Title
Shooting Spitballs at Tanks: Some Thoughts on the Limits of Open Access

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Shooting Spitballs at Tanks: The Neoliberal University and the Limits of Open Access

Theoretical Framework & Context

In the ongoing crisis of scholarly communication, the “gold model” of open access describes when an author or sponsoring institution must pay Article Processing Charges (APCs) to a journal so that the article is available *sans paywall* upon publication (Zhang & Watson, 2017). This “gold model” has been floated as a means of combatting the negative effects of publication paywalling while also maintaining the ability to publish in prestigious peer-reviewed journals owned and distributed by conglomerates like Elsevier. However, despite the best of intentions, the gold model of Open Access is woefully flawed. This particular style of Open Access—that is, the practice by which scholarly research is distributed freely via the internet (Budapest Open Access Initiative, 2002)—is merely another means by which neoliberalism has crept into the university, furthering the precarious status of already precarious academic laborers.

Before moving on, one must settle on a definition of what exactly neoliberalism is. Since the financial collapse of 2008, this word has surfaced in political and academic discourse with a vengeance, though at times it feels as though there is little consensus on what exactly it describes. Is neoliberalism just one more stage of capitalism—a particularly grim modification of social relations via transformations and advancements in the instruments of production (Marx & Engels, 1978)? Or perhaps, per Frederic Jameson, is it merely the colonization of the unconscious by capital, a distinguishing factor of our so-called postmodern age (Jameson, 1991)? However, for the purposes of this paper, neoliberalism is best understood in terms of its concrete aspects, rather than in its more theoretical dimensions. Typically, discussions of neoliberalism tend to center on a few common features: the stripping down of public assets for private gain, professional precarity, and an emphasis on some sort of personal responsibility for one’s fate (Brown, 2016; Harvey, 2005). What does that look like for the purposes of this discussion?

While the shift scholarly communications to the internet is certainly not entirely to blame for the precarity of academic work, it is indeed a tool by which the academic precariat is *made even more precarious*. After all, something like 73 percent of all faculty in higher education is non-tenure track, which is itself a result of decades of both stripping universities of funding for things considered to be frivolous, poor investments (Murray 2019, p. 1 & note 3)—see any number of attacks levelled against the liberal arts and their perceived inadequacies in preparing one for the job market (Dutt-Ballerstadt 2019; Lewin 2013; Obama, 2014; Waechter, 2016)[1]—and shifting those funds towards things guaranteed to either cut down on overhead costs or provide some sort of return on investment. Implied is an emphasis on personal responsibility and internalization of risk for advancement within these institutions. This framework compels an entire class of workers—adjuncts, graduate students, etc., to spend their meagre salaries and stipends to make themselves more marketable and more desirable within a publish-or-perish system.

The transformation of scholars into "scholar-entrepreneurs" might well serve to illustrate a crucial facet of neoliberalism—the privatization or even an economization of everyday life—but this does not fully capture the insidiousness of this particular paradigm. This type of hollowing out of public good for private gain, and general abandonment of individuals so typical of Austrian schools of economics (Figure 1) needs refinement and expansion. Wendy Brown writes that neoliberalism isn't *just* a set of economic policies so much as it is a governing principle that seeks to "formulate everything, everywhere in terms of capital investment and appreciation, including and especially humans themselves" (Brown, 2015, p. 176).

If nothing else, the use of APCs in Open Access publishing reinforces the neoliberalization of the academy, functioning as an almost punitive "capital investment" in oneself, a payment for potential professional advancement—though, as always, terms and conditions may apply.

The Push for Open Access

Why talk about Open Access now? Much of the current crisis in academic publishing is centered around institutional subscriptions to digital journal repositories, like Elsevier, who, by virtue of their dominant market positions, are able to command very steep subscription fees to their repositories, as well as absurd prices for individual articles. Indeed, the high cost of these database subscriptions, as well disagreements over Open Access, were paramount in UCLA's 2019 decision to part ways with Elsevier, joining the ranks of Harvard, Cornell, and a smattering of European institutions (Setzer, 2018). The frustration with paywalled research has proven to be a global problem; particularly in countries with poorer and underfunded universities, students and researchers have found themselves without the capital to access paywalled articles, leading to some very innovative and controversial solutions to these problems (Graber-Stiehl,

[1] These constitute a semi-random sample of articles, blog posts, etc. that either address such perceptions or outright refer to the "worthlessness" of liberal arts disciplines. There is no shortage of invective against so-called "worthless disciplines"—even librarianship is a target from time to time.

2018). The most (in)famous of these solutions to date has been Sci-Hub, the brainchild of Kazakh computer scientist Alexandra Elbakayan, who created this paywall circumventor-cum-database after realizing how many thousands of dollars she would have to shell out to perform basic research as a graduate student.

So why exactly are the wares from Elsevier so expensive that even universities like Harvard have had second thoughts about subscriptions? Part of the pushback comes from a realization that the future could have turned out quite differently. Utopic or no, there seems to have been an expectation that as digital and networked technologies improved, distribution costs would plummet, making it so that many varieties of information would become cheaper or free. Instead, publishers responded with digital rights management ("DRM") tools and paywalls of many varieties, turning what could have been a scholarly commons into a walled garden (Silverman, 2016). New technology and the changes wrought by it have myriad moving parts: the adoption of digital publication and creation of repositories for journals no doubt required significant expenditure of capital in the form of servers, programmers, graphic designers, and all sorts of other equipment and labor. This digital re-tooling and expansion of the academic publishing industry has no doubt contributed to the dominant market position enjoyed by publishers like Elsevier. Indeed, the work of Vincent Larivière, Stefanie Haustein, and Phillipe Mongeon (2015) strongly suggest that the digital turn in scholarly communication has led to a massive consolidation of the means of digital publication and distribution, with the periods of 1995 to 1998 and 2001 to 2004 being particularly significant. While their work identifies a broad trend of consolidation in the industry from 1973 to 2013, it is specifically digitization and costs associated with adaptation, that rendered many smaller publishers unable to withstand competition with larger, capital-saturated firms. This digital turn is only *one* component of this push for market consolidation—but investigation into these other culprits, for example the general trend towards corporate deregulation, in the United States and elsewhere, sundry economic crises, etc., would be far beyond the scope of this present paper.[2]

[2] Looking through the graphs assembled by Larivière et. al paint a grim picture: Fig. 1 shows a surprisingly steep decline in the number of medical and scientific papers published in smaller journals beginning in 1980, while papers published in smaller journals in the humanities remain relatively stable until about the mid-1990s; however the number of non-conglomerate journals in either disciplinary category are not dissimilar in their rates of decline. Regarding consolidation due to other factors, David Harvey identifies the 1970s, particularly the latter part of the decade, as the period in which various economic and philosophical doctrines (notably those of Milton Friedman and Friedrich Hayek) took hold in many countries, particularly the U.S., successfully advocating for deregulation, allowing for corporate interests to start clawing back power from the state.

Nevertheless, the move to online publication and distribution goes some way in explaining exactly why it is that the top five conglomerate publishers (Elsevier, Wiley-Blackwell, Springer, Taylor & Francis, and Sage Pub) control enough of the market that they were responsible for publishing 50 percent of all academic papers in 2013 (Larivière et al., 2015, p. 3). Adding insult to injury, this combination of low overhead—courtesy of digital means of distribution—and market capture also shows how these conglomerate publishers are able rake in profit margins of nearly 40 percent (Silverman, 2016).[3] While there is an element of the perverse in trying to select a posterchild for the neoliberal age, one would be hard-pressed to find better examples than these conglomerate publishers.

Open Access: An Adequate Response?

Despite the ease with which it is often spoken about, Open Access is not a unified body of practices so much as it is a set of disparate ones which all bear something of a family resemblance. The notion of Open Access has quite a number of fascinating historical roots, some of which can even be traced back to Guy Debord and the Situationist International's desire for cultural property to be made freely available for anyone and any use. For the purposes of this paper I will instead situate this beginning in the early 2000s (Wark, n.d.). The first formal statement on Open Access came in 2002, from a meeting convened in Budapest by the Open Society Institute, declaring that the liberatory power of the Internet, fused with the tradition of scholarly willingness to publicize research in service of a public good (Budapest Open Access Initiative, 2002). It is worth quoting their definition of Open Access in full:

> By "open access" to this literature, we mean its free availability on the public internet, permitting any users to read, download, copy, distribute, print, search, or link to the full texts of these articles, crawl them for indexing, pass them as data to software, or use them for any other lawful purpose, without financial, legal, or technical barriers other than those inseparable from gaining access to the internet itself. The only constraint on reproduction and distribution, and the only role for copyright in this domain, should be to give authors control over the integrity of their work and the right to be properly acknowledged and cited. (Budapest Open Access Initiative, 2002)

A utopic vision, certainly. Two distinct and crucial practices are outlined for the achievement of Open Access, namely, self-archiving of publications by authors as

[3] In comparison, large commercial publishers like Penguin post profit margins of around 16%.

well as the launching of new Open Access journals (Budapest Open Access Initiative, 2002).

So how has this worked out in practice? By blind metrics, adequately: the Directory of Open Access Journals currently reports 14,349 journals (11,389 which are searchable at article level), representing some 4.7 million articles in all. This is, however, only part of the story. Again, Open Access does not really have uniform practices: at its most basic, it is merely the practice of self-archiving papers and making them available to end users. Further elaborations of Open Access, particularly those represented by gold model, appear to be operating according to the letter of the Open Access movement—free access by researchers—if not the utopic spirit.

It should be very easy to see why Open Access, defined so vaguely within the confines of the Budapest Initiative, is problematic, and leaves the door open for rank commercial exploitation. The charging of APCs is an egregious practice: under a "publish or perish" paradigm, asking graduate students, researchers, and faculty (whether they be adjunct, pre-tenure track, or tenured) to fork over money to publish research as a means of professional advancement creates an extremely unequal playing field, considering the disparate (and for those not on the tenure track, possibly desperate) financial situations of academics. Publication in Gold Open Access journals has the potential to confer citational advantages since articles lacking paywalls are theoretically in a position to be cited with greater frequency and rapidity, setting up a questionable "two-tier" system (Zhang & Watson, 2017).

Additionally, as a means of offsetting the burden of paying for APCs, especially for graduate students who may have to spend a quarter's worth of funding for publication, some publishers offer a reduction or waiving of fees, but only after an intrusive, ineffective means-testing (Suarez & Mcglynn, 2017). Gold Open Access has also created predatory markets, with many journals of dubious quality offering low APCs and relatively quick turnaround times. While this is a boon for some non-Western academics who may have a harder time getting published in other journals, or those who desperately need to publish but cannot afford APCs for more prestigious journals, it allows for the possibility of scamming, as well as the circulation of writing that has not been properly vetted. On top of everything else, it is not entirely clear that publication in Open Access journals is even preferable for academics: non-OA publications still appear to publish more articles than their Open Access counterparts. Likely, this occurs for two reasons: the first having to do with closed access journals having higher impact factors than their Open Access counterparts (Green, 2019) and the second having to do with closed access journals being perceived as "more prestigious" (Barnes 2020).

Should my dissatisfaction with Open Access on these grounds come across as absolutely daft, I would ask that one also consider how effective of a critique Open Access can be against a conglomerate publishing system that will happily co-opt it. Capital has a nasty and uncanny ability to absorb resistance to it, especially that which really is unable to achieve true distance from it (Jameson, 1991). To wit, after negotiations with Elsevier over high costs of database subscription fees, Carnegie Mellon University has inked a deal with the publisher which allows those affiliated with CMU to publish in Open Access journals (Mattera, 2019). Great, but one of the key components of Open Access as laid out by the Budapest statement, aside from free access to articles by the public, was allowing authors to maintain control over the integrity of their work—something decidedly *not* allowed by Elsevier, which asked authors of Open Access articles to sign over exclusive rights to the publisher (Elsevier, n.d.).

Looking Ahead

What, then, is to be done? In the short term, it has been suggested that libraries step in and take the burden of publication on themselves, becoming both producers of and repositories for more radically open journals. Dave Ghamandi has outlined a plan for this, which he calls the New Fair Deal: academic libraries would form publishing cooperatives, turning the production and distribution of articles into a decidedly democratic affair, funding these efforts with a small percentage of existing library budgets and working eventually to form networks with other cooperative publishers, scholarly societies, and the like (Ghamandi, 2018). Speaking personally, I find myself quite partial to the sober utopianism of Ghamandi's vision, as paywalled scholarship strikes me gross violation of some of the LIS profession's most basic principles as laid out by S.R. Ranganathan: that is, every book its reader, and every reader their book (Ranganathan, 1931). It seems reasonable to assume that, implied within this very simple statement, are disciplinary prohibitions against throwing up unnecessary barriers to finding each book its reader, and so on—and there appears to be no reason why one simply cannot substitute "scholarly article" for "book" in Ranganathan's formulation. Ghamandi's solution helps pick at structures that have allowed for the commodification of scholarly knowledge in the first place, rather than opting for the stale, grandiose utopianism at the core of Open Access. Even better: some versions of this cooperative model already exist in both Latin America and Canada, which should be cause for some level of optimism (Ghamandi, 2018). However, there exists a strong possibility that universities would still find some way of threatening these cooperatives, even if they could not be held hostage in the same way that Stanford University attempted to do with their press in 2019 (Davidson, 2019).

Still, on the way towards transforming university libraries into publishing cooperatives, other actions can be taken. In the first place, there ought to be a reevaluation of what sorts of publications ought to count towards career advancement: peer review is neither the be-all and end-all of scholarly communication, and there ought to be an honest, open questioning of who it is we are writing for—after all, if the academy is going to intervene meaningfully in the outside world, one cannot solely be publishing to extremely narrow audiences (Elkin, 2017). Second, as both the recent graduate worker cost of living adjustment (COLA) protests across the University of California system have shown, and the impending labor-gutting austerity measures which are an evolving byproduct of the ongoing COVID-19 crisis *will* show, the amelioration of working conditions, to say nothing of the large-scale institutional change that would be represented by libraries stepping more fully into publishing, will simply be impossible without the agitation of organized labor. We cannot depend on a handful of people writing papers like this or tinkering around in libraries: this problem is larger than any one individual, institution, or department. It is not merely enough to describe what this new future of collaborative scholarly communication ought to look like—it must be built through labor organizing, solidarity, and a willingness to disrupt the very institutional frameworks that we work in.

Figure 1. Austrian Economics, illustrated. Creator unknown. From [https://me.me/i/wait-for-replacement-steal-manhole-cover-austrian-economics-buy-drugs-645157.](https://me.me/i/wait-for-replacement-steal-manhole-cover-austrian-economics-buy-drugs-645157)

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