RUPTURES IN THE LIBRARY: THE NEOLIBERAL HIJACKING OF OPEN ACCESS

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This panel of librarians and internet researchers explains the dominant Open Access business model of academic publishing and why it must be rejected.

The Big 5 academic commercial publishers, Wiley, Sage, Springer-Nature, Taylor & Francis and Elsevier, bury academic knowledge in a deep-web of paywalls and prohibitive subscriptions. Transformative Agreements have emerged as a major commercial model of transitioning journals from subscription to Open Access (OA) – mimicking movements like Open and Collectivized Data. This shift is often invisible to researchers, aside from learning that they are not required to pay Article Processing Charges (APCs) in order to publish OA. For researchers in regions requiring OA due to public grant stipulations, this seems like a boon, opening up the internet commons and bypassing APCs, which in some fields exceed $5000 USD.

Open Access could be a way to make academic information and data findings free, but Transformative Agreements only offer *technical* OA status while introducing data use restrictions and prohibiting emerging and established research methods in data re-use. Worse, Transformative Agreements only boost elite and well-resourced institutions and the researchers fortunate enough to be affiliated with them. For new graduates, Global South researchers, publishing professionals outside of academia and many others,

Transformative Agreements make research free to read but cause restrictions on publishing their own research.

In the spirit of Web 2.0 corporate dominance, The Big 5 monopolize academic knowledge exchange and now with Transformative Agreements, leverage Open Data trends to further boost their commercial benefit.

The first paper explains how we got here, from the expertise of a librarian whose responsibilities have included negotiating with vendors for university e-resources. Open Access started as a rejection of the online commercialization of academic knowledge by non-profit society and university publishers pushing back against the Big 5. However as researchers began to understand and cautiously embrace OA, publishers saw an opportunity for profit and began publishing hybrid OA journals, charging APCs to researchers and subscription fees to libraries – in effect "double dipping". Simultaneously, publishers pushed libraries into purchasing "Big Deals" – large packages of journals instead of small collections or individual titles. Big Deals often consisted of a few essential journals and a long tail of niche and infrequently-used titles and became expensive and unpopular enough for libraries to fight back against them. This model also harmed relationships with researchers who understandably did not want to pay to publish. Big publishers claimed to their shareholders that individual consumers didn't want to pay for anything digital, that library budgets were slimming and that their ability to grow by acquiring complements was faltering. Transformative Agreements were introduced as a corporate publisher solution, and sold to libraries as a transition phase on the journey to an Open future.

The second paper discusses the meaning behind Open Access fragmented as green, gold, diamond and other variations of OA emerged thanks to advances in web publishing in the last two decades. The second author builds on Engestrom's (1999) activity theory to argue that university libraries need to not lose sight of their role in supporting equitable access, but also equitable research production. This author discusses the implications of the different types of Open Access from the perspective of a representative and leader of libraries in Southeast Asia.

The third paper explains how Transformative Agreements use Research Information Management Systems (RIMS) and networking platforms to further enrich academic journal publishers and their complementors. These publishers purportedly connect researchers with each other, with grants, and with impact factors, but exacerbate neoliberal optimization and extraction processes in universities, while funneling capital from universities to commercial enterprises. Author 3 builds on Brooke Erin Duffy and Jefferson Pooley's analysis of Academia.edu to argue that learning analytics bring to light how universities are always-already invested in the enrichment of corporate wisdom through the optimization of data extraction processes and ever more expansive data procurement efforts (2017).

In the fourth paper, a platform scholar asks, is this just a dying cry of an industry whose dominant companies missed out on platformization? Examining the trajectory of OA subscription models from a platform theory perspective, the industry seems outdated and clinging to models unlikely to work. As publishing companies are unable to

convince content creators or customers of the value of their product, they turn to "orangewashing," the academic ethics version of greenwashing, by calling their product Open Access.

As internet researchers and librarians, we aim to share four different ways at looking at the problem of Transformative Agreements and how they affect and intertwine with internet research. We share our recommendations, and hope to use this panel to generate more:

- Prioritize smaller and non-profit publishers by publishing with them as researchers and financially supporting them as libraries
- Use professional associations and other groups to lobby government and funders to align OA requirements with diamond OA
- Moving away from Impact Factor as a measure of academic evaluation and adopting DORA (The Declaration on Research Assessment)
- More SPIRs! AoiR role models open access publishing of peer-reviewed conference proceedings. Expand to full papers.
- More Pirate paper portals! Sci-Hub is a pirate academic article portal led by Ukrainian science researchers and beloved and co-signed by many scholars.
- "Diamond" open access, which means the publishers charge neither authors, editors, nor readers
- Bring conversation about Transformative Agreements into the open: their complexities are not usually well understood or discussed outside of some areas of academic librarianship. Open Access and its future involves researchers globally, as well as professionals outside academia who depend on research in fields such as law, sciences, education and more. It affects public libraries, medical libraries, and other institutions who provide staff and communities with information.

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THE BUSINESS OF TRANSFORMATIVE AGREEMENTS

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Open Access publishing models have swiftly moved from being a low-cost alternative to large commercial publishers to being a major source of revenue for Wiley, Elsevier, Sage, Springer Nature and Taylor & Francis. Transformative Agreements are the newest model they are using; on their surface they appear to be a positive move for researchers who are freed from the burden of 5000+ USD Article Processing Charges (APC). However, Commercial publishers are driven by markets and are leveraging researchers' interests to increase their profits from university libraries.

In addition to funding stipulating public access to research, Open Access is increasingly seen as essential for many, for data scraping and AI-enabled uses of text and data that constitute many new and emerging research methods. However, Transformative Agreements are serving as a back door to more stringent terms and restrictions, licensing information to be viewed openly but not used for further research purposes.

This paper examines transformative agreements for Open Access publishing through a business lens using a case study of Wiley and its recent national transformative agreement in Canada. The case study employs business tools such as a decision matrix and business model canvas to help answer:

1. Why large publishers are adopting a transformative approach
2. What their needs and challenges are (and how libraries can learn from these)
3. How this will affect future models of OA and scholarly publishing

Findings include the hidden administrative benefits of transformative agreements to publishers, and the growing importance of relationships with researchers to publishers.

Large publishers are adopting a transformative approach because of a combination of needs and environmental factors: their main potential for growth is to generate more

revenue from existing customers and products; Transformative Agreements reduce administrative charges in comparison with collecting APCs. Transformative Agreements are usually coordinated and negotiation by library consortia: groups of libraries affiliated by region and/or type. Again this reduces costs for publishers that would be associated with multiple negotiations with individual libraries. Individuals are unwilling to pay for digital content but institutions such as libraries are accustomed to paying for academic digital content access.

Government incentives influence researchers to seek Open Access publishing but researcher-publisher relationships have been damaged by high APCs; Transformative Agreements not only hide the cost from researchers but stabilize revenue for publishers compared with unpredictable APCs. In addition, there is an added incentive of a potential for higher revenue as this model is established, and for researchers to advocate for and expect Transformative Agreements from libraries.

Following the trajectory of corporate academic publishing, future models will take place in an environment of few, large publishers competing for market share. They will negotiate mostly with consortia, and will provide limited options. The publishers will focus their efforts on building relationships with researchers and societies in order to secure their content and encourage their advocacy for maintaining Transformative Agreements. Researchers will be a smaller, more homogenous, more elite group than they are now as Transformative Agreements are widely available only to affiliates of well-resourced, research-focused institutions, excluding many Global South institutions, teaching-focused institutions, professionals working outside of academia, new graduates, retirees and others.

The Open Access publishing landscape is transforming how we share information online, whose information is available and what permissions we have with data and text. Will Transformative Agreements carry researchers into an Open future? It's unlikely large publishers will change in a direction that's positive to researchers, libraries, or the many populations that depend on openly available information.

Publishers won't willingly cede the benefits they have gained from this business model. This direction leads to a future that is technically Open but lacks any of the values originally associated with the movement. It homogenizes published research by excluding many researchers from access to publishing and enriches the corporations Open Access emerged to combat. It reduces the diversity of publishers, including small non- profit or society publishers. Transformative Agreements could carry us into a future where read access to research is highly accessible, but the research covers fewer perspectives and includes no flexibility in use of the data or text.

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AN ANALYSIS USING ACTIVITY THEORY

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Discourse about open access has often been dominated by transformative agreements, which refer to the latest model of business for major commercial publishers of scholarly research such as SpringerNature, Wiley, Elsevier, and Sage. But to what extent are transformative agreements truly transforming scholarly communication towards open access? What is gained through transformative agreements, and what are the tensions? Using activity theory, I will discuss these key questions about transformative agreements and their impacts on university libraries, researchers, funders, and essentially, knowledge production and dissemination.

Transformative agreements reflect a paradigm shift in access to scholarly research – from a traditional subscription-based model towards open access. Instead of having scholars pay exorbitant article processing charges (APCs) i.e. gold open access themselves, transformative agreements allow scholars to publish with open access by reallocating part of what university libraries pay as subscription to support open publication of research. This shift has been driven largely by the open access movement in the 1990s, with scholars and librarians alike advocating for more equitable and affordable access to quality research (Wellen, 2004).

Institutions and academic communities have responded to such advocacy, by developing open-access journals which was made possible also thanks to advances in web publishing in the last two decades. These efforts mark the development of what is now known as diamond open access, where research articles are made immediately available to both authors and readers in their final versions without any fees. Diamond open access is beneficial especially for researchers in the global south, as researchers in these institutions are often underfunded. Additionally, it ensures greater equity in terms of knowledge production – in contrast, transformative agreements and the focus on gold open access often imply that research that attracts the most funding are also often the most visible and accessible. Despite the benefits, diamond open access comes with significant challenges. For instance, the goal of publishing in well-indexed and 'recognisable' journals with high impact factors in academia discourages scholars from participating in diamond open access. It has significant ripple effects – not

publishing in these journals would also mean that scholars are unlikely to take up editorial positions in these journals, and unlikely to disseminate research from these journals as well.

The open access movement has also seen the development of other types of open-access – for instance, green open access in which authors deposit a version of their research article as a preprint or postprint in an institutional repository which is usually maintained by university libraries. Green open access does not involve APCs, and are beneficial in terms of long-term preservation of knowledge even when journals are no longer in existence. Efforts in green open access are often taken up by university libraries, and unlike diamond open access, scholars are still able to share versions of their research articles in well-indexed and 'recognised' journals. This however, comes with restrictions that are often imposed by publishers – such as an embargo period for these alternative versions.

While the current landscape of open access essentially seeks to transform production and access to research with the different types of open access models, transformative agreements in their various forms (e.g., read and publish, publish and read) by commercial publishers has dominated the open access landscape. Transformative agreements are closely linked to gold open access, as they are used to cover article processing charges for researchers. Through these agreements, commercial publishers are then able to accelerate the adoption of gold open access, by tapping on funds that were used for subscriptions in the past. Strategically, they benefit publishers as they can be seen as a transitional tool to convert journals fully into gold open access journals – which can be much more profitable for publishers.

Transformative agreements by commercial publishers also introduces new dynamics in the negotiations between university libraries and publishers. Such negotiations often involve discussing terms such as publication limits (i.e. the number of APCs) and overall pricing. In this context, libraries often find it useful to engage in these negotiations as a consortia, to increase the level of transparency and equity especially for smaller institutions.

Transformative agreements have undoubtedly contributed to greater complexities in the publication and dissemination of research, and intensified tensions between different stakeholders (university libraries, publishers, funders, and scholars). While they may all share similar aspirations in making research more openly accessible, they are often driven by different goals. In this light, activity theory is highly relevant as a theoretical framework to examine the interactions between different stakeholders, as well as the resulting contradictions in the context of knowledge production and dissemination.

Activity theory, originally developed by Vygotsky (1978) as the cultural-historical activity theory (CHAT) focuses on the pursuit of activity as the key unit of analysis in order to examine how individuals interact with their environment and with each other. It involves identifying subjects (this can be individuals or groups), object (referring to their goal), and tools (physical or conceptual). Using activity theory, I aim to explicate how three key stakeholders – publishers, university libraries, and scholars – all interact with the current landscape of open access and with other. Transformative agreements is a tool in this

analysis, but it should also be understood in the context of various open access models. The following provides a synthesised summary of the stakeholders in this analysis, objects, and tools in the pursuit of open access:

- Publishers: Profit maximising and business development (object) through gold open access and transformative agreements (tools)
- University libraries: Equitable production and access to scholarly resources needed by researchers (object) through green open access and transformative agreements (tools)
- Scholars: Communicate their research in accordance to institutional and funding requirements (object) through publishing outlets and funds (tools)

Through the discussion, I will build on Engestrom's (1999) work on activity theory to identify key contradictions arising from the interactions between different stakeholders. For instance, while publishers continue to maximise profits through transformative agreements, they often assert pressures on university libraries to embrace transformative agreements and essentially, support the adoption of gold open access. University libraries need to not lose sight of their role in supporting not only equitable access, but also equitable production of research. This means that while they negotiate transformative agreements with publishers, they must also actively identify how they will address equity amongst scholars from different disciplines. In this context, there is more that university libraries need to do, from long-drawn negotiations with publishers to keeping up efforts in green open access.

For scholars who have to adhere to both institutional and funding requirements, the pursuit of open access is largely shaped by what these requirements are. Research intensive institutions that prioritises rankings for instance, may prioritise publishing in well-indexed journals with gold open access, but due to funding limitations, may encourage scholars to pursue other types of open access instead (e.g. green open access). Depending on the context, scholars may also find themselves having to deal with contradictions in their interactions with university libraries and publishers.

These contradictions are especially significant as they articulate tensions which often drive adaptations, and subsequent innovations. Through the discussion of these tensions, I will contribute to the panel's objective in calling for collective action.

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PAPER RINGS: INTERROGATING THE CULTURAL TECHNIQUES OF TRANSFORMATIVE AGREEMENTS (TAS) VIA RESEARCH INFORMATION MANAGEMENT SYSTEMS (RIMS)

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Transformative Agreements (TAs) between scholarly libraries and academic publishers are operationalized via Research Information Management Systems (RIMS) through automated workflows, data integrations, and compliance monitoring, influencing how institutions track, manage, and report research outputs. In this paper, I will investigate universities' investments in research information management (RIM) systems and networking platforms to effectively manage research workflows on campuses, facilitate better research data management, and optimize research administration, research productivity and reporting workflows. RIM systems claim to enable efficient research discovery, connecting researchers with similar research interests and/or research skills best suited for an interdisciplinary research grant to be successful. RIM systems are designed to assist in tracking and evaluating the impact and socio-economic value of publicly funded research initiatives. RIMS, such as Pure (Elsevier), Symplectic Elements, or DSpace-based repositories, integrate with publisher systems to automatically ingest metadata and full-text versions of articles covered by TAs. My research will focus on how the governmentality of research institutions is being altered through the adoption of Transformative Agreements (TAs) articulated through Research Information Management Systems (RIMS) services. How are the communicative capacities of TAs and RIM systems shaped and formed by their cultural histories and material features? How do these values and technologies inform policy decisions surrounding research in the current context? RIM systems and research discovery network platforms are highly desirable sites for business investment because of the value proposition of honing predictive analytics to ascertain research performance.

The features offered by the platform in terms of scalability, modularity, extensibility, etc., make it a financially desirable model. Libraries and consortia use RIMS-generated analytics to assess whether TAs align with institutional publishing behaviours. RIMS dashboards are mobilized to provide insights into publishing trends, author preferences, and whether TAs align with institutional open-access strategies. With the adoption of research workflow management platforms reshaping the higher education research sector into an increasingly lucrative space for high-tech investment, venture capitalists and philanthropists can exert greater political influence over public education, posing significant risks of exacerbating social inequalities, intensifying the dynamics of privilege and marginalization, and eroding democratic institutions. The value proposition RIM systems such as Symplectic Elements, UNIWeb and VIVO offer to public education must be re-evaluated to account for such risks. Automating the indexing of faculty profiles using a research information management platform streamlines research expertise discovery, making collecting research analytics more efficient for the administration and its decision-making systems. RIMS provide dashboards that help libraries monitor article processing charge (APC) spending, analyze trends, and assess whether the agreement is cost-effective. By investing in a research management

solution, the data about researchers can be aggregated and analyzed to optimize the research initiatives that the institution prioritizes. RIMS facilitate the assignment and tracking of Persistent Identifiers (PIDs) such as DOIs (Digital Object Identifiers) and ORCID iDs, ensuring that institutional research outputs are correctly attributed and discoverable. Marketed as tools to compile institutional data for assembling and evaluating diverse research teams and break down academic silos, these data-wrangling RIM systems are designed for profit and institutional priorities, not for socially-engaged research or researchers.

To understand some of the problems in RIM services and in the researcher's adoption of RIM services, I will study the epistemic shift happening in research practices, as the vectors of quantification, informationalization and datafication recalibrate and reconfigure the research apparatus. As RIM systems practices become normalized, organized and structured in universities, how do these institutions structure the knowledge/s that they are supposed to nurture? Using Friedrich A. Kittler's method of discourse analysis allows me to study knowledge management systems for the research enterprise as, by and large, material devices for the production, processing, transmission and storage of data. Conceptualizing universities as forms of bureaucratic technology, my research will ask how RIM systems make, curate and maintain data, information, knowledge and even wisdom and in turn, ask what is the shape of the knowledge instituted and what or who is left out. I will employ the research method critical digital humanities scholars Jas Rault and T.L. Cowan describe as "Heavy Processing for Digital Materials", i.e. scholarly work on information management systems requires a process-heavy research method that employs critical social inquiry, studies the media genealogy, and problematizes the neoliberal university's hegemonic knowledge production tools and techniques.

Universities are ever ready to invest in research analytics technologies because these techno-solutions are purported to be technologies of progress and these technologies promote the progress narrative. RIM systems signal the end of the artisan researcher and artisanal research praxis and the beginning of a Taylorized research ecology, one in which the researcher's performance can be predicted, analyzed and tweaked through the use of information economics and cybernetic governance. Digital technologies researchers' capacity to imagine and aspire are being ensnared by tethering them to performance audit-oriented software. The metrics developed from research analytics platforms provide the university administration with the fodder to rationalize the instrumentalist logic required to mobilize ever more severe austerity measures. By virtue of disciplinary technologies such as audits, benchmarks, metrics, performance indicators, quality assurance trackers etc. the institutional governmentality is made explicitly clear. Alessandro Delfanti (2020) discusses how social media uses the logic of financialization to reconfigure social relations in academia. Academics are encouraged to use social media as a way to capitalize on their discourse network topology to increase the scale, pace and reach of their communications. Brooke Erin Duffy and Jefferson Pooley's analysis of Academia.edu speaks to how learning analytics bring to light how universities are always-already invested in the enrichment of corporate wisdom through the optimization of data extraction processes and ever more expansive data procurement efforts (2017).

My scholarly contribution will investigate how RIM systems and author workflow tools are being mobilized in the institution to facilitate collaboration and address research challenges through the rapid discovery and recommendation of researchers, expertise, and resources. Building on the heavy-processing focus on the hardware, software and wetware of media technologies, tracing the media genealogy of and on the conditions and possibilities to which they give rise. It is possible to study the effects media introduce into social relations, i.e. Can non-intuitive matches made by research networking tools foster collaboration and cross-disciplinary scholarly activity, and research, especially over time? What sort of research is likely to receive increased visibility and recognition in an institution calibrated by the digital scholarship technologies that occupy the commanding heights and mediate all our understandings?

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WHY TRANSFORMATIVE AGREEMENTS MUST BE REJECTED

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Academic Journals predate Web 2.0 platforms – already aggressively platformizing the internet behind gated paywalls. The Big Five academic commercial publishers, Wiley, Sage, Springer-Nature, Taylor & Francis and Elsevier, publish 70% of papers in the social sciences and 53 % of scientific papers in the natural and medical sciences, up from 20 % in 1973 ("Academic Publishers"). This paper explains why internet researchers, and scholars broadly, must support librarian activists in rejecting Transformative Agreements, concluding with an invitation to brainstorm alternatives.

Failed, from a Platforms Theory Perspective

By the standards of Platform Theory The Big Five are failures. A platform, according to Jose Van Dijck, Poell and de Waal's authoritative *The Platform Society*, is "a programmable digital architecture designed to organize interactions between users—not just end users but also corporate entities and public bodies. It is geared toward the systematic collection, algorithmic processing, circulation, and monetization of user data." Thankfully, The Big Five have not learned the manipulative techniques of Meta or Google, but if they had – imagine an attractive academic App Store where students review and interact directly with influencer scholars, download attractive freemium or paid workbooks and test packs and lecture slides with in-app purchases (lol), while the Big Five capture all user activities and preferences on every side to sell academic target ads.

Instead, unlike the GAFAM, The Big 5 publishers are not passive-income guzzling middlemen dealing out addictive, open-API data-sucking playgrounds of academic peer pressure. By the standards of corporate platforms, The Big Five are archaic, still modeled after two-sided markets like traditional newspapers and fully dependent on subscriptions. However these subscriptions are too prohibitive for individuals, and so university libraries are pressured to buy Big 5 subscriptions, which include unwanted bundled complementors of smaller journals, as well as textbooks, test packs, lecture prep materials and more. In order to guarantee university demand, the Big 5 buy up as many complementors as possible. For internet scholars this strategy might seem nonsensical; it would be like Instagram paying all influencers an in-house salary. But the five corporate publishers do not need to adopt social media platform strategies since they enjoy extraordinary 40% profit margins thanks to the free labor of peer-reviewers

and authors, some of whom must pay to publish with Article Processing Charges (APCs).

However, as platform theorists may have predicted, this outdated subscription model is displeasing to investors due to limited returns on investment. Subscriptions do not grow, the customer base does not expand, more universities are not cropping up, in fact the opposite as neoliberal restructuring dismantles public institutions. Unable to generate even more revenue from existing customers and products, The Big 5 have turned to greenwashing.

Open Access Greenwashing

In 2020 The Big 5 found a ruse to keep pace with Open Access trends, in line with popular global academic protests and organizing (Abizadeh, 2024; . They agreed to drop prohibitive paywalls and embrace Open Access for all with a pivot they called "Transformative Agreements" (TAs). However our panel warns scholars to reject TAs as essentially Open Access greenwashing (or to be specific, "orangewashing," according to Association of College and Research Libraries) that hides even more prohibitive corporate agenda.

The Big 5 formerly charged university libraries so that their researchers could *read* journals, with TAs they now charge libraries so that researchers can *publish* in journals. The draw is waived APC fees and guaranteed Open Access. This sounds great to researchers, and it sounded great to library consortiums (a library consortium is a cooperative association of libraries across a region, like the national headquarters of academic libraries – and they are the group that makes Transformative Agreement Contracts with publishers. Each university library belongs to a consortium, which can choose to accept or deny contracts like transformative agreements). In the Global North library consortiums have generally embraced TAs because they love Open Access above all, and also complicated contracts that justify their existence.

But TAs offload all of the APC fees onto libraries – if they can afford them, and many of them can't. For small underfunded universities and universities in the Global South, their libraries and consortiums cannot afford a TA. As a result, TAs result in research from a smaller, more homogenous, more elite group than now, excluding many researchers from access to publishing and enriches the corporations that Open Access emerged to combat.

Alternatives to Transformative Agreements?

This panel urges scholars to support librarian activists in rejecting TAs. We conclude by inviting AoIR scholars to brainstorm alternatives:

- Propose that your university and department adopt DORA (The Declaration on Research Assessment), a re-evaluation of researchers and scholars that is not tied to Impact Factor (sfDORA.org).
- More SPIRs! AoiR role models open access publishing of peer-reviewed conference proceedings. Expand to full papers.

- More Pirate paper portals! Sci-Hub is a pirate academic article portal led by Ukrainian science researchers and beloved and co-signed by many schoalrs.
- "Diamond" open access, which means the publishers charge neither authors, editors, nor readers (Arash, 2024; European Science Foundation).

Notes

Abizadeh, Arash (2024). "Academic journals are a lucrative scam – and we're determined to change that." The Guardian, July 16. https://www.theguardian.com/commentisfree/article/2024/jul/16/academic-journal-publishers-universities-price-subscriptions

"Academic publishers reap huge profits as libraries go broke," (2015) *CBC.* https://www.cbc.ca/news/science/academic-publishers-reap-huge-profits-as-libraries-go-broke-1.3111535

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