

# Battling for 'Openness'. Applying Situational Analysis to Negotiations Between Dutch Universities and Elsevier

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**Abstract.** More than a decade after the Budapest Open Access Initiative (BOAI) declaration, Open Access has become a widespread phenomenon and a dominant topic in the academic publishing world. Several large-scale developments can be currently observed including (trans-)national efforts towards 'full Open Access' in a given year or 'offsetting' models when renewing library subscriptions. In this context, the Netherlands are believed to play a pioneering role as novel agreements with major academic publishers have been recently reached and Open Access was set prominently among the priorities of the Dutch Presidency of the Council of the European Union in the first semester of 2016. However, the negotiations between Dutch universities and Elsevier could be rather described as an ongoing battle that only recently has taken 'a constructive turn'. As a rich case for investigation, the controversy will be examined using Adele E. Clarke's (2005) method of situational analysis and subsequently visualized with three kinds of maps.

**Keywords.** Open access, science policy, the Netherlands

## 1. Introduction

Since the Budapest Open Access Initiative (BOAI) declaration and its official 'birth' more than a decade ago, the Open Access movement has been gaining traction at a rapid pace. The number of Open Access journals, articles, repositories as well as supporting infrastructure grew significantly (Björk, 2013). Most notably, Open Access to scholarly literature has moved beyond the circles of its long-standing advocates and became a dominant topic in the publishing industry and science policy-making (Ware and Mabe, 2015). On the one hand, research funders are now increasingly coupling their funding requirements to Open Access mandates (e.g. European Commission, 2016; Research Councils UK, 2013). On the other hand, several countries in Europe and beyond have adopted national strategies and set up target values for the share of Open Access publications in a given year, such as 80% in 2020 and 100% in 2025 in Austria, 80% in 2018 and 100% in 2021 in Slovenia or 100% in 2025 in Sweden (cf. Bauer *et al.*, 2015).

However, one particular European country is currently in the spotlight. The Netherlands has not only set Open Access and Open Science among its priorities during the Presidency of the Council of the European Union in the first semester of 2016 (Ministry of Foreign Affairs, 2016). It also conducts high-level negotiations with major

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academic publishers towards Open Access when renewing library subscription agreements. What is more, as home to a number of scientific publishing houses the Netherlands are believed to be in an exceptional position and to serve as an interesting test case for other countries (Ministry of Education, Culture and Science, 2014).

## **2. The 'Dutch Approach'**

The course of events in the series of negotiations in the Netherlands can be dated back to the announcement to regulate Open Access to research publications. In a letter to the Parliament in November 2013, Dutch Secretary of State for Education, Culture and Science, Sander Dekker urged for a political intervention in accordance with the European Commission's call on the Member States to define and coordinate an Open Access policy. A goal for the Netherlands was set to switch entirely to Open Access by 2024 and to achieve 60% of all research articles funded from the Dutch public purse to be available in Open Access by 2019 (Ministry of Education, Culture and Science, 2014).

Shortly after, the Association of Universities in the Netherlands (VSNU) took up negotiations with major academic publishers on renewal of library subscriptions which would integrate Open Access publishing components for Dutch authors at no additional cost. In 2014 and 2015, agreements with several publishers including Springer, Wiley and Sage were reached. However, the negotiations between VSNU and Elsevier could be rather described as an ongoing battle passing through a number of phases ranging from 'an impasse' (November 2014) to 'a deadlock' (June 2015) and eventually taking 'a constructive turn' (November 2015). While still 'in the works' (January 2016) the 'agreement in principle' (December 2015) for the upcoming three years starting in 2016 was reached.<sup>2</sup>

While negotiations were interrupted and resumed, researchers in the Netherlands were asked to boycott Elsevier by giving up their editor-in-chief posts as well as to stop reviewing and publishing for its journals. At science policy level, efforts towards a concerted action on Open Access publishing have been made, too. For instance, joint statements by the Dutch Secretary of State Dekker and his British counterpart Clark as well as Commissioner Moedas were released, announcing 'shared common goals' on Open Access to publications and data (Ministry of Education, Culture and Science, 2015) and calling on scientific publishers 'to adapt their business models to new realities' (European Commission, 2015). Building on political support as well as mobilising bargaining power are thus seen as significant success factors of the 'Dutch approach' (VSNU, 2016). As Dutch Presidency of the Council of the European Union has started in January 2016, further developments particularly at European level are expected to take place over next months.

## **3. Materials and Methods**

The controversy between VSNU and Elsevier offers a broad range of materials including documents (official statements, press releases and newsletters by involved organisations),

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<sup>2</sup> At the moment of writing (March 2016) the agreement was still 'taking shape' and the details on the selection of journals were 'to be finalised'. For more information see the homepage of VSNU: [http://vsnu.nl/en\\_GB/openaccess-eng.html](http://vsnu.nl/en_GB/openaccess-eng.html)

presentations and talks at academic publishing conferences and related workshops, written communication in discussion forums, national and international media coverage, as well as an echo in social media channels and blog posts.<sup>3</sup> Situational analysis developed by Adele E. Clarke (2005) will be used as an overall frame for data collection and analysis.

Having its roots in grounded theory and symbolic interactionism, situational analysis offers a method for a particular situation to form the unit of analysis. Controversies are usually good cases to do research as positions are taken and values articulated where normally they would not be made explicit. This capacity allows to address the multiplicity of discourses and narratives on Open Access in the first place. Keeping the “situatedness” of the current VSNU-Elsevier controversy in mind, it further helps to approach Open Access publishing negotiations in a more sensitive manner, taking conditional and constitutive elements into account and going beyond the usually one-sided “pro” and “contra” arguments. Identifying “sites of discursive silence” and actors or issues not (yet) articulated in discourses is expected to offer novel insights into ongoing debates.

#### **4. Expected results**

Three types of maps as proposed by Clarke (2005) are expected to be produced for a poster presentation. Each of them is capable to foreground specific aspects in the analysis and can be used in a complementary way.

First, situational maps will serve as a starting point as they aim to depict all major discourses as well as human and nonhuman actors articulated and implicated in discourses. Second, social worlds/arenas maps will be drafted as meso-level cartographies of collective commitments, shared ideologies and going concerns. Studying social worlds and the discourses they produce in the Open Access controversy is expected to shed light on power relations and kinds of representations these social worlds are “authorized” to produce.

Finally, positional maps aim to represent the heterogeneity of positions in discourses itself. This type of maps is particularly useful to identify “comfortably contradictory” or absent positions that can be expected yet not articulated in discourses. Together with locating positions along contested issues or axes this approach will help to reveal any potential blind spots in the often heated Open Access debates as in the case of the selected controversy.

#### **Disclaimer**

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<sup>3</sup> In the further course of the PhD project interviews with key negotiators as well as Dutch researchers are planned.

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