Preface

Copyright law is intrinsic to the functioning of libraries. It protects incentives for creators to produce and share the works that fill our institutions whilst providing a legal framework for the use and preservation of these works. Copyright enables libraries, through exceptions and limitations, to fulfil a public good: empowering our communities both now and in the future to create, communicate, discover, access, use and preserve knowledge and information.

Copyright law can be extremely difficult to navigate. The complexity is increasing in the digital environment. New technologies have necessitated the revisiting of key concepts in copyright law such as copying, communication to the public and, in the cases of artificial intelligence, the very definition of the creator of a work. Despite the increasing complexity, or perhaps because of it, librarians and other information professionals play an essential role in clarifying and testing the application of copyright law and particularly of exceptions and limitations to creators’ rights in pursuit of the fulfilment of the societal function of the institutions they serve.

Librarians support the production of knowledge by promoting copyright literacy and educating users, and creators, on their rights. In addition, from an International Federation of Library Associations and Institutions (IFLA) perspective, there is the role that the profession plays in making the case for balance in the copyright system between the rights of creators and the rights of users. This balance is constantly under threat of erosion in favour of stronger control for rightsholders but information professionals, through collaboration with other stakeholders, can successfully redress imbalances. There are legal mechanisms, such as open licensing and rights retention, that can be deployed by creators to ensure equitable and effective access to and maximum public benefit from their work.

As a primer on the relationship between copyright law and libraries, this book sets out to provide librarians and information professionals with the grounding necessary to understand and articulate how copyright law and library functions interact, consider approaches to supporting copyright literacy, and engage more fully with copyright policy and advocacy at local and international levels.

The target audience for this book is broad. It should be of interest to both students in librarianship and early career information professionals seeking a general grounding in copyright law and libraries along with those in the profession who have been engaged with copyright for some time and wish to stay abreast of recent and emerging international developments. Although not intended as an academic legal text, the book may also be of use to lawyers and legal academics seeking insight into the practical implications of copyright law for libraries.

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As a librarian who first ventured into the world of international copyright advocacy almost ten years ago, I now know that this book constitutes the primer that I needed. Instead, I was lucky to be educated by the more experienced members of the IFLA Standing Committee (now Advisory Committee) on Copyright and Other Legal Matters (CLM) and the many legal experts with whom IFLA collaborates on important overarching issues of access to information and freedom of expression. Several of these experts have contributed to the book, no doubt recognising that to continue to make the case effectively for balanced copyright, the global capacity of librarians must be enhanced and increased to engage with the issues. The very existence of IFLA CLM denotes the vital importance of taking action to deliver copyright reforms and promote open knowledge. It is therefore unsurprising that CLM is where the idea for a book on libraries and international copyright law was first proposed by then committee member Tom Lipinski in 2018. In 2019 the project moved forward with the appointment of three editors drawn from current and past CLM committees: Jessica Coates, Victoria Owen and Susan Reilly.

From the outset we, the editors, have had a clear vision for this book as an open and accessible primer which would provide librarians with a solid grounding in the origins and fundamentals of copyright law, and insight into the international dimensions of copyright law both in terms of what is currently at risk and what can be achieved with effective advocacy. Editors and authors alike were keen to put these ideas into practice and publish the book under a Creative Commons attribution licence. We would like to acknowledge the role of the IFLA Professional Committee in securing the funding to cover the cost of making this book open access.

As work on the book progressed, we began to think of it as an open education resource (OER). We expect and hope that parts of the book will be reused, remixed, translated, updated and integrated into local or more targeted educational resources. Although the book is structured in thematic sections each chapter is intended to stand alone. This occasionally results in some repetition, but it also allows the chapters to be more easily reused and reflects the varying levels of knowledge of the target audiences.

Although three years is a short span of time relative to the hundreds of years that copyright laws have been in existence a great deal has happened since the first planning meeting between the editors, IFLA Series Editor, Janine Schmidt, and then IFLA Officer, Camille Françoise, in Athens in August of 2019. We did not realise then that it would be our last opportunity to meet in person before the finalisation of the book. The global pandemic has highlighted inequities in access to information more clearly than ever before and emphasised the imperative to facilitate timely access to knowledge on a global scale. The new and unprece-
dent context makes the contents of this book all the more relevant today and has also left the editors with the feeling that several more chapters on emerging issues could have been added had time and resources allowed.

This book is dedicated to every librarian who has taken the time to read and interpret their national copyright statues in the hope of finding a solution to an access challenge, and to those who have spoken up and continue to highlight inequalities in access to information and call for change. The road may be long but you are not navigating alone.

Susan Reilly