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ELSEVIER SEEKS NEW FORMS OF REVENUE AS UNIVERSITIES RESIST PROHIBITIVE CONTRACTS

Universities have recently begun to resist academic publisher Elsevier's enormous and increasing subscription fees. That resistance has increased as Elsevier fights against open access to scholarly knowledge, and Elsevier has refused to let authors make their own scholarship publicly available through institutional repositories and other means, even sending mass takedown notices to academics who post their published research on university web sites and networking sites like academia.edu (Edwards, "Publisher Elsevier"). The Electronic Frontier Foundation summarizes the problem with Elsevier:

Elsevier boasts profit margins in excess of 30%, much of it derived from taxpayer dollars. Academics effectively volunteer their time to publishers to write articles, conduct peer review, and sit on editorial boards, and then publishers demand ownership of the copyright and control over dissemination. Universities and other institutions fund these researchers, and a mega-publisher like Elsevier reaps the benefits while trapping all of that work behind a paywall. (Press)

While some other publishers like Sage, Springer, and Wiley-Blackwell have engaged in similarly problematic practices of value extraction, none has a record of behavior as egregiously awful as Elsevier's.

Last year, the University of California system responded to Elsevier's extortionate practices by ending its subscriptions to Elsevier journals. According to the University of California press release,

As a leader in the global movement toward open access to publicly funded research, the University of California is taking a firm stand by deciding not to renew its subscriptions with Elsevier. Despite months of contract negotiations, Elsevier was unwilling to meet UC's key goal: securing universal open access to UC research while containing the rapidly escalating costs associated with for-profit journals. (UC Office of the President)

Months later, thirty scientists from the University of California system (including a co-inventor of the CRISPR genetic engineering technology and a Nobel Prize winner) resigned from the editorial boards of Elsevier journals, citing Elsevier's practices as the reason (MacKenzie, "California Scientists").

Elsewhere, Louisiana State University also ended its bundled journal subscription with Elsevier, and as Inside Higher Ed reporter Lindsay MacKenzie observes, "LSU is just the latest of several U.S. institutions, including the University of California system, Temple University and Florida State University, to announce its intentions to end its business relationship with Elsevier in the last two years" ("Another 'Big Deal']"). In April 2020, the University of North Carolina at Chapel Hill followed suit (MacKenzie, "UNC Chapel Hill"), as did the State University of New York (SUNY) system, announcing that they "anticipate saving around \$5 to \$7 million per year" (MacKenzie, "SUNY Cancels Big Deal").

In June 2020, the Massachusetts Institute of Technology (MIT) also ended its negotiations with Elsevier, citing Elsevier's inability to work with the principles in MIT's "framework for publisher contracts... that no author should be required to relinquish copyright of their work, and must have 'generous rights to reuse their own work'" (MacKenzie, "MIT Ends Negotiations"). In discussing the unanimous decision to end negotiations with Elsevier, MIT Associate Professor Roger Levy points out that "the value in published scholarship originates in our work and in the institutions that support us... We are publicly committed to supporting the rights of MIT community members to freely share the scholarship we create" (MacKenzie, "MIT Ends Negotiations").

Carnegie Mellon University had more success in its negotiations with Elsevier, announcing in 2019 "a transformative agreement that prioritizes free and public access to the university's research. Under the terms of the agreement, which is the first of its kind between Elsevier and a university in the United States, Carnegie Mellon scholars will have access to all Elsevier academic journals. Additionally, all articles with a corresponding CMU author published in Elsevier journals after Jan. 1, 2020, will have the option to be published open access" (Carnegie Mellon). Details of the agreement are not available.

However, Elsevier's recent acquisitions and product launches contribute to an increasing vertical integration of publishing infrastructures that may allow it to maintain its substantial profit margins. The Scholarly Publishing and Academic Resources Coalition observes that "in a 2015 investor presentation, Elsevier explicitly indicated its intent to increasingly serve university administrations, funding bodies, and governments with tools aimed at estimating and improving the productivity of

research and optimizing funding decisions" (Aspesi et al.). Colleen Lyon, "a librarian of scholarly communications at the University of Texas at Austin," offers an idea of what such tools might be in a list of Elsevier's recent acquisitions: "In 2013, the company bought Mendeley, a free reference manager. It acquired the Social Science Research Network, an e-library with more than 850,000 papers, in 2016. And it acquired the online tools Pure and Bepress—which visualize research—in 2012 and 2017, respectively" (Ellis). These tools, in conjunction with other Elsevier properties like the SCOPUS-Scimago journal and institution ranking databases and bibliometrics, give Elsevier an unprecedented degree of integrated control over all levels of the circulation of scholarly knowledge.

Alejandro Posada and George Chen investigate this integrated control in a 2019 paper investigating "the acquisition and integration of scholarly infrastructure, the tools and services that underpin the scholarly research life cycle" (1). Their research suggests that "moves toward openness and increased control of scholarly infrastructure are simultaneous processes of rent-seeking which could further entrench publishers' power and exacerbate the vulnerability of already marginalized researchers and institutions" (1), and they observe that "Elsevier has acquired and launched products that extend its influence and its ownership of the infrastructure to all stages of the academic knowledge production process" (6). If we understand the circulation of scholarly knowledge as a cycle of production, distribution, use, and re-production leading back into production (see Edwards, "Digital Literacy" and "Economies of Writing"), Elsevier has shifted its emphasis from appropriating economic value at the point of distribution to appropriating economic value at all points in the cycle, a move that Posada and Chen characterize "as a vertical integration of the academic production value chain" (5). Their visualizations are useful in understanding this dynamic.

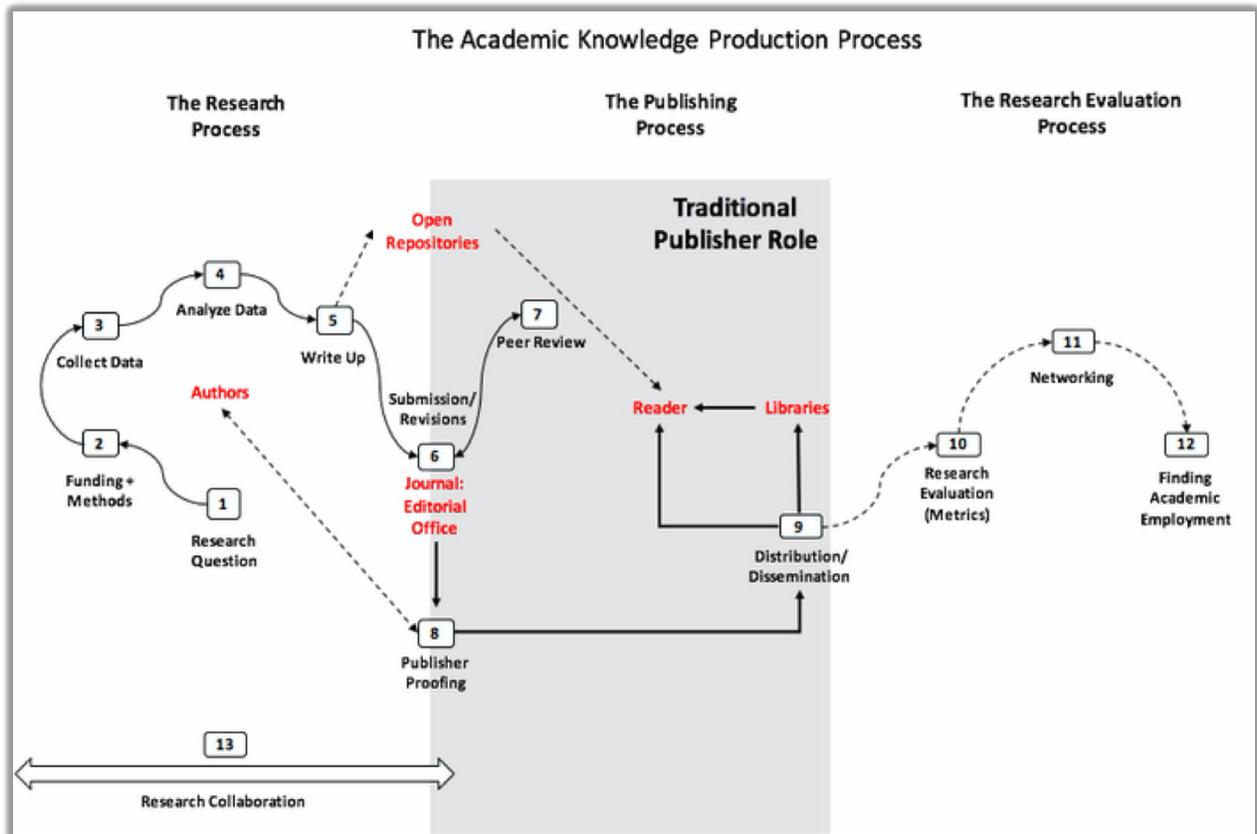


Figure 1. “The Academic Production Lifecycle.” Distributed under a Creative Commons Attribution 4.0 International License. Posada, Alejandro, and George Chen. “Inequality in Knowledge Production: The Integration of Academic Infrastructure by Big Publishers.” ELPUB 2018, Jun 2018, Toronto, Canada. <https://hal.archives-ouvertes.fr/hal-01816707>

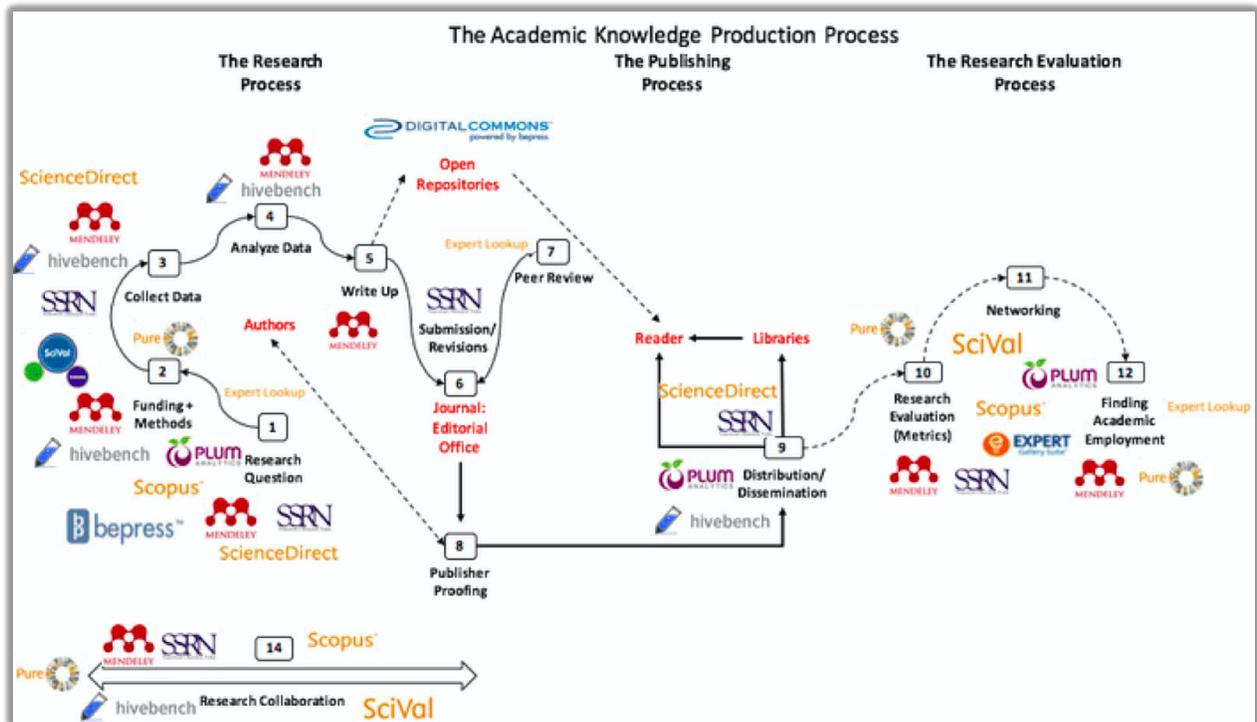


Figure 2. “Elsevier Presence Throughout the Lifecycle.” Distributed under a Creative Commons Attribution 4.0 International License. Posada, Alejandro, and George Chen. “Inequality in Knowledge Production: The Integration of Academic Infrastructure by Big Publishers.” *ELPUB* 2018, Jun 2018, Toronto, Canada. <https://hal.archives-ouvertes.fr/hal-01816707>

Elsevier’s monopolistic pricing practices have hindered rather than promoted access to scholarly knowledge, and universities have begun to push back against those practices. However, these new developments in Elsevier’s vertical integration of academic publishing infrastructures should be alarming, as they offer Elsevier increased control over all stages of academic knowledge production, as demonstrated in Figures 1 and 2. As I noted in the 2013 *CCCC Intellectual Property Annual*, “[i]n the 35 journals listed by the Bedford Bibliography as being associated with rhetoric and composition studies, three are associated with Elsevier: *English for Specific Purposes*, *Computers and Composition*, and *the Journal of Second Language Writing* (Reynolds, Dolmage, Bizzell, and Herzberg). *Computers and Composition* seems a particularly curious case, given that many articles published in the journal have endorsed strong positions in support of fair use and knowledge circulation, and the journal has in fact published a special issue (15.2, 1998) on intellectual property and a special issue (27.3, 2010) on

‘Copyright, Culture, Creativity, and the Commons’” (Edwards, “Publisher Elsevier” 6). It’s long past time for the editors, prospective authors, and editorial boards of these journals to reconsider the effects of their decisions upon university budgets and the circulation of knowledge in our discipline.

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