

Chapter 5

Who Benefits from the Public Good? How OER Is Contributing to the Private Appropriation of the Educational Commons



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Abstract The idea of Open Educational Resources (OER) has a history and is embedded in social contexts that influence its practice. To get a handle on tensions between different conceptualizations of “open” we discuss some of the battles surrounding the usage of the term. We note the origin of the concept of OER and how the emergence of the OER movement fits into the discourse of educational improvements through technologies and techniques. We argue that there is a relation between an uncritical stance toward technology and the appropriation of education activities by private oligopolies, a phenomenon that could be mitigated by a larger awareness of recent history and current sociotechnical analysis. We point out how these dilemmas play out in the Brazilian context of the implementation of OER in public policies and conclude by mentioning some programs and projects that point to the way forward.

Keywords Open educational resources · Open education · Private sector

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5.1 Introduction

In 1945, the magazine *The Atlantic* published an essay named “As We May Think” (Bush, 1945). Its author was Vannevar Bush, the then Director of the Office of Scientific Research and Development of the US Government. Bush had been responsible for the bulk of the technoscientific effort led by the US throughout World War II, an effort that led to a deep restructuring of how the country’s research would be developed and networked from then on (Turner, 2010).

After World War II, with the Allied victory over the nazi–fascist threat, Bush was faced with a new and immediate challenge: to reconfigure, in peacetime, the sociotechnical apparatus mobilized at wartime. In a world struggling to be rebuilt from scratch, how should one set in motion a new architecture where information and science would foster individual freedom and the emancipation of knowledge? The answer sketched by Bush in his essay addresses this challenge through a new, radical rationale for cataloging, storing, and accessing of information. A system, that in its ideal form, would envision terminals to large repositories granting open access, at different levels of retrieval, to the whole of human knowledge—in print, audio, and film alike. To this networked, universal library, Bush gave the name *Memex*. The notion articulated by Bush in his *Memex*—of high technique as something in service of knowledge made universal—underlies, to some extent, what the internet came to be perceived as in the public imagination.

In the second half of the twentieth century, access to information and knowledge has taken the forefront of civic discourse and in the development and emancipation of individuals and communities alike. The emergence and fast development of computers, from the large mainframes of the 1960s to individual networked terminals, has opened a universe of possibilities intertwining the social and the technical. Through ideals such as free software, open source, copyleft, and remix culture, access to knowledge more often than not comes to mean also the mastery of new digital tools.

With the widespread expansion of the commercial Internet and the emergence of the World Wide Web from the 1990s onward, the centrality of the internet for the circulation of knowledge and in the transformation of educational practices fueled high expectations. This was theorized by authors who would become canonical of an optimistic outlook, including Castells (2011), Levy (2010), and Negroponte (1995). This ethos would become institutionalized in initiatives such as the W3C, articulating the civil society as a guardian of the internet in its technical and policy aspects.

In 2001, amidst this movement to institutionalize new standards, best practices, and joint objectives, the Massachusetts Institute of Technology (MIT) made the decision to open up teaching content through an online platform (Taylor, 2007). The initiative was copied by multiple other institutions, in what is sometimes referred to as the beginning of the Open Educational Resources (OER) movement. The terminology was consolidated during a 2002 UNESCO forum on educational resources (UNESCO, 2002), which evolved during the next decade into OER being defined as:

Learning, teaching and research materials in any format and medium that reside in the public domain or are under copyright that have been released under an open

license, that permit no-cost access, re-use, re-purpose, adaptation and redistribution by others (UNESCO, 2019).

The OER movement has joined other efforts on the opening up of information, culture, and knowledge. Platforms such as Wikipedia and YouTube have become synonymous with shared knowledge creation and the democratization of access to educational content. Creative Commons (CC), a set of free licenses that has quickly become the global standard for free culture, and almost synonymous with “openness”, is the license suit that is most used by these and other services in a converging movement between platform expansion and growth of open licensing initiatives.

According to official CC data, the number of resources made available with its licenses has grown from 140 million in 2006 to over 1 billion in 2016. Such expansion at first glance points to a huge increase in size, capillarization, and practices informed by the idea of OER. Notwithstanding some criticism of the methodology used to calculate the number of works with CC licenses (Downes, 2015), the movement has indeed grown, which is evident not only from its sheer number of cultural artifacts, but also from the number of licensed open access journals using CC licenses, and the political movement fostered by OER initiatives around the world.¹ In Brazil, the public sector (at the federal, state, municipal, and institutional levels alike) has been mobilized to enable public policies in OER, with significant successes (Amiel, Gonsales, & Sebriam, 2018). In fact, in a recent survey (Amiel & Soares, 2016), the state seems to be, at least in Latin America, the main catalyst in the construction of projects, policies, and initiatives to make educational resources available.

In light of these principles and goals, it can be hard to find someone who is against the idea of “open”. But to what extent such an idea, as well as the movement it has set into motion, is free of tensions and unimpeded by roadblocks? What are the possible gaps and breaches that could be found in these movements’ multiple possibilities of implementation, debate, and elaboration? And to what extent could these methods and tools serve as tools of liberation while they promote practices which are undesirable to specific educational communities?

In this paper, we focus on these issues by examining the practices of OER. In doing so, we find ourselves obliged to bring out the way different areas associated with openness relate to each other, and to address issues usually ignored by those who (like us) advocate for OER. We begin our discussion by discussing the concept of “open” in different spheres and the general context of the battle surrounding the usage of the term. We follow with brief notes on the origin of the concept of OER and how the OER movement fits—from a historical perspective—into the discourse of educational improvements through technologies and techniques, and—in the current scenario—into the phenomena of the appropriation of education activities by private oligopolies. We point out some Brazilian dilemmas in the implementation of OER in public policies and end up by mentioning some programs and projects that point us to fruitful paths.

¹A source of multiple policy initiatives is the OER World Map (<http://www.oerworldmap.org>).

5.2 The Battle for Open

The construction of the public sphere in the second half of the twentieth century was based on technology, in particular on the new promises of Information and Communication Technology (ICT), that would enable the free expression of ideas. This project was seen in the light of liberal ideals, being a sort of vaccine against the emergence of the erosion of democracy and authoritarian power. Thinkers like Popper (2002) and Kuhn (2012) constructed models of the advancement of science that pointed to equality of access to knowledge and the tools for acquiring it as essential tools for liberty. But this kind of discourse, structured around ideals of equality and openness can be misleading when the political and economic assumptions of “open” projects must be given concrete meaning, when actors have to make sense of conflicting goals, means and results (Hansen & Reich, 2015).

Weller (2015) suggests that there’s a (metaphorical) battle being waged on the meaning of the word “open”, when it comes to the internet and cyberculture in general. As certain interpretations gain hold, actors with countervailing interests try to modify and bend these meanings toward their own ends. One example is “openwashing”²: the use of the expression “open” by actors, generally corporate market participants working with a profit motive, that wish to associate themselves with the positive connotations of the concept but without adopting the collaborative and transparent practices that are also typically associated with it. One example would be organizations that advertise open courses without permitting the reuse of course materials, or only as samples of commercial materials.

At stake in the battle for the meaning of “open” is the conception of what is a common good and who the commons serves. One answer to the phenomenon of openwashing is creating bright-line, rigid definitions that separate open from non-open.³ A legalistic approach certainly gives clarity to the actors involved and aids policymaking. But these definitions are inevitably made in certain situated, local and political contexts, for certain ends. Being rigid, these rules may not attend to the needs of other communities at different times and contexts. And, as we shall see, even rigid rules can’t always impede the subversion of the commons by outside interests.

Although there is a battle for its meaning, the adjective “open” in technical contexts still refers mostly to the collaborative or collective aspects of the production of digital goods. One of the most influential analyses of the sociotechnical possibilities of digital and internet technologies is the book *The Wealth of Networks* by Benkler (2006), in which he coined the expression *commons-based peer production*. Among

²An expression that derives from *greenwashing* is used to describe practices that look like they are ecological and sustainable but in reality are not.

³See, for example, the definition of open at <http://opendefinition.org>, or, for OER, the “5R” criteria that was created by one of the pioneers of the OER movement to precisely open content (<http://www.opencontent.org/definition/>). Some even identify open with the use of particular Creative Commons license such as CC-BY: <https://open.bccampus.ca/2016/11/04/open-textbook-community-advocates-cc-by-license-for-open-textbooks/>.

the set of practices to which this concept refers are those adopted by communities responsible for the production of commons and public goods like Wikipedia, or open and/or free software like the code for the Apache Web server. Similarly, most early participants in the OER movement were motivated by the idea that OER could contribute to social justice and that the practices associated with the “open” ethos would fit in naturally with educational theories and values like collaboration, transparency, horizontality, and other values of the commons.

But there is another side to the concept of open, not less powerful in its capacity to mobilize attention. Where Benkler emphasizes collaboration, and the empowerment of local communities through the commons, other proponents of open practices defend its role in efficiency gains and interoperability, concepts that are associated with traditional market mechanisms (cf. Evangelista, 2010). For example, in the area of transparency and open government, calls for more openness are targeted differently for audiences with different political outlooks. For a conservative audience focused on so-called free markets and traditional liberal and individual rights, open advocacy can emphasize the economic efficiency gains of initiatives like opening government data to market actors. For this audience, open government fits in perfectly with an ideology of the minimal state and free markets. But at the same time, open government advocacy can also be targeted to people with other political convictions, for example as being about the empowerment of civil society, favoring participatory democracy and the collective construction of common services.⁴ If the same concept is capable to serve to rhetorical necessities of both sides of the political spectrum, the question arises: for whom and to what end the expression “open” is being put into play?

It’s commonplace—at least in the social sciences—to affirm that technologies are not neutral, that their use and meaning is at least in part political (Winner, 1993). Analogously, we can say that the concept of “open” and the sociotechnical discourses around it are loaded with political values, even though these are not expressed explicitly. Technologies, especially complex ones like those that mediate the creation and dissemination of cultural products, cannot be considered to be mere tools that can be used for good or for bad purposes. These technologies have structure, they facilitate certain uses and discourage others. Therefore, if open government can be used to advance distinct political and economic models, then the idea of “open” in education should also be analyzed critically with respect to the underlying assumptions that influence its goals and results. Open licenses, in particular, can be seen as a kind of legal technology that needs to be interrogated in this manner.

To show that these considerations are not merely theoretical, we now exemplify the risks of not doing the necessary critical analysis by pointing to some cases in areas that directly inspired the OER movement: open access, open source, and open culture in general.

Wikipedia is the canonical example of how the internet made possible large scale collaborative processes. Its success is undeniable in terms of volume of the material produced, and to a lesser extent in terms of its quality. However, research has shown that the project suffers from a lack of diversity of its contributors which in turn is

⁴See, for example, the Open Government Partnership (<https://www.opengovpartnership.org/>).