“Transformative Agreements” & Library Publishing: A Short Examination
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Background material
- [Uncensored, pre-COVID-19 musings on "transformative agreements" and scholarly communication in two parts](https://hcommons.org/deposits/item/hc:35125/)
- [Twitter thread on TAs](https://twitter.com/search?q=%23transformativeagreements&src=typd)
- [ILSCarticle](https://www.ilsc.com/)

Intro
Happy Friday everyone. Thank you Justin and the conference committee for the extended time. I am the Open Publishing Librarian at the University of Virginia and Managing Editor of Aperio, the university’s open access press. I’m going to share a comparison of TAs with library publishing from an economic perspective. Every dollar that keeps going to the oligopoly is a dollar not going to your library publishing program. Every million that goes to them is a million robbed from your budget, which makes our work harder. I’m going to be generalizing a bit in regard to library publishing, mostly referring to it as a no-APC form of journal publishing. I’m also generalizing with TAs, referring mostly to the ones with the publishing oligopoly. I’ll share three major points and will be curious to hear responses.

I want to acknowledge the Black freedom fighters whose lives, legacies, and intellectual tradition have helped shape my analytical toolkit. They are my greatest inspirations and teachers.

Detour
Before I begin, I need to make a quick detour. Sometimes being part of this tradition that I’m referencing means being in someone’s house and pointing out that the house is on fire. It doesn’t mean I started the fire though. I last spoke at LPF in 2019 in Vancouver as an invited speaker in the closing plenary. I criticized APCs and threw out the idea of problematizing so-called transformative agreements. With just a few minutes left in the entire conference someone I believe to then be a sitting board member said I needed to be more “nuanced” and that APCs “can work.” I didn’t respond at that moment, mainly because there were only a few minutes left. I was also shocked that someone thought it was appropriate to tell a Person of Color to be nuanced. That’s a form of tone.

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1 See [https://hcommons.org/deposits/item/hc:35125/](https://hcommons.org/deposits/item/hc:35125/) for why I put TAs in quotes.
2 APCs “work” in publishing as well as co-pays, deductibles, and co-insurance do in health care.
policing, silencing, and, in my particular case, an attempt to punch down. I oppose APCs on principle, which means there is no gray area. I don’t feel the need to play both sides, and I don’t need nuance when I have clarity, conviction. POC should skip “nuance” if it really means comforting white people and especially if it means jiving people. APCs are still trash, and people are getting hip to the fact that TAs are nonsense.

#1 “Transformative agreements” leave the means of production in place (often in the hands of the oligopoly).

I want to share a way of analyzing society that I’ve found eye-opening and is useful in a wide range of settings, including TAs. It’s often called a materialist analysis, and it places heavy emphasis on the economic base in society. This economic base is made up of the means of production (MOP) and the relationships they produce. The means of production are, for example, the tools, equipment, raw materials, computers, buildings, land that are used to produce goods and services. And the relationships involved are commonly employee-employer. A class of relatively few people own the MOP while the majority of us use them as we work for a wage, but have no ownership. This materialist analysis says that whoever owns and controls the MOP wields tremendous power over not just their employees but broader society— influencing the government, laws, schools, culture, and the environment. And a lot of history, if we look closely, is a struggle over who owns the MOP and the resulting wealth that is produced. We live in a system where most of us need to work for a wage, which means we work using MOP we don’t own to produce wealth that’s kept in relatively few hands. If that sounds unfair, it’s because it is. That’s why many of us want to see the MOP democratized and owned and controlled by the people who actually work on them alongside our communities.

Well, if we apply this to TAs, we see nothing changes. Nothing is transformed. The MOP are left exactly where they were, often in hands of the oligopoly. Because the knowledge producers (authors, editors, and reviewers) have no ownership nor control, the wealth they make still ends up in other people’s hands. Also, when the elite and wannabe elite universities force their authors to hand over their labor to the oligopoly for free, the library loses any power it had as a consumer. It’s that simple, and that’s why Nature has a $11,200 APC and Cell has a $10,000 APC. It’s why a TA knocks off 10-15% off the APC sticker price. Libraries have no leverage. It was given up.

I want to emphasize that the consumer has very little power when dealing with monopolies, which is why I say your values don’t matter. If the university pushes authors to the oligopoly and libraries are

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4 I feel my views were vindicated since 2019 as some APCs are now >$11,000 (Nature family of journals)
5 There are many base/superstructure graphics online
6 This is why one university’s claim that they are “championing an international movement to revolutionize academic publishing” after signing a TA is inaccurate
7 In both the oligopoly’s and the university’s
forced to shop among monopolies, then sustainability\(^8\), accountability, transparency, DEI, or whatever else are considered “academic values”\(^9\) don’t make a difference. Trying to “bend cost-curves,” “apply market pressure,” have “skin-in-the-game,” or using a “multi-payer model” don’t change outcomes. This language is deceiving. Think about Starbucks. Neither you nor the barista controls where the stores are, how long they’re open, who works there, where they get the beans from, what products they make, or the prices. The people who own and control the MOP—the shareholders and board of directors—do. If your employer forces you to patronize Starbucks, then what do values matter? The same applies for authors who are pressured to publish with the oligopoly and libraries forced to pay for it.

Ok, let’s move on to library publishing. Lib publishing is university-owned and/or controlled MOP. It’s owned by the employers. The University largely decides who has access to it, when, under what conditions, what cost, and what they’re allowed to do with it. This closes the distance to scholars and readers, but, for the most part, the MOP are neither owned nor controlled directly by the knowledge producers\(^10\). This is key. There’s a difference between TAs and library publishing but not a fundamental change regarding MOP. More scholars have access to publishing and perhaps greater autonomy when engaging with library publishing. I don’t imagine most of us would claim ownership of journal names, for example. And library publishing affords us practice, so to speak, in operating the means of publishing. But, ultimately, they’re owned and/or controlled by the Boards of Trustees. That’s a far way from true freedom.

#2 “Transformative agreements” are like putting body cameras on cops
I want to talk about reform. There are your typical cheap, illusionary reforms and there are nonreformist reforms. Regular reforms serve the Establishment\(^11\). These reforms fiddle with the margins, but don’t overturn anything significant. They keep the relationships of power the way they were. Reforms don’t work on institutions that are racist, capitalist, or imperialist. There’s no better place to see this than with the police.

Sensitivity training will not stop another death like that of Fred Hampton, Michael Brown, Rayshard Brooks, or Alton Sterling. Implicit bias training will not prevent another murder like that of 12 year-old Tamir Rice, Freddie Gray, Philando Castille, or Amadou Diallo. De-escalation training will not stop another death like that of Daniel Prude (who was naked and having a mental health crisis), Marcus-David Peters who was also naked and having a mental health crisis in Richmond, VA, or high school student Anthony Thompson Jr. “Less than lethal weapons” like tasers did not prevent the deaths of Daunte Wright, Oscar Grant, and Ma’Khia Bryant. “Community

\(^8\) If you believe in sustainability, then you must abandon capitalism, which is infinite growth on a planet with finite resources

\(^9\) I truly don’t understand why values have become popular in discussions around scholcomm and journal negotiations. Where were these values before? The notion of “academic values” is problematic, to me at least.

\(^10\) More scholars are developing their own presses and autonomous control of the MOP

\(^11\) “What a liberal really wants is to bring about change that will not in any way endanger his position.” - Kwame Ture
policing”\textsuperscript{12} will not help the next Phillip Pannell who was killed near my kindergarten, Sean Bell, Breonna Taylor, or Atatiana Jefferson. And cameras will not stop police from killing another George Floyd, Eric Garner, 13-year-old Adam Toledo, or Xzavier Hill from Charlottesville.

This is why abolition is such a powerful concept. 2020 was the year I learned to stop worrying and love abolition. Abolition means a system has to go in order for people to create something that actually serves the masses. Abolition of unjust systems is a way for Black lives to truly matter. It doesn’t throw good money after bad. That’s why a TA changes as much as body cameras on police\textsuperscript{13}. An illusion of change, of something better. But it makes the fundamental mistake of putting more money in an unjust system. Reminder, the oligopoly are increasing the cops too. Elsevier via LexisNexis and Thomson Reuters via Westlaw are working for ICE and helping to deport our neighbors\textsuperscript{14}.

A TA says a university values a company and has a mutually beneficial relationship with them. Sure, they may quibble on price, but they serve each other. The university doesn’t really dislike elsevier. Transferring more money to elsevier and springer is like spending more money on cops and body cameras. It means you want to keep them around. The government pays police to protect the rich and property. The university pays for a TA to maintain or improve their higher ed rankings\textsuperscript{15}. A TA buys greater visibility, readership, citations, and prestige. The role of impact factors not only stays the same but are rewarded with $10,000 APCs. As I’ve written elsewhere, the OA in a TA is a form of false generosity\textsuperscript{16}. It makes no attempt at reciprocity. It does nothing to help other people’s content become open.

Library publishing is closer to what’s called a nonreformist reform\textsuperscript{17}. It spends money on new structures and funds a fair amount of no-APC OA. Expanding publishing within the university, like we do, creates space that can be struggled within. It opens up the greater possibility for authors, editors, and reviewers to organize and enact changes.

\textbf{#3 Presence of both “transformative agreements” and library publishing inside universities is a contradiction}

To better understand the fate of library publishing, we need to look at university presses. The Neoliberal University absolutely hates spending money on infrastructure it can’t easily monetize. That’s why campuses have nice dorms but austerity for university-based publishing. And that’s why university presses are not fully-funded, expanded, and completely converted to OA. University

\textsuperscript{12} Civilian review boards are a waste of time as well
\textsuperscript{13} The whole system—including prosecutors, judges, prison guards, parole officers, etc.—is guilty
\textsuperscript{14} \url{https://notechforce.com/lawletter/}
\textsuperscript{15} The government doesn’t have qualms about giving tons of money to private corporations. They don’t view it as the public being ripped off
\textsuperscript{16} \url{https://hcommons.org/deposits/item/hc:35125/}
\textsuperscript{17} A true non-reformist reform would be redistributing money to scholar-owned & -managed publishers
presses have been dealing with austerity for years and many of our library publishing programs have only known austerity, or underfunding.

Well, why does library publishing exist? Our publishing services are a tacit acknowledgement by the university that something is wrong with the status quo. However, despite our track record of providing no-APC OA, we largely remain underfunded because the university follows the rules of neoliberalism. Library publishing is only funded to the level in which it will help the university brand. That explains its proliferation, but our lack of meaningful size or funding. Yeah, some really nice stuff is happening in the nooks and crannies, and I’m getting comfortable in the margins. But TAs are a wakeup call.

Paying high-priced APCs in TAs in the face of library publishing’s track record is a new contradiction\(^\text{18}\). The university wants it both ways. However, library publishers get pennies while the oligopoly gets dollars. For the university to live up to the values it claims to be about would mean to allocate differently, to fully-fund library publishing and no-APC OA. But, that would mean spending a lot more on its own infrastructure and that contradicts neoliberal logic. This logic says to outsource and privatize, hence the large sums of money going to the oligopoly either through subscriptions or TAs. Paying five-figure APCs while no-APC OA stares you in the face is a contradiction that needs resolving\(^\text{19}\).

Conclusion
I was only able to scratch the surface of these topics, so I’m also sharing the text of this talk, which has some citations and book recommendations as well. Today we looked at the means of production—some people toil on them (proletariat), others own them (bourgeoisie). TAs mean the MOP remain in place. Library publishing develops ownership and/or control inside the academy. However, knowledge creators are not in full control in either case. Reforms often serve the powerful. TAs are as empty as body cameras. Abolition is freedom. The rise of TAs and the $11,000 APC alongside us mostly no-APC library publishers is a new contradiction. Thanks for your attention. I look forward to questions and dialogue•

\(^{18}\) I’ve seen library admin omit any mention of their own publishing units when discussing their OA strategies and/or TAs. Some double-think has to be employed to look at library publishing, erase it, and justify handing more money to the oligopoly. I also heard an AUL recently say that he was spending the collections budget “agnostically,” which I heard as neutral.

\(^{19}\) None of these issues can be solved in a vacuum. We need to get ORGA N I Z E D. Has any faculty union ever bargained to reduce or eliminate the role of impact factors, citations/h-index, and publisher prestige in promotion and tenure?
Reading Recommendations (especially for racialized people) [links to free copies]

- *Autobiography of Malcolm X*
- *Assata*
- Kali Akuno (ed). *Jackson Rising*
- Richard Wolff. *Democracy at Work*
- Freire. *Pedagogy of the Oppressed* (especially first chapter)
- Emily McGuire. *Social Ecology* (pamphlet)
- Amargi & Amargi. *Communalism: a liberatory alternative* (pamphlet)

Abstract
Library publishing is continually shaped by the goals of their parent institutions as well as outside organizations, namely the commercial publishing oligopoly. The emergence of “transformative agreements” (“TAs”) represents a new relationship between universities and commercial journal publishers. However, the motivations behind these agreements and the effects they may have on library publishing remain largely unexplored. In this presentation, I will critically examine “TAs” from the perspective of a library publisher and share three major analytical takeaways. First, I will compare how “TAs” and library publishers treat the means of production. Who owns and controls the publishing infrastructure and what effects does that have? Secondly, how do “TAs” and library publishing represent different categories of reform? Lastly, I will discuss how the differences between “TAs” and library publishing highlight and heighten the contradictions within research universities. Hopefully, participants will be able to use this analysis to advocate for library publishing in compelling ways within and across our respective institutions.

Please describe the primary learning objective(s) for attendees
- Think critically about impact of “transformative agreements” on library publishing
- Compare differences in the two approaches to publishing from a material perspective

List 2–3 keywords or tags that represent the theme of your presentation and/or intended audience
- Transformative agreements
- Economic analysis
- Scholarly communication landscape