
OA isn't free, it costs folks like you and me: How open access ideology obscures labour inequity in academia

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Abstract

Despite the framing of open access (OA) as a progressive movement that challenges neoliberalism and champions the public good, the reality of academic labour is often left out of these analyses (Golumbia, 2016; Eve, 2017). In a bid to liberate academic labour from the neoliberal hands of commercial publishing, advocates of OA have argued that making scholarly work “free” can help to establish an academic commons (Dulong de Rosnay, 2021). However, initiatives to mandate OA in academia like “Plan S” often function as blunt implements that wrest control from academics (Frantsvåg & Strømme, 2019). In this essay I argue that the broad acceptance of OA as the liberatory savior of academic publishing is misguided, as it obscures the right-wing libertarian roots of the movement and would see academics voluntarily alienate themselves from their labour (Kember, 2014; Drabinsky & Jackson, 2015; Golumbia, 2016). Drawing on Golumbia’s (2016) Marxist reading of the political economy of OA, I argue that devaluing academic labour by characterizing it as unproductive and immaterial negates the abstract labour that produces scholarly works. Undoubtedly, librarians have an important role to play in the OA “revolution” (Burns, 2018), as educators, advocates, and critical voices that take up labour issues.

Keywords: open access; academic publishing; labour; Marxism; Neoliberalism

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What would you do if you were asked to give up your labour for freedom? An introduction

Before adopting their revised statement on open access (OA), stakeholders from the Western University Libraries gathered together to use concept mapping as a way to define OA and to discuss why the library supports it (Carlisle et al., 2018). In defining OA, the keywords “collaborative, global access, barrier free” were used, while their rationale for support included “innovation, equity, visibility, sharing & building” (Carlisle et al., 2018). OA was proposed to be a part of “equitable access” to scholarly works and for the “betterment of society”, and that it constitutes a public good (Carlisle et al., 2018). Looking closer at the language used by the stakeholders, a tension emerges between democratic and neoliberal ideals in this call to promote research and raise the profile of the university (Carlisle et al., 2018). This is consistent with a tendency for academic libraries to blend the language of neoliberalism with the democratic ideals of librarianship as they push libraries towards the oft-touted goal of “innovation” (Beaudry et al., 2014). One cannot help but notice that the point of the Western exercise was to map out “why do we support [OA],” which suggests that the premise of this endeavour (that OA is a benevolent initiative) and its apparent end-goal (to promote the acceptance of OA) were established from the start (Carlisle et al., 2018). And why not? As the authors claim, “Open Access works are both gratis and libre: free of cost with additional liberties or rights to retain and reuse” (Carlisle et al., 2018). Seems good on paper.

But is OA the progressive bastion of social equity and anti-corporate ideals that it claims to be? In this essay I argue that the broad acceptance of OA as the liberatory

savior of academic publishing is misguided, as it obscures the right-wing libertarian roots of the movement and would see academics voluntarily alienate themselves from their labour so as to further the corporate ideology that the OA movement claims to oppose (Drabinsky & Jackson, 2015; Golumbia, 2016; Kember, 2014;). Beginning with an overview of the changing academic landscape that ushered in the OA movement, I look at how some OA models merely shift the costs of publishing from reader to author (Burgman, 2019), while others promise a non-profit and non-commercial utopia (Frantsovåg & Strømme, 2019). In an effort to liberate academic labour from the neoliberal hands of commercial publishing, advocates of OA have argued that making scholarly work ‘free’ can help to establish an academic commons (Boshears, 2013; Dulong de Rosnay, 2021). I assert that OA mandates like “Plan S” in Europe and the Tri-Agency Open Access Policy on Publications in Canada are a blunt implement that wrest control from the hands of authors. Then turning to author addendums as a means of establishing author rights, I maintain that a deeper labour analysis is warranted. In the second half of the paper, drawing on Golumbia’s (2016) Marxist reading of the political economy of OA, I argue that devaluing academic labour by characterizing it as unproductive and immaterial negates the abstract labour that produces scholarly works. OA is purported to embody progressive values, but the concept of releasing all information from ownership can be traced to the movement’s cyberlibertarian origins, which is an ethos of digital utopianism that glosses over its right-wing origins in favor of an ostensive democratic vision (Golumbia, 2016). To close, I agree with the general notion that libraries have an important role to play in the OA “revolution” as educators and access brokers (Burns, 2018; Drabinski & Jackson, 2015; Kember, 2014). But if OA

is to live up to the democratic claims of its supporters, then labour issues must be brought back to the forefront of policy and debate.

We'll never pay that bill: an examination of the OA landscape

In its most basic terms, Eve (2017) defines open access as works that bear no direct cost to the reader and are reproduceable with attribution to the creator. OA is made possible mainly by a “system of patronage,” wherein academics are paid a salary by their institutional employers so that they are free to “give away” their research (p. 28). The movement to make OA the de facto publishing model was a response to the “serials crisis” whereby higher education rapidly expanded in the 1990s and publishing costs shot up, leading to hugely inflated publisher subscription costs for universities and their libraries (Dalton et al., 2020). Publishing companies like Elsevier, Springer, and Wiley-Blackwell leveraged their enormous increases in profits and established themselves as oligopolies in the academic publishing market (Ghamandi, 2018). However, the instantaneous access and wide reach of digital copies of manuscripts made available through the web threatened the inflated prices and manufactured scarcity of the publishing business. This made the idea of open access a very attractive proposition for scholars under pressure to maintain a high research output and develop a wider audience for their work (Eve, 2017). As the general academic landscape underwent a rapid neoliberal transformation during this time (Buschman, 2020; Ross & Savage, 2021), OA soon was seen as a possible space from which to fight back against the corporate forces bearing down on academic publishing (Ghamandi, 2018).

Proponents of the OA movement argue that the crisis caused by corporate publishing oligopolies are the result of a broader shift towards the neoliberal values of

privatisation, deregulation, and the notion that an unimpeachable free market encourages innovation and productivity (Ghamandi, 2018). While publishers would have us believe that free market principles offer a rational path towards better democracy, in actual fact they have given rise to market dysfunction in that huge multinational publishing conglomerates hold a monopoly over the industry (Ghamandi, 2018). Benkler (as cited in Kelty, 2014, p. 206) refers to this as the “tyranny of the margin” – the relentless competitive pursuit for lower costs and higher value carried out by what Kelty (2014) describes as tangential interests that exist outside academia proper (e.g., publishers, start-ups, pharmaceutical and engineering firms). Power and resources are consolidated in the hands of a minority of corporate entities, resulting in market segmentation, price manipulation and collusion (Ghamandi, 2018). In order to take a stand against this neoliberal greed, Kelty (2014) suggests that OA presents scholars with an opportunity to thwart publishing profiteers by making our work “free.” Because scholars are copyright holders, they are vulnerable to pressure to relinquish their rights to commercial publishers in exchange for academic capital (typically in the form of salaries, promotion, and tenure). Instead, OA offers an alternative route, wherein intellectual property is still relinquished to an extent, but now liberated from the commercial realm.

OA models have made various attempts to change the terrain on which academic publishing has traditionally operated, with mixed results in terms of their “openness” and “access” (Burgman, 2019; Byl, 2022; Dalton et al., 2020). Describing how OA functions in the journal *Conservation Biology*, Burgman (2019) distinguishes between two models, the traditional reader pays model (through a paywall) and the

open access model, which he refers to as the “author-pays model”. This model of shifting the source of revenue from reader to author is often subsumed under the heading of Gold OA, whereby there is no cost to the reader and permissions have been granted by the author for the use of their work (Burgman, 2019). Revenue accrued by this model is typically in the form of Article Processing Charges (APCs) that allow for the trade-off for readers who benefit from current models of OA, while authors or their affiliated institutions shoulder the burden of keeping publishing economically viable (Dalton et al., 2020). An OA model where the author pays has also been criticized for strengthening the “north-south academic divide” such that publishing will be limited to those from countries with wealth and resources (Burgman, 2019). This is not seen as simply a matter of inequity between poor countries and rich countries (although this is a serious enough issue on its own), but also between disciplines with varying levels of funding (Burgman, 2019). Although some publishers offer fee payment assistance or waivers on a case-by-case basis, often large institutions pay the majority of APCs that underwrite Gold OA publishing (Doyle et al., 2014). This has led some to refer to this model as “corporate open access” (Fuchs & Sandoval, 2013).

On the other end of the OA spectrum, the Diamond model of OA has been proposed as a remedy to the shortcomings of the corporate model (Fuchs & Sandoval, 2013). The proponents of the Diamond model take a strict non-profit, non-commercial stance, advocating for a network of publishing organizations that make their works widely available online in digital format, with no cost to readers or authors (Fuchs & Sandoval, 2013). The only charge under this model would be printing costs for physical materials, but no costs would be allocated for digital publishing (Fuchs & Sandoval,

2013). Creative Commons licenses are to be employed as the main form of licensing, intended to allow for greater access and use while also prohibiting commercial reuse of a work (Fuchs & Sandoval, 2013). Although some CC licenses do allow for commercial use, this would be prohibited under the non-profit model of Diamond OA (Fuchs & Sandoval, 2013). This model is already in use by some publishers of non-profit OA journals but needs further policy support to ensure that scholars from a wide range of disciplines who do not share unilateral access to research funds can make use of the Diamond model (Fuchs & Sandoval, 2013).

Resistance to neoliberalism through OA models like Diamond OA is often cast in terms of liberating academic works and returning them to the public realm, with many arguing that a “commons” approach is necessary to keep corporate interests out of publishing (Boshears, 2013; Dulong de Rosnay, 2021; Fuchs & Sandoval, 2013; Ghamandi, 2018;). Ghamandi (2018) argues that the atomisation of the individual citizen and the relentless focus on individual responsibility that neoliberalism engenders has slowly discouraged and dismantled the concept of an information commons that serves the public good. According to Ghamandi (2018), in order to re-establish this commons our goal should be to decommodify knowledge, replace privatization and deregulation with a renewed public good that offers knowledge and journals for free, and trade individualism for solidarity among creators and users. Similarly, Boshears (2013) argues that freeing up texts into the public realm would encourage a communal reciprocity between citizens who are all able to benefit from a commons of public information, enhancing and encouraging research. This transformation of academic knowledge from a commodity to a public good is also echoed by Diamond OA

proponents Fuchs and Sandoval (2013), who assert that scholarly work should not be coopted by corporate models, but function as part of a public commons wherein ideas and information circulate and are in conversation with each other.

To expedite this move from commodity to public good, there has been a push to enforce mandates requiring authors to publish in OA journals across academia by initiatives like “Plan S” in Europe (Frantsvåg & Strømme, 2019) and the Tri-Agency Open Access Policy on Publications in Canada (Government of Canada, 2017). Backed by an international consortium of research funders in association with the European Research Council, Plan S mandates that all research publications funded by the consortium be required to publish in compliant OA journals and platforms (Frantsvåg & Strømme, 2019). Additionally, Plan S requires that authors publish their work through an open licence, limited to Creative Commons Attribution (CC BY), Creative Commons Attribution-Sharealike (CC BY-SA), dedicated to the public domain (CC0) or, in exceptional cases where the grantee has justified its use to the funding body, a Creative Commons Attribution Non-Derivative license (Frantsvåg & Strømme, 2019; cOAlition S, 2021). While many OA journals allow for non-commercial, non-derivative creative commons licenses (meeting the Diamond OA model), this is not in compliance with Plan S’ default requirement of a Creative Commons Attribution license by default (Frantsvåg & Strømme, 2019). As far as copyright retention, earlier versions of Plan S stated: “the journal/platform must offer authors/institutions the option of full copyright retention *without any restrictions* [emphasis added], i.e., no copyright transfer or license to publish that strips the author of essential rights” (Frantsvåg & Strømme, 2019, p. 4). This wording has changed in new versions of the Plan S principles, which now simply

state: “The author or the author’s institution shall retain their copyright”, with no further stipulations other than the retention of copyright be in service of making publications compliant with the mandate (cOAlition S, 2021). Reception has been mixed to the mandate, with some referring to it as a “blunt instrument” (Burgman, 2019), while being applauded by the Canadian Association of Research Libraries (Canadian Association of Research Libraries, 2020).

In Canada, OA is now mandated by the Tri-Agency Open Access Policy on Publications, which would see grant recipients from the three national research funding agencies (SSHRC, NSERC, and CIHR) required to make their publications open access within twelve months of publication or else submit them to a repository that would make them freely accessible within 12 months (Government of Canada, 2017). The Tri-Agency’s view on OA is that it will “accelerate the progress of research, democratize access to knowledge worldwide, and ensure that publicly funded research is available to the public” (Government of Canada, 2017). Failure to comply with the mandate could result in loss of further funding, repayment of released funds, indefinitely being excluded from applying for funding from the agency, or legal action (Government of Canada, 2021). The mandate is unfunded, meaning that the costs associated with meeting the requirements are not provided by additional agency funding beyond the initial grant. Instead, they are left to the researcher, with the average article processing charge in Canada costing approximately \$2959.00 per publication (Byl, 2022). Unlike the Plan S requirement that funders negotiate contracts or agreements so that authors and institutions retain their copyright, the Tri-Agency policy leaves the responsibility for

negotiation of copyright retention with publishers up to the grant recipients (Government of Canada, 2017).

Nevertheless, there is help for authors with negotiating retention of copyright through the use of contract addendums, such as the Scholarly Publishing and Academic Resources Coalition (SPARC) author addendum (Byl, 2022). Author addendums function as a legal tool for adding further stipulations to an author's publishing agreement that are intended to help an author retain their ownership rights over their work (Byl, 2022). The SPARC author addendum mainly articulates provisions so that an author retains their rights over their own non-commercial use of their work, including reproduction, derivative works, performance, adaptation, and authorization for use pending author credit (Canadian Association of Research Libraries [CARL/ABRC] & Scholarly Publishing and Academic Resources Coalition [SPARC], 2019). However, this assumes that publishers will accept an addendum at all, with some resisting or outright rejecting proposed addendums (Byl, 2022; McCutcheon, 2019). Further, authors themselves are frequently unaware of their rights and many simply choose to accept publishers' terms without protest, particularly given the "publish or perish" climate of academia (Byl, 2022). These issues notwithstanding, the push for author addendums suggests that issues of labour and protection of authors' rights are now being afforded greater consideration, rather than the singular focus on making information free that has typically characterized discussions of OA.

There's a hefty OA fee: Examining labour issues in OA

OA promises to distribute works far and wide by democratizing access to information, but the notion that OA is entirely free is misleading, particularly for those who are

performing the labour required to produce it (Davis et al., 2018). As Eve (2017) observes, unacknowledged and scarce labour underwrites the OA publishing sector, labour which has been relocated so that shouldering these costs is offloaded onto academic labourers (largely authors and librarians) who previously were not accountable for this labour. This unseen labour also supports the research being conducted, with Kelty (2014) noting that 75% of university instruction is carried out by precarious labourers (i.e., adjuncts and contract workers) who do not have the same resources to contribute to research as their tenured counterparts. Kelty (2014) argues that there is a need to get research out to a broader audience, but not while foregoing the labour that underscores the research or denying that this labour is only truly accessible for an elite. How Kelty proposes to resolve this tension through OA is unclear though. When it comes to the intellectual labour that underscores academic works, he dismisses concerns about property rights as “petty” and getting in the way of the more important issue of making scholarly works open access. But concerns over intellectual property in academia are anything but petty, they reveal the extent to which scholarly labour has been devalued under the guise of pseudo-progressive politics that would have academics give up or significantly limit their property rights, or worse, become unable to derive compensation from these works (Golumbia, 2016).

Because the OA movement focuses on property and consumption, appearing to do away with property rights (one of the fundamental tenets of Marxist thought), it is said to be emblematic of socialist economic ideals (Golumbia, 2016). What this fails to account for is an analysis of academic labour which, as Golumbia (2016) points out, is highly problematic given that:

the idea that one segment of labor should abandon—or worse,...should be forced to abandon—whatever interests it may have in the products of its labor is at best difficult to motivate and, at worst, instances the kind of bourgeois ideology that typifies the way that the capitalist class turns the working class against itself (p.75).

Golumbia (2016) argues that Marx and Engels unequivocally stress in the *Communist Manifesto* that individual labour was *exempt* from the global dissolution of property rights under communism, emphasizing the fundamental tenet that workers are not to be alienated from their labour. Corporate concentrations of capital threaten to overtake OA works when creators are asked to give up their rights to the product of their labour under the guise of openness and liberation, a move that is inherently anti-Marxist (Golumbia, 2016). The justification for this alienation of workers from their labour is accomplished through the characterization of academic labour as unproductive and immaterial, disavowing the abstract labour (i.e., the time spent working necessary for the production of a commodity) contained within scholarly works (Golumbia, 2016).

Golumbia (2016) contends that the intellectual labour of academics is categorized as unproductive because their end-products are not conventionally marketable, putting their labour at risk of becoming a form of servility to their institutional patrons. As he points out, academics are “trapped in a system wherein they are required to do work at the pleasure of a rentier and lack the ability to sell their labor in the way productive laborers can” (p. 80). Academic labour is unproductive because of its relation to the patronage system under which academics produce their work and by which OA publishing is made possible (Eve, 2017). In the context of library and archives

workers, Burns (2018) explains how wage labour is exploited by commercial vendors such that unproductive labour done by archivists becomes productive for the vendor. When this 'unproductive' labour of the non-profit archive worker is bought by a vendor who secures the licensing rights to a digital archive, then the labour of the archivist becomes productive for the commercial entity (Burns, 2018). A similar outcome can happen for academics when OA transfers information resources back into the public domain through a scheme like Plan S that demands the use of CC licenses that, although they may prohibit reproduction, do not prohibit the use of those resources for commercial gain by others (Frantsovåg & Strømme, 2019). The classic Marxist example of enclosure through the expropriation of land from small farmers by the capitalist class is analogous to academics having their intellectual rights enclosed, becoming the property of the web at large and falling into the hands of data-hungry companies like Google, seemingly 'gratis and free' (Golumbia, 2016).

Although proponents of OA would recast intellectual labour as immaterial and consequently subject its works to non-exclusive ownership within a public commons (Dulong de Rosnay, 2021), the notion that immaterial commodities are devoid of abstract labour is a serious problem of our contemporary moment that misunderstands Marxist thought (Golumbia, 2016). Because of this, OA often slips into a form of commodity fetishism, in that we see ourselves in relationship with the digital objects we consume, and not with the labourers whose labour is contained within those objects (Golumbia, 2016; Eve, 2017). "Liberating" resources from the market does not make those resources free, as Neary and Winn (2012, p.409) argue concerning open education resources, "the reification of 'the commons' as a site of non-scarce, replicable

and accessible educational resources is to mistake the freedom of things for the freedom of labor.” This has clear implications for how OA comes to value the labour of academics and is why a commons argument appears so palatable – our labour is immaterial so therefore there should be no problem freeing it up to the commons (Dulong de Rosnay, 2021). For OA advocates like Dulong de Rosnay (2021), intellectual property is something that should be seen as free, dedicated to the public realm, and not comparable to physical property because works are digital, easily reproduceable, and therefore “non-rivalrous” and immaterial (pp. 48, 50). This public commons logic is portrayed as progressive, and is rarely put in context as the outcome of a cyberlibertarian ethos that would reject intellectual property altogether (Golumbia, 2016).

The Open-Source Software (OSS) and Free Software movements, widely acknowledged as the roots of the OA movement and its seemingly democratic ideals of freedom and liberty, belie a cyberlibertarian ideology that is encapsulated in the maxim, “information wants to be free” (Golumbia, 2016, pp. 75, 77, 93). Cyberlibertarianism is the belief that the unfettered acceptance of technological solutions to societal problems will lead to an increase in democracy (Golumbia, 2013). However, the libertarian philosophy that these movements are based on often goes unacknowledged by OA proponents, as evidenced by the oft-touted example of Wikipedia as a progressive exemplar of how freeing information benefits society (Mirowski, 2009; Kelty, 2014; Ali et al., 2019). According to Kelty (2014), Wikipedia serves as a shining example of how OA could make academic work more relevant and bring it down from the ivory tower (Ali et al., 2019). This is presented as a straight-forward proposition, assuming that Wikipedia

is also a benign entity, emblematic of the democratic ideals of the commons and offering the exciting proposition of greater exposure (evoking the spectre of the unpaid internship). Librarians too, have been called on to embrace open access platforms like Wikipedia, with the hashtag #1Lib1Ref encouraging librarians to add to the quality of Wikipedia by contributing citations with the promise of a free public commons full of rich information as their payment (Ali et al., 2019). Left unsaid in these discussions is that the founder of Wikipedia, Jimmy Wales, was a proponent of conservative philosophers Ayn Rand and Friedrich Hayek (the forebearer of Wikipedia's gratis and libre information ethos), and built the site around the principles of libertarian free market economics (Mirowski, 2009). It is often referenced by those on the left without analysis of its historical or political ideology (Golumbia, 2016), with the push to make information free dressed up in leftist anti-corporate sentiment while shutting down critiques of labour and dismissing concerns of the rights of workers as "petty" (Eve, 2017; Golumbia, 2016; Kelty, 2014).

If you don't throw in your buck 'o five, who will? Aspirations and closing thoughts

In light of this seemingly deliberate obfuscating of the underlying values of the OA movement, it is clear that librarians have an important role to play in the OA "revolution" – as critical voices that advocate for the rights of workers (Kember, 2014; Drabinski & Jackson, 2015; Burns, 2018). Despite his unwavering support of OA, Kelty (2014) does at least call for caution in the adoption of policy, given that academics are not terribly well-versed in the particulars of how value functions in academic publishing structures. This is perhaps an unfortunate truth, but it does point to an area where librarians can

contribute to this conversation - education. Since we are often the brokers of access in the library and potentially have a better understanding of OA, librarians should be offering an educational piece regarding author rights as well as how to negotiate with a publisher, something that is already being done at Western Libraries (Trosow, 2009). It is heartening to see this work already happening; however, the apparent confusion and lack of awareness concerning author addendums underscores the importance of this role and the work that remains to be done in this regard (Byl, 2022).

If authors are to have stronger contracts with publishers, there must be more concerted political pressure in the form of collective action on the part of academics and librarians to negotiate for the retention of their property rights and attendant compensation for their labour. This would require further collaboration among workers and a strengthening of labour movements. At the very least, it requires another look at how OA models function. Models that merely shift the existing revenue model from readers to authors while continuing to prohibit authors from retaining full control of their work are not a radical change to traditional publishing (Drabinski & Jackson, 2015). Given this, it is imperative that this conversation also addresses how various models of OA continue to uphold exploitative forms of production and labour (Drabinski & Jackson, 2015). There is no reason why information literacy as taught by librarians cannot also include fostering a critical understanding of knowledge production so as to unpack the political economy of academic publishing (and academia more broadly) (Drabinski & Jackson, 2015). Librarians can continue to help academics understand their property rights, engage students in these issues, and foster relationships with academic societies to build solidarity around labour issues – but above all, we need to develop and amplify

critical perspectives so that we do not allow ideology to keep us from critically interrogating new technology and its attending policy (Drabinski & Jackson, 2015).

Despite the repeated framing of open access as a progressive movement that challenges neoliberalism and champions the public good, labour perspectives are frequently left out of these analyses (Eve, 2017; Golumbia, 2016; Kember, 2014). When we overly focus on the liberation of academic works and ignore the labour relations that produce them, the stage is set for exploitation and further devaluing of scholarly thought (Kember, 2014). Academic labour is real labour. Alienating the products of our labour from the labour that produced them because they are supposedly immaterial in the digital realm does not eliminate abstract labour, it merely renders it invisible. The insistence that academics are meant to relinquish their work under the system of patronage as unproductive labourers only reifies their servility to the university (Golumbia, 2016). Although criticism of OA is warranted, it is necessary to find solutions to predatory publishing. While OA might shift some of the power from publishers, it does not de facto solve the problem of democratizing academic publishing. The creation of a public commons of information is a worthy aspiration, but this should be tempered with a healthy suspicion of ideology that insists freeing up our labour wholesale inevitably leads to greater democracy.

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