



UNVEILING THE SHADOWS: EXPLORING SHADOW LIBRARIES AND BLACK OPEN ACCESS IN THE DIGITAL AGE

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Abstract

This article examines the phenomenon of shadow libraries and black open access in the context of the rapidly changing academic library environment. Shadow libraries are alternative systems that provide unauthorized access to large collections of knowledge and intellectual and research content. The article analyses the moral and legal implications of these libraries, their impact on the traditional academic publishing system, and the consequences of their emergence for the global openness and democratization of knowledge in academia.

The paper addresses the ethical and legal dimensions of shadow libraries, on the one hand, as illicit micro-infrastructures that facilitate the unlicensed sharing of scholarly outputs; and, on the other, as alternate infrastructures that unsettle the routinised scholarly publication practices of academia. In the process, it reflects on the implications that these libraries have for democratizing access to knowledge in universities, and for the democratization of knowledge access more globally. The study foregrounds the secret lives of these other commons. It attempts to contribute to a difficult conversation on alternative forms of knowledge commons, in this case, the scholarly knowledge commons.

The article aims to analyze how scholarly communication, knowledge access and technology are getting reconfigured through such shadow libraries; it also delves into the specific challenges that shadow libraries in India suffer from and the attendant legal issues, and how all this might further affect publishing and academia. This critical account thus finds its place in a context of understanding how shadow libraries represent an element of complexity that is growing with digitality.

Keywords: *Shadow Libraries, Black Open Access, Digital Age, Academic Libraries, Intellectual Property, Unauthorized Access, Ethical Issues, Legal Challenges, Alternative Information Pathways.*

INTRODUCTION

In the rapidly evolving digital landscape, the concept of "shadow libraries" and "black open access" have emerged as alternative approaches to traditional academic publishing. These platforms challenge the status quo by providing free access to a wide array of materials, including copyrighted content, and seek to democratize scientific knowledge. The paper will discuss the evolution of the phenomenon from its beginning to what it is today; the recipient of massive controversy. Shadow libraries strengthen an experience of crisis in academic instruction and investigation. They raise legal issues with regard to the protection of the properties but also in regarding criminal laws.

Black open-access mediums have become increasingly popular over the years as sources of content to which the students or researchers would typically not be granted access. Functioning at the intersections between the more conventional academic journals, often participating in what would be legally defined as illicit conduct that covers such things as piracy of copyrighted material, such platforms are inherently unethical.

During the period of such technological advancement and availability of information in our society, it is rather clear how factors related to the flow of knowledge exist. It is therefore apparent that the shift of paradigm has significantly impacted the manner in which such a population share and retrieves scholarly and educational material due to its size. Nevertheless, not all changes are innovations for the better: shadow libraries and black OA are the issues that appeared to be worrying. The concept of having these archive repositories as a subterranean kind of information storage undermines the conventional methods of knowledge dissemination and puts the issues of ownership and equity of knowledge into question.

The Concept Of Black Open Access

The emergence of Black open access has also raised concerns with regard to intellectual property rights in relation to known or known creative industry and the digital economy in general. Alongside rise of shadow libraries, the



figure of Black open access also provoked interest among the communities associated with academic and research activities (Bjork, 2017).

Publications that have been illegally disseminated and made freely available to the general public are referred to as "Black OA". These publications have circumvented paywalls, the same as in shadow libraries, but not limited to academic works only. This type of open access is a direct encroachment into the areas of copyright law and publishing structures as a whole as many works of art and culture can freely be accessed community without the costs of seeking explicit permissions from the holders of rights (Suber, 2012).

As digital content become easier to access in both legal and illegal means, the issues surrounding Black open access become increasingly of concern to policy makers as well as creators and consumers. This is important as it enables one to understand the problem of ethics and the issue of copyright regulation and access to works of culture and creativity. Black open access further seems to offer an alternative viewpoint to the understanding of copyright and publication industry where larger parts of creative works that can be made available for use without consent

Understanding Shadow Libraries

Shadow libraries, often referred to as "academic pirate" or "guerrilla open access," represent digital repositories that provide access to copyrighted content without obtaining consent from the copyright owner (Morrison, 2017). These mediums offer an alternative to conventional academic publishing, which often restricts access to scholarly work through paywalls. As academicians and researchers strain to exchange and access knowledge free from financial or legal restrictions, such platforms have grown popularity recently. "Unethical research trend: shadow libraries" (Asim and Sorooshain, 2018) explores the relevance of access to literature for academics and the unethical trend of shadow libraries offers more ideas on this subject. It also offers insights of unique aspects of open-access publishing. Although shadow libraries emerged "at the peripheries of the globalizing world of scholarly publishing," they also solved problems at the "center" by reducing financial and other constraints

Recognizing the motivations for the creation and functioning of shadow libraries elucidates broader issues related to knowledge access in the digital era (Ostrumbleoukhova, 2021). The virtuous attentions associated with shadow libraries have gained significance, particularly with the intricate issues related to copyrights and the viability of academic publishing. Similarly, the growing number of shadow libraries has forced publishers to rethink how they provide access to the scientific and scholarly literature. Some contend that the development of shadow libraries emphasizes the necessity of more sustainable and affordable approaches of scholarly publishing.

The intellectual perceptions on shadow libraries are further explored in "Shadow Libraries" by Karaganis (2018). Also, the publication "Bringing Shadow Libraries out of Legal Shadows: An opportunity for the Delhi High Court," by Rahul Bajaj and Anchal Bhateja, delivers important legal acumens regarding shadow libraries. These studies offer an in-depth assessment of the multifaceted issues related to shadow libraries and their effects on the scholarly community.

Shadow Libraries And Black Open Access Platforms

Some of the most notable shadow libraries and black open-access platforms include:

Sci-Hub: Sci-Hub is a widely used black open access repository which provides free access to publications behind paywalls through the fraudulent use of existing licensee accounts. Alexandra Elbakyan, a researcher, and software engineer, launched Sci-Hub in 2011. Initially, the service was mainly used by Russian researchers, but quickly gained popularity in other countries. If a user-requested article is not in its database, Sci-Hub uses library accounts to insource it from publisher websites (Buehling et al. 2022). It avoids restricted access to content hence it does not need to pay for subscription or access content that has been copyrighted. The platform has faced charges related to law suits because of issues to do with copyright (Himmelstein et al., 2018).

Library Genesis (LibGen): Library Genesis is a popular Shadow library which contains millions of books, articles, and papers of students. It serves as a library of scholarship and has had issues with copyright infringement, that is distributing materials without permission.

Z-Library: Z-Library, or z-lib, is an occult library project that provides a file-sharing opportunity to a vast array of intelligential articles, journals, college textbooks, and other bestselling book publications. Initially, it was created as the clone of Library Genesis, but expanded the range of sources rather noticeably. According to Z-Library, it provided access to more than 35 million books and 84 magazines' worth of copy claim that Super indeed quenches people's thirst. Continue as being one of the largest e-book libraries of the world and containing 8 million articles as of February of 2023.

BookZZ: BookZZ was another black open access website that offered users to read millions of books of different genres. It offered consumers free downloadable e-books for enthusiasm, but it was closed because of legal prosecutions from publications.

#icanhazpdf: With regards to the academic context, #icanhazpdf is the handle that people use to ask for access to a specific paper. One posts a request for specific academic papers and another person may reply with the



requested papers. It serves as an organism, which is not accredited, but has an opportunity to distribute the copies of the protected material through other channels than academic ones (Swab & Romme, 2016).

ResearchGate: ResearchGate is a social site for the presentation of authentic profile, project and publication sharing, and networking among professionals related to research. However, it has been in problems and controversies concerning the hosting of copied research papers without the permission of the proprietors of the copyrights.

Research Hub: Research Hub is a shadow library that provides access to research papers, articles, and other scholarly content. It operates as a repository for academic materials and has been the subject of legal scrutiny due to copyright infringement.

These examples illustrate the diverse landscape of shadow libraries and black open access platforms, which have gained attention for their role in providing unauthorized access to copyrighted scholarly materials. While they aim to address issues of access and affordability in the academic publishing industry, they also raise ethical and legal concerns related to copyright infringement and the financial sustainability of academic publishing.

The Controversy Surrounding Black Open Access

The Black open access is quite explicit and has intense furtherance to the creative industries as well as the digital commercial world. Besides scholarship loss, the unauthorized sharing of copyrighted materials in mass extends a range of cultural and creative performances and therefore poses a threat to conventional copyright legal frameworks and distribution strategies (Suber, 2012). This had stirred up debates on how it affects intellectual property rights, sustainability of the creative industries and digital economy. Ambiguities between legal and illegitimate avenues with regard to the distribution of digital content have forced policy makers and consumers, authors and artists collectively look at the legal aspects of copyright involving distribution of culture and creative products.

In addition, the symbiosis of shadow libraries and Black open access introduces another level of the reconfiguration of access to information and knowledge. Both of these examples of piracy bring into focus issues of ethical and legal usage of material even in the extensive and virtually limitless domain of cyberspace. These processes have produced discourses that include emerge culture, free access to knowledge, the protection of the intellectual property rights at the age of virtuality, and the solvability of conventional publishing markets.

Thus, the effects of shadow libraries on the conventional libraries remain questioned and discussed among scholars and researchers. Three-quarters of respondents said they use shadow libraries, creating difficult questions for publishers and an exciting future for libraries and metadata. Thus, shadow libraries that offer scholars the possibility to obtain academic content in an illegitimate way, influence the traditional libraries to focus on the problems of access and distribution of academic materials. There is correlation between these two systems, and it is essential for defining the further development of academic publishing and openness of the knowledge.

Ethical Considerations Vs. Challenges And Legal Implications

The rise of shadow libraries and black open access has sparked a debate about the ethical considerations surrounding these platforms. Black open access has seen this need and has responded with a novel, albeit illegal, change. As a result, academic research publishers need to change the way stakeholders see things in order to make the law changes that are needed. Another unique problem of shadow libraries is the regularity with which they infringe upon Indian and international copyright laws. These sites usually contain large amounts of text and knowledge in the form of articles in scientific journals, books, and other publications, the use of which without the permission of the holders of the copyright. This creates ethical issues on issues to do with piracy and sharing on prohibited content affecting authors and publishers' right. Compared to the green and gold open access models, the pirate black open access model has emerged as the dominant one. It affects the profitability of journals in academic publishing because publishers and other stakeholders earn their income from sales of materials with Journals.

On the other hand, proponents of shadow libraries and black open access argue that these platforms are essential for promoting equitable access to scholarly materials. They point out that the high cost of accessing academic literature can be a barrier for many individuals, particularly those in developing countries or from marginalized communities. Shadow libraries and black open access provide a means for these individuals to access the information they need to engage in scholarly research and academic discourse.

Apart from the ethical issues, legal challenges can also be observed in the case of shadow libraries in India. More on copyright law, the Copyright Act, 1957, that reigns in India does not allow for the replication and distribution of copyright material. The act bestows the owners of copyrighted works the exclusive right to reproduce the work in any form or any media, to distribute the work and to communicate the work to the public. Hence, such shadow libraries as, for instance, Sci-Hub, which grant unauthorized access to copyrighted works can be in direct violation of the Copyright Act, and thus entail certain legal repercussions for the platforms' owners.



Likewise, the situation with shadow libraries in India might also remain detrimental to the academic society, though to some extent only. Even though these platforms provide a number of scholars an opportunity to work with otherwise inaccessible journal and periodical material they skew the scholarly publishing model possibly detrimental to the output and dissemination of studies. Such a situation may, in a way, create a challenge to the continuous development of academic research and deliberation in India.

It is imperative that India suit the challenges and the laws related to the shadow libraries through a combination of measures. There is a need to create awareness to users especially the undergraduate students regarding the costs of ethics and legal ramifications of downloading and sharing of content through these sites. Additionally, efforts to promote legal sources of access to academic literature, such as open access initiatives and affordable academic library subscriptions, can help mitigate the demand for shadow libraries (RamMohan & Gupta, 2022). Therefore, it is clearly observable how these "shadow libraries" and their legal aspects cause problems which creates concerns about copyright violations, moral issues, and the effects on people in academia and the publishing industry.

Saleem et al. (2017) took the stance on a more fundamental level that for science to be true to its own ethics, illegal practices should not be pursued even for the sake of progress.

Impact Of Shadow Libraries And Black Open Access On Academic Libraries

Shadow libraries and black open access have had a significant impact on academic libraries, as these platforms have challenged the traditional subscription-based model of academic publishing and have forced academic libraries to reconsider their collection development and access strategies. "The scholarly communication system is currently supported by financial mechanisms that are tied to the fact that publishers own the intellectual property rights to a major component of the scholarly record. We are currently experiencing a shift in the way that journals are funded, away from a subscription-based paradigm and toward an open access setting where the cost of publishing is covered by other sources, like article processing fees and library consortium financing." (Lawson 2017). This shift towards open access publishing also tends the increase usage of open access resources. In terms of finding open access resources, there are high probabilities that the resources procure by the libraries tends to decrease in usage and consulted. This may lead to the more use of shadow libraries or black open access. Ultimately this will impact the usage of resources subscribed by the libraries. This matter needs a serious diagnosis by all the information scientists, libraries, and publishers so that the fear of such a decrease in demand for the traditional resources restrict the libraries to shift the struggle towards lobbying for the open access and other publishing models. This ever-changing environment forces libraries to engage responsibly with the issues pertaining to copyright laws and intellectual property rights.

Additionally, the rise of shadow libraries and black open access has increased pressure on academic libraries to advocate for open-access publishing and support alternative publishing models. Libraries are increasingly involved in initiatives to promote open access, such as institutional repositories and open-access publishing funds, in response to the changing landscape of scholarly communication (Karaganis, 2018). The spread of shadow libraries and black open access has also raised questions about the ethical and legal implications of accessing and distributing copyrighted content. Academic libraries must navigate the complexities of copyright law and intellectual property rights to responsibly provide access to scholarly materials while upholding legal and ethical standards.

CONCLUSION

Black open access and shadow libraries are the matter of serious consideration in the academic publishing environment. These platforms may put the academic publishing in a endanger situation as the main concern is the violation of copyright. The impact of shadow libraries and black open access will lead to the reshaping of academic ecosystem through the exploration of various fields such as copyright, intellectual property, credit of scholarly content, citations, piracy of information, authenticity of resources etc. These arguments define a specific historical period that develops the future of the information space and the distribution of cultural products.

Shadow libraries and black open access help to solve issues regarding the usage and distribution of research materials while academics are still working for answers to those challenges and search for additional means of support for the free access to the literature. The interconnection between such paranormal entities and standard scholarly publishing paradigms while pointing at the need for constant deliberations on the ethical, legal, and developmental perspectives of research dissemination. This journey through the dark side, however, reveals the fact that there is one more side of the coin: on the one hand, the scholar has an opportunity to access useful materials offered by these platforms, on the other, the issues of piracy and the consequences which may occur in the scientific publications sphere cannot be ignored.

The provided platforms such as Sci-Hub, Library Genesis and others reflect the complex morphology of the shadow libraries and Black open access initiative. Although they serve important purposes of providing access to copyrighted materials and reducing the costs of academic resources, they also question ethical and legal aspects, which could be illustrated by cases involving Sci-Hub and Library Genesis.



Getting into the analysis of the problems and legal aspects associated with shadow libraries in India, which is regulated by the Copyright Act of 1957, a complex approach is considered indispensable. This being a wake-up call to many an academic, legal consequences notwithstanding, more awareness, ethical scrutiny, and spreading of legal access to academic materials must also be called for.

Overall, the discourses regarding shadow libraries and Black open access are the manifestations of a new wave of changes in the academic and digital sphere. This being the case, it becomes the responsibility of stakeholders, namely scholars, policymakers, publishers, and librarians, to deliberate on such issues with a vision of making adjustments that will aim at achieving the ideal aim of promoting access to knowledge as a positive human right while at the same time respecting and upholding the legal and ethical demarcations of scholarly conduct. This line of conversation will certainly reveal deeper insights into the nature of the shadows that will shed light on the ways towards a better future in terms of inclusiveness, sustainability, and ethicality of scholarly communication.

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