

# Legality of the Use of Generative Artificial Intelligence in Library Reference Services: An Analysis of Copyright and the Transformative Use Doctrine

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## ABSTRACT

This study aims to provide an in-depth analysis of the legality of the use of Generative Artificial Intelligence in the context of academic library reference services, with a particular focus on Law Number 28 of 2014 on Copyright and the doctrine of transformative use. The research employs a normative juridical method using statutory, conceptual, and comparative approaches, drawing upon primary, secondary, and tertiary legal materials. The findings indicate that, although Generative Artificial Intelligence offers revolutionary efficiency in information retrieval and knowledge management, there exists a legal gap regarding the status of artificial intelligence as a legal subject of authorship in Indonesia, as Article 1 point 2 of Law Number 28 of 2014 explicitly requires human involvement. The use of copyrighted data for artificial intelligence training (data scraping) potentially infringes upon the economic rights of authors as stipulated in Article 9 of the same law. However, such use may be justified through a progressive interpretation of the transformative use doctrine within the framework of copyright limitations for educational and research purposes as provided under Article 44 paragraph (1). In conclusion, the legality of Generative Artificial Intelligence utilization in libraries largely depends on its non-commercial purpose and the role of librarians as ethical gatekeepers. Therefore, adaptive regulatory frameworks are required to balance the protection of authors' exclusive rights with the advancement of information technology innovation in the digital era.

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## 1. INTRODUCTION

The library sector, particularly within higher education institutions, is currently positioned at the epicenter of a wave of information technology disruption driven by

the emergence of Generative Artificial Intelligence (GAI). This digital transformation is no longer merely a shift from physical to digital formats, but rather a fundamental change in the way knowledge is produced, managed, and accessed by the academic

community. Academic libraries have evolved from mere repositories into data-driven knowledge management centers, where librarians are required to manage research big data while maintaining academic integrity [1], [2], [3].

The emergence of Generative Artificial Intelligence platforms has significantly transformed the paradigm of reference services. Services that traditionally relied on direct interaction between users and librarians can now be performed automatically through the integration of intelligent virtual assistants. However, behind this efficiency lies a set of complex legal challenges related to copyright regimes. The principal legal framework governing intellectual property protection in Indonesia is Law Number 28 of 2014 on Copyright, which grants exclusive rights to authors over their works in the fields of science, art, and literature [4], [5], [6].

These legal issues are inherently multidimensional. First, the training process of Generative Artificial Intelligence requires massive datasets obtained through data scraping techniques from copyrighted works without explicit authorization, potentially infringing the reproduction rights stipulated under Article 9 paragraph (1) of Law Number 28 of 2014 on Copyright. Second, the legal status of AI-generated outputs remains ambiguous, as Article 1 point 2 and Article 1 point 27 of the same law explicitly define an author as a natural person or a group of persons, thereby excluding machines as independent legal subjects. Third, the question arises as to how the doctrine of transformative use can be adapted to legitimize the use of copyrighted works for educational innovation within library services [7], [8], [9], [10], [11], [12].

The urgency of this research is further reinforced by recent regulatory developments, such as Circular Letter of the Minister of Communication and Informatics Number 9 of 2023 on Artificial Intelligence Ethics, which provides ethical guidelines for electronic system operators. Additionally, the Ministry of Higher Education, Science, and Technology has issued the 2025 Guidelines for

the Use of Generative Artificial Intelligence in Higher Education Learning as a reference for academic communities. This study aims to analyze the legality of such technological utilization by examining the limitations set forth in Law Number 28 of 2014 on Copyright and assessing the relevance of the transformative use doctrine through the lenses of utilitarianism and progressive law theory [13], [14], [15], [16], [17].

## 2. LITERATURE REVIEW

### 2.1 Transformation of Library Services and Artificial Intelligence

The evolution of academic libraries has shifted from physical repositories to data-driven knowledge management centers, where librarians are required to manage research big data. The utilization of Generative Artificial Intelligence (GenAI) through virtual assistants and chatbots, such as ChatbotWIDYA, has been shown to significantly enhance the efficiency of reference services, with User Acceptance Testing accuracy reaching 95% [1], [2], [3], [4].

Despite offering revolutionary efficiency in information retrieval, the role of librarians remains crucial as guarantors of information integrity, particularly in mitigating the risk of machine “hallucinations.” The implementation of this technology in educational institutions must therefore adhere to principles of transparency and accountability, as emphasized in Circular Letter of the Minister of Communication and Informatics Number 9 of 2023 [6], [13], [16], [17].

### 2.2 Legal Subject Status and Copyright of AI in Indonesia

Based on Article 1 point 2 of Law Number 28 of 2014 on Copyright, the concept of authorship in Indonesia is inherently anthropocentric, explicitly defining an author as “a person or several persons.” This places artificial intelligence merely as a supporting tool rather than an independent legal subject, as it lacks

human creativity and intellectual processing [7], [18], [19], [20], [21].

Works generated entirely by machines without human intervention are therefore categorized as part of the public domain. However, copyright protection may still be granted to human users if there is significant involvement, particularly through prompt engineering and substantial editing processes [22], [23], [24], [25], [26], [27].

**2.3 Transformative Use Doctrine and Copyright Limitations**

Although the term “transformative use” is not explicitly recognized in Indonesian legal regulations, its criteria can be inferred from Article 44 paragraph (1) of the Copyright Law concerning the use of works for educational and research purposes. The use of artificial intelligence may be considered transformative insofar as it generates new added value, such as summaries or pattern analysis, which differ in purpose from the original work [7], [28], [29], [30].

Furthermore, Article 47 of the Copyright Law provides flexibility for libraries to reproduce works for research purposes. From a theoretical standpoint, this legal justification aligns with utilitarianism, which prioritizes the broader social benefit of access to information over the potential individual losses of copyright holders [7], [31], [32], [33].

**3. METHODS**

This study employs a normative juridical legal research method, which examines law as a system of norms consisting of principles, rules, and statutory regulations. The approaches applied include the statutory approach to analyze Law Number 28 of 2014 on Copyright, Law Number 1 of 2024 concerning the Second Amendment to Law Number 11 of 2008 on Electronic Information and Transactions, and Law Number 27 of 2022 on Personal Data Protection [7], [34], [35].

Primary legal materials encompass national legislation and ratified international conventions. Secondary legal materials consist of legal textbooks, scholarly journal articles, and the resolutions of the 4th Indonesian Higher Education Library Conference (KPPTI-4) in 2025 concerning artificial intelligence ethics. Tertiary legal materials include legal dictionaries and encyclopedias that provide guidance on primary and secondary sources [5].

The analysis is conducted qualitatively through a deductive process, in which legal norms are interpreted progressively to address the challenges posed by digital technology.

**4. RESULTS AND DISCUSSION**

**4.1. The Dynamics of Generative Artificial Intelligence Utilization in Reference Services**

The integration of artificial intelligence into digital library services has established a new standard in the interaction between users and information resources. This technology not only facilitates information retrieval but also enables in-depth content analysis [1], [3], [4].

Table 1. Artificial Intelligence Tools

Artificial Intelligence Tools	Primary Function in Reference Services	Strategic Benefits for Libraries
Chatbot (e.g., ChatbotWIDYA)	24/7 online customer service	Instant responses with User Acceptance Testing accuracy reaching 95%
Scispace / E-Library Platforms	Cross-language scientific article analysis	Accelerates comprehension of foreign literature and bibliographic searches

Artificial Intelligence Tools	Primary Function in Reference Services	Strategic Benefits for Libraries
VOSViewer / AI-Bibliometrics	Mapping research trends and citations	Assists in identifying research novelty visually
Integrated Online Public Access Catalogue	Interest-based collection recommendations	Enhances personalized information retrieval accuracy

Source: Processed primary data (2026)

These implementations provide significant efficiency gains. However, librarians remain indispensable as guarantors of knowledge integrity, responsible for verifying machine-generated outputs to prevent misinformation and artificial intelligence “hallucinations” [6], [17].

#### 4.2. *Legal Subject Analysis: The Position of Artificial Intelligence in Copyright Law*

The integration of artificial intelligence into digital library services has established a new standard in the interaction between users and.

Based on Article 1 point 2 of Law Number 28 of 2014 on Copyright, authorship is exclusively defined as “a person or several persons.” This reflects the anthropocentric nature of Indonesian copyright law, where legal protection is granted only to natural persons due to the presence of creativity, intellectual effort, and imagination expressed in tangible form [7], [18], [19], [21].

Artificial intelligence is therefore positioned as an object of law or a supporting tool rather than an independent legal subject. Consequently, works generated entirely by machines without human creative intervention do not meet the requirements for copyright protection and fall into the public domain. However, copyright protection may still be attributed to human users when there is significant involvement, particularly through prompt engineering and substantial editing [20], [22], [23], [25], [26], [27].

#### 4.3. *Legal Subject Analysis: The Position of Artificial Intelligence in Copyright Law*

The training process of Generative Artificial Intelligence involves data scraping, which often

utilizes copyrighted works without authorization. From a legal perspective, unauthorized reproduction for commercial purposes constitutes a violation of economic rights under Article 9 paragraph (3) of Law Number 28 of 2014 on Copyright [8], [9], [10], [11], [12].

Nevertheless, libraries as non-profit institutions possess a degree of legal flexibility. Article 43(d) of the same law provides an exception for the reproduction of content through information technology media, provided it is non-commercial and supports innovation. More specifically, Article 47 allows libraries to reproduce a single copy of a work for research purposes. These provisions create a limited legal space for the utilization of artificial intelligence within library services [7], [18].

#### 4.4. *The Transformative Use Doctrine in the Indonesian Legal Context*

Although the term “transformative use” is not explicitly codified in Indonesian law, its underlying principles can be inferred from Article 44 paragraph (1) of the Copyright Law. The use of copyrighted works is considered permissible when intended for education, research, and scholarly writing, as long as it does not prejudice the legitimate interests of the author [7], [28], [29], [30].

The application of artificial intelligence in reference services may be classified as transformative, as it generates new added value—such as summaries, interpretations, and pattern analysis—that differs from the original purpose of the work. This transformation supports the advancement of knowledge

while maintaining a balance with the economic interests of copyright holders [8], [10].

#### 4.5. *Utilitarianism and Progressive Legal Perspectives*

From the standpoint of utilitarianism, as articulated by Jeremy Bentham, the law should aim to achieve “the greatest happiness for the greatest number.” The utilization of artificial intelligence in libraries democratizes access to information, thereby generating greater public benefit for academic advancement compared to potential individual losses suffered by copyright holders [31], [32], [33].

In line with this, the Progressive Legal Theory of Satjipto Rahardjo emphasizes that “law is for human beings,” meaning that legal norms must remain adaptive and responsive to societal and technological developments. Legal practitioners and librarians are therefore encouraged to adopt progressive interpretations of copyright law to maintain its relevance in the digital era [36].

#### 4.6. *Ethics, Accountability, and Responsibility*

The implementation of artificial intelligence must comply with Circular Letter of the Minister of Communication and Informatics Number 9 of 2023 on Artificial Intelligence Ethics, which emphasizes principles of transparency, accountability, and personal data protection in accordance with Law Number 27 of 2022 on Personal Data Protection [6], [13], [17], [35].

Libraries are required to transparently disclose the use of artificial

intelligence systems and ensure the application of a human-in-the-loop approach to maintain academic integrity and prevent plagiarism. Legal responsibility for system errors remains attributable to human actors or institutional operators, as stipulated under Article 1367 of the Indonesian Civil Code [6], [16].

## 5. CONCLUSION

This study concludes that the utilization of Generative Artificial Intelligence in library reference services possesses strong juridical legitimacy in Indonesia through the framework of copyright limitations for educational purposes, as stipulated in Article 44 paragraph (1) and Article 47 of Law Number 28 of 2014 on Copyright. Although this technology is not recognized as a legal subject of authorship due to the anthropocentric definition embedded in the law, its use as an informational tool may be justified through the doctrine of transformative use and the principle of utilitarianism in pursuit of broader public benefit.

Transparency and librarian oversight remain essential in safeguarding academic integrity and ensuring compliance with ethical standards as regulated in recent ministerial policies. To enhance legal certainty in the future, it is recommended that the government promptly enact a Presidential Regulation on Artificial Intelligence, which is currently in the finalization stage, in order to provide a more comprehensive national policy framework for educational institutions and the creative industry.

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