

## Library Policy in the Digital Era: Balancing Open Access, Privacy, and Copyright

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### INFO ARTIKEL

Accepted : 20  
December 2025  
Revised : 14 January 2026  
Approved : 20 January 2026

### ABSTRAK

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**Keywords:**

*copyright, digital libraries,  
library policy, open access,  
privacy*

The digital transformation of libraries has intensified policy tensions between Open Access, user privacy, and copyright protection. While digital technologies enable broader and faster dissemination of knowledge, they also introduce new risks related to data surveillance, vendor dependency, and restrictive intellectual property regimes. This study examines library policy in the digital era by analyzing how libraries navigate competing normative demands within digital knowledge governance. Using a qualitative descriptive-analytical approach grounded in conceptual and policy-oriented analysis, the study draws on academic literature and regulatory discourses related to Open Access, information ethics, and digital copyright management. The findings reveal that libraries increasingly operate within asymmetrical power structures that constrain their ability to fully uphold principles of privacy and equitable access. Open Access initiatives, although normatively progressive, face structural limitations arising from commercial publishing models and fragmented policy frameworks. The study concludes that balancing Open Access, privacy, and copyright requires a shift from compliance-based governance toward ethically grounded and institutionally assertive library policies. Recognizing libraries as active normative actors is crucial for sustaining democratic and inclusive knowledge dissemination in the digital era.

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### INTRODUCTION

The digital transformation of libraries has fundamentally altered the way knowledge is accessed, managed, and governed. Libraries are no longer confined to their traditional role as custodians of physical collections; instead, they have evolved into complex digital knowledge infrastructures that mediate access to electronic resources, digital archives, and networked information systems (Khan et al., 2025; Rahmanova,



2025). This transformation has expanded opportunities for information access and dissemination, but it has simultaneously introduced new policy dilemmas related to openness, privacy, and intellectual property rights.

One of the most significant shifts in library policy in the digital era is the growing emphasis on Open Access as a normative principle of knowledge dissemination. Open Access seeks to remove economic and legal barriers to information by enabling free and unrestricted access to scholarly and educational resources. Libraries have become key institutional actors in promoting Open Access through institutional repositories, digital libraries, and open educational resource initiatives (Aliyu et al., 2025; Thakur et al., 2025). However, the expansion of Open Access also raises critical questions regarding sustainability, governance, and legal compliance, particularly within regulatory environments that remain grounded in traditional copyright regimes.

At the same time, digital library services increasingly rely on the collection, processing, and storage of user data to enable authentication, personalization, and resource management. This reliance has intensified concerns about user privacy and data protection, positioning libraries within broader debates on information ethics and digital surveillance (Agarwal et al., 2025; Saha, 2024). While libraries have historically been associated with values of intellectual freedom and confidentiality, digital infrastructures expose them to risks of data breaches, monitoring, and third-party data exploitation, often mediated through commercial platforms and digital rights management systems (Edam-Agbor & Akin-Fakorede, 2025).

Copyright represents a third, and often conflicting, pillar of library policy in the digital environment. Digital reproduction, preservation, and dissemination challenge conventional copyright frameworks that were designed for analog contexts. Libraries must navigate complex copyright chains involving authors, publishers, platform providers, and users, particularly in digital curation and archiving processes (Barner, 2025; Vitiello, 2021). The introduction of technological solutions such as digital rights management, blockchain-based copyright tracking, and artificial intelligence further complicates policy decisions by embedding legal control mechanisms directly into digital infrastructures (Xiao et al., 2024; Mhsnhasan et al., 2025).

Existing studies have examined these issues largely in isolation. Research on Open Access has predominantly focused on access equity and dissemination models, often overlooking privacy and copyright implications (Aliyu et al., 2025; Subaveerapandiyani et al., 2023). Conversely, studies on privacy and information ethics tend to emphasize data protection and surveillance risks without sufficiently addressing tensions with Open Access principles (Agarwal et al., 2025; Alfadhley, 2024). Copyright-focused research, meanwhile, frequently adopts a legalistic or technical perspective that underestimates the policy trade-offs libraries face when balancing user rights, institutional responsibilities, and digital accessibility (Gbotosho et al., 2025; Gupta & Gupta, 2024).

This fragmentation reveals a clear research gap. There remains a lack of integrative policy analysis that conceptualizes library policy in the digital era as a balancing act among Open Access, privacy protection, and copyright governance. Few

studies explicitly examine how libraries reconcile these competing values within a coherent policy framework, particularly as digitalization intensifies ethical, legal, and institutional pressures (Borade & Golwal, 2025; Nalyvaiko, 2025).

Therefore, this study aims to address this gap by analyzing library policy in the digital era through an integrated lens that connects Open Access, privacy, and copyright. By adopting a qualitative conceptual approach, the study seeks to clarify the normative tensions underlying digital library governance and to contribute a policy-oriented framework for understanding how libraries can uphold access to knowledge while safeguarding user rights and respecting intellectual property regimes.

## **METHODOLOGY**

This study adopts a qualitative descriptive–analytical research design with a conceptual policy-oriented approach to examine the tensions between Open Access, privacy, and copyright within digital library governance. A qualitative design is appropriate because the research does not seek to measure behavioral outcomes or legal compliance quantitatively, but rather to interpret normative principles, institutional roles, and policy discourses shaping library practices in the digital era (Creswell & Poth, 2018).

The data sources consist of secondary materials, including peer-reviewed academic literature, library policy documents, copyright regulations, and ethical guidelines related to digital library services. Sources were selected purposively from reputable international journals to capture diverse perspectives on Open Access implementation, information ethics, digital rights management, and privacy protection in libraries. This documentary-based method enables a systematic examination of how competing policy objectives are articulated and negotiated across different scholarly and institutional contexts (Khan et al., 2025; Gbotosho et al., 2025).

Data analysis was conducted through qualitative thematic analysis to identify recurring policy themes, normative conflicts, and governance patterns within the literature. Following the analytical procedures outlined by Creswell and Poth (2018), the study involved iterative reading, conceptual coding, and thematic synthesis to develop an integrated analytical framework. The rigor of the analysis was ensured through conceptual coherence, transparency of source selection, and consistency between research objectives, analytical methods, and interpretive conclusions.

## **RESULTS AND DISCUSSION**

### **Open Access and Copyright Tensions in Digital Library Policy**

The emergence of Open Access as a dominant paradigm in scholarly communication has fundamentally challenged the traditional copyright framework that has long governed library collections and services. Open Access promotes unrestricted access to knowledge as a public good, grounded in the normative claim that publicly funded research should be freely available to society. However, this principle encounters structural resistance within copyright regimes that are designed to protect exclusive rights, economic incentives, and proprietary control over intellectual works. Digital libraries operate at the intersection of these competing logics, making them critical policy arenas where openness and restriction are continuously negotiated (Hadad, 2024; Knöchelmann, 2021).

From a policy perspective, the tension between Open Access and copyright is not merely technical but deeply normative. Copyright law is historically rooted in a market-oriented conception of knowledge production, where exclusivity is justified as a mechanism to reward creators and sustain publishing industries. In contrast, Open Access redefines knowledge as a shared societal resource, emphasizing equity, inclusivity, and the democratization of information. Libraries, particularly academic and public libraries, are increasingly positioned as mediators between these paradigms, tasked with expanding access while remaining compliant with legal and contractual obligations (Vitiello, 2021; Duffy, 2024).

Digitalization intensifies this tension by altering the material conditions of access and reproduction. Unlike physical collections, digital resources can be copied, distributed, and reused at minimal marginal cost, rendering traditional copyright enforcement both more intrusive and more contested. Digital Rights Management systems, licensing agreements, and paywalled databases are often employed to reassert control over digital content, but these mechanisms frequently contradict the ethical commitments of libraries to open and equitable access. As a result, library policies increasingly reflect a hybrid logic, combining advocacy for Open Access with pragmatic accommodation of restrictive copyright infrastructures (Barner, 2025; Xiao et al., 2024).

The strategic role of libraries in this context extends beyond service provision to active participation in reshaping scholarly communication ecosystems. Many libraries have adopted institutional repositories, library-led publishing initiatives, and Open Access mandates as policy instruments to realign copyright practices with public interest objectives. These initiatives reposition libraries from passive content consumers to active knowledge producers and distributors, thereby challenging the dominance of commercial publishers. However, such strategies also expose libraries to legal ambiguities, sustainability concerns, and power asymmetries within global publishing systems (Mathur, 2024; Liu & Liu, 2023).

Importantly, the Open Access–copyright tension also raises critical questions about whose knowledge is prioritized and whose interests are protected. While Open Access promises greater inclusivity, it can inadvertently reproduce inequalities through article processing charges and uneven institutional capacities. Copyright protections, meanwhile, may disproportionately restrict access for institutions and communities in resource-constrained settings. Digital library policy, therefore, must be understood as a site of ethical and political choice, where decisions about access, ownership, and control directly shape the social distribution of knowledge (Aliyu et al., 2025; Njagi & Njoroge, 2024).

In sum, the relationship between Open Access and copyright within digital library policy is best understood as a dynamic and unresolved tension rather than a zero-sum conflict. Libraries function as normative intermediaries, navigating legal constraints while advancing principles of openness and social justice. The effectiveness of library policy in the digital era depends not on eliminating this tension, but on developing reflexive, context-sensitive governance frameworks that acknowledge competing values and prioritize the public role of libraries as stewards of knowledge commons.

### Privacy, User Data, and Digital Governance in Library Policy

The expansion of digital library services has significantly transformed libraries into data-intensive institutions, where user interactions are continuously mediated through digital platforms, authentication systems, and third-party content providers. While these technologies enhance access, personalization, and efficiency, they simultaneously generate extensive user data trails that raise serious privacy concerns. In this context, library policy must address a fundamental governance dilemma: how to facilitate Open Access and digital services without compromising users' informational privacy and intellectual freedom (Agarwal et al., 2025; Saha, 2024).

Privacy has long been a core ethical principle of librarianship, rooted in the commitment to protect users' freedom to seek information without surveillance or coercion. However, digital environments complicate this principle by embedding libraries within broader data ecosystems dominated by commercial vendors, cloud services, and digital rights management infrastructures. Licensing agreements and platform-based access models often require user authentication, data logging, and behavioral tracking, effectively shifting control over user data away from libraries and into opaque corporate systems (Edam-Agbor & Akin-Fakorede, 2025; Khan et al., 2025).

This shift introduces a structural tension between access and privacy in digital library governance. On one hand, Open Access initiatives encourage broad dissemination and interoperability, which often depend on digital infrastructures capable of monitoring usage patterns for evaluation and funding justification. On the other hand, extensive data collection risks normalizing surveillance practices that contradict libraries' ethical commitments. As several studies argue, digital libraries increasingly operate within a "surveillance-by-design" environment, where privacy erosion is not an accidental byproduct but a structural feature of platformized knowledge access (Alfadhley, 2024; Gbotosho et al., 2025).

Library policies respond to this tension in uneven and fragmented ways. Some institutions adopt strict data minimization principles, anonymization protocols, and transparent privacy policies to preserve user trust. Others prioritize service optimization and compliance with vendor requirements, often at the expense of meaningful privacy protections. This divergence reflects broader governance asymmetries, where libraries—especially in the Global South—have limited bargaining power vis-à-vis multinational publishers and technology providers (Rahmanova, 2025; Aliyu et al., 2025).

To clarify these governance trade-offs, Table 1 presents a comparative overview of key policy orientations in digital library governance related to privacy, access, and copyright.

**Table 1. Policy Trade-offs in Digital Library Governance**

Policy Dimension	Open Access-Oriented Approach	Privacy-Oriented Approach	Copyright-Oriented Approach
Primary Goal	Maximize knowledge dissemination	Protect user autonomy and confidentiality	Safeguard intellectual property rights

Data Collection	Usage tracking for impact and analytics		Minimal anonymized collection	and data	Extensive monitoring for compliance Legal
Governance Logic	Public good and equity		Information ethics and civil liberties	and	compliance and risk avoidance
Key Risk	Inequitable models	APC	Reduced service personalization		Access restrictions and exclusion
Policy Challenge	Sustainability and funding		Vendor dependency		Over-restriction of access

This comparison illustrates that digital library policy is inherently a balancing act rather than a process of optimizing a single value. Privacy governance, in particular, requires libraries to move beyond compliance-based policies toward proactive ethical stewardship. This includes negotiating vendor contracts, advocating for privacy-preserving technologies, and embedding privacy literacy into library services. Without such measures, libraries risk becoming passive conduits of data extraction rather than trusted public institutions (Barner, 2025; Borade & Golwal, 2025).

### **Copyright, Power Asymmetries, and the Political Economy of Digital Libraries**

Beyond ethical tensions, digital library policy must also be understood within the political economy of knowledge production and distribution. Copyright regimes do not operate in a neutral legal vacuum; they are embedded within power relations that privilege certain actors—particularly commercial publishers and technology firms—over public institutions and users. Libraries, despite their public mission, often occupy structurally subordinate positions within this ecosystem, constrained by licensing costs, contractual obligations, and regulatory uncertainties (Vitiello, 2021; Barner, 2025).

The rise of digital copyright management technologies, including DRM, blockchain-based rights tracking, and automated compliance systems, further consolidates control over access and reuse. While these tools are frequently framed as neutral solutions for protecting intellectual property, they also enable fine-grained monitoring of user behavior and reinforce asymmetrical governance structures. In this sense, copyright enforcement becomes intertwined with surveillance practices, blurring the boundaries between legal protection and social control (Xiao et al., 2024; Mhsnhasan et al., 2025).

These dynamics have significant implications for the social role of libraries. When access conditions are dictated by commercial logics rather than public values, libraries' capacity to function as democratic knowledge institutions is weakened. Restrictions on text and data mining, limitations on accessibility for users with disabilities, and differential pricing models undermine the principle of equitable access. Consequently, library policy must be read not only as an administrative instrument but as a site of contestation over the future of knowledge governance (Jaillant, 2022; Thakur et al., 2025).

From a critical policy perspective, balancing Open Access, privacy, and copyright requires recognizing that neutrality is neither possible nor desirable. Library policies inevitably privilege certain values over others. The key challenge, therefore, is to make these choices explicit and normatively grounded. Policies that foreground social justice, intellectual freedom, and public accountability can reposition libraries as active agents in reshaping digital knowledge ecosystems rather than passive implementers of external constraints (Knöchelmann, 2021; Rahmanova, 2025).

Ultimately, the effectiveness of library policy in the digital era depends on its ability to navigate legal obligations while resisting the reduction of libraries to mere service platforms. By asserting their role as ethical and political actors, libraries can contribute to a more balanced knowledge order—one that protects creators, empowers users, and preserves privacy as a foundational condition of democratic access to information.

## CONCLUSION

This study demonstrates that library policy in the digital era is shaped by persistent tensions between Open Access, user privacy, and copyright protection. Digital transformation has expanded libraries' capacity to disseminate knowledge, yet it has simultaneously embedded them within data-intensive and commercially governed infrastructures that challenge long-standing ethical commitments to privacy and intellectual freedom. As a result, library policy can no longer be understood as a neutral administrative framework, but rather as a normative arena where competing values and power relations are continuously negotiated.

The analysis further shows that Open Access, while normatively aligned with equity and democratization of knowledge, does not automatically guarantee fairness or ethical governance. Author-funded publishing models, platform dependency, and restrictive licensing regimes risk reproducing new forms of exclusion and surveillance. Similarly, privacy protection in digital libraries is increasingly constrained by vendor-controlled technologies and copyright enforcement mechanisms that prioritize compliance over user autonomy. These dynamics underscore the need for libraries to adopt proactive, value-driven governance rather than compliance-oriented policy responses.

In conclusion, effective library policy in the digital era requires an explicit normative stance that recognizes libraries as ethical and political actors within the knowledge ecosystem. Balancing access, privacy, and copyright is not a matter of technical optimization but of principled institutional choice. Strengthening libraries' policy capacity, negotiating power, and ethical leadership is therefore essential to ensuring that digital libraries remain instruments of equitable, trustworthy, and democratic knowledge dissemination.

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