinary tools