

## The Questions

What can / should be bought and sold?

Can you think of anything that cannot be commodified?

What commodities have we normalized? Why?

What limits should be placed on markets (if any)?

How do we regulate markets? Who decides?

How is power related to markets?

How do we define a consensual contract?

How does financial insecurity make you vulnerable?

How are market forces related to global inequality?

Should we work on improving or changing the system?

When and how do we resist an unfair system?

Why are we adverse to adopting alternatives?

What role does the consumer play?

Does boycotting do more harm than good?

Is there a such thing as ethical consumption?

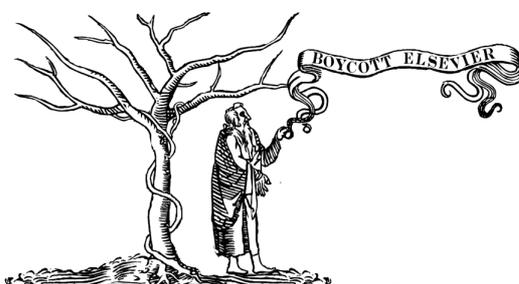
How do we morally distance ourselves from products?

How does globalization change the way we produce, distribute, and consume?

## Issues in Contemporary Ethics: Markets + Information

### At a Glance

In today's capitalist-dominated society, the market is a central location where all kinds of goods and services can be bought, sold, and traded. The marketplaces are physical, like malls and stores, or electronic, like Amazon or Ali Baba. Due to globalization and new technologies, the limits on what can be bought and sold, to whom and where, has changed. In this brief, we will be looking into the privatization and cost of knowledge with publishing giants like Elsevier, which are responsible for publishing the majority of scientific research and distributing that evidence to researchers and institutions through for-profit contracts.



*Parody of Elsevier Logo (Eisen 2012).*

### Case Study: The Cost of Knowledge and Elsevier

Elsevier is the largest publishing body of scholarly journals in the world with around 2,600 titles (MIT Libraries 2019). Elsevier acquires the rights to these journals via [publishing agreements](#) wherein the author transfers copyright to Elsevier or keeps the rights but license exclusive rights (like commercial use) to Elsevier. Universities then negotiate subscription-based contracts to gain access to collections of journals from Elsevier. Individuals can also purchase Elsevier publications or subscribe to a journal in their own capacity as buyers. Elsevier has defended this business model through copyright strikes and opposing emergence of open access alternatives by either shutting them down or buying firms on the supply chain. For example, In 2011, Elsevier supported and made 31 donations to the Research Works Act (RWA), a bill that would have made the policies that made taxpayer-funded research openly accessible to the public illegal (MIT Libraries 2019). This prompted boycotts over time with the most famous being University of California cutting ties with the publisher (Fox and Brainard 2019).

### Implications

In addition to specific universities, entire nations, such as Germany and Sweden, have boycotted Elsevier for periods of time. Where does this leave patrons of them, such as university students that had no say in the decision? Is it fair to put them at a disadvantage? What of institutions who cannot afford subscriptions? How is education related to financial privilege? What are the generational effects of that? Despite arguments for open access, there is still support for stronger copyright laws. Why is knowledge and research private and profitable?

## Further Reading

**Sarah Zhang**

[The Real Cost of Knowledge](#)

**Shaun Khoo**

[Opinion: Boycotting Elsevier is not Enough](#)

**Steve Chignell**

[Academics should ditch Elsevier and Mendeley – here’s how](#)

**Martin Enserink**

[Elsevier to Editor: Change Controversial Journal or Resign](#)

**John Bohannon**

[Secret Bundles of Profit: Study lifts veil on journal price negotiations](#)

**Elsevier**

[Sample publishing agreements](#)

**Kent Anderson**

[The Elsevier Boycott – Does it make Sense?](#)

**Michael J. Sandel**

[What Money Can’t Buy: The Moral Limits of Markets](#)

**Peter Singer and Jim Mason**

[The Ethics of What We Eat: Why Our Food Choices Matter](#)

### Comparing Perspectives

In this series of Briefs, one rationalist and one alternative are explored to present contrasting views on an issue.

#### Contractualist Ethics

Contractualism views ethics through the lens of contracts that bind parties to an agreed-upon set of actions based on the agreement. Since companies like Elsevier derive the majority of their profits from contracts, one must consider the intentions from all parties. Before the internet, firms like Elsevier were integral to spreading the work of researchers to broader audience (Herman, Moors, Storms 2016). This way, the contract was fair as the firm got profit through providing an essential service to the researchers. With the internet, however, this contract is seen as increasingly unfair as the high prices become harder to justify. The Cost of Knowledge movement can be seen as a rejection of the previous contract with a boycott and the creation of a new one in the form of a pledge to not publish under Elsevier. However, Elsevier’s business model is also supported by strong copyright laws that make it difficult for the public to access research published by them. From a contractualist perspective, Elsevier checks all the boxes with informed, consenting parties. Perhaps the framework of the copyright rules that bind the contract itself needs to change.

#### Postcolonial

Postcolonial ethics is a response to prominent ethical theories that fail to account for colonial systems of power that disadvantage or ignore colonized nations or groups. Thus, this lens is critical of the paywall enforced by Elsevier and copyright law that affect institutions differently based on their financial agency. For example, a wealthy, Western institution like the University of California was able to afford the hefty subscription payments to Elsevier as well as rely on other sources for academic resources to support its students. A less financed university in the global South may not have these options. Financial gatekeeping prevents intuitions from increasing their library catalogue for their students, which leaves them without the proper resources to learn, teach, study and reference. This traps them in a cycle of limited knowledge that creates problems for their sectors requiring higher education, such as the medical field or academia. People may also seek better employment in other countries which depletes their talent pool or changes its perspective with Northern education. This kind of unequal privilege, a post-colonialist would argue, is a perpetration and entrenchment of historical and current injustices to keep previously colonized states disadvantaged.

#### Questions for Reflection

How is knowledge bought and sold? Is there such a thing as ‘free’ knowledge? What structures are put in place to commodify products? This brief discussed the sale of knowledge, but what other sales are ethically debatable? Consider organs, surrogate mothers, the rights to hunt endangered animals, and necessary pharmaceutical products like vaccines. Are there ways to reject the system, such as how researchers refuse to publish under Elsevier or are we already predisposed to a capitalist market?

“MIT Libraries.” [Elsevier Fact Sheet](#), MIT Libraries, 8 Aug. 2019

Heyman, Tom & Moors, Pieter & Storms, Gert. (2016). [On the Cost of Knowledge: Evaluating the Boycott against Elsevier/ Frontiers in Research Metrics and Analytics](#).

Fox, Alex and Brainard, Jeffrey, “[University of California Boycotts Publishing Giant Elsevier over journal Costs and Open Access](#).” *ScienceMag.Org, American Association for the Advancement of Science*, 1 Mar. 2019.

Michael Eisen (Artist). (2012). [Because the Boycott Elsevier Movement needed a T-Shirt](#) [digital image]