Freedom of access: ethical dilemmas for Internet librarians

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Introduction

The International Federation of Library Associations and Institutions Committee on Free Access to Information and Freedom of Expression (IFLA FAIFE) project on ethics of librarianship[1] is widely known as an initiative within the International Federation of Library Associations and Institutions (IFLA) to defend and promote the basic human rights defined in Article 19 of the United Nations Universal Declaration of Human Rights.

Codes of ethics adopted by library associations in 30 world countries are available on the FAIFE website[2]. As each country has its own distinctive features, some code texts required comment, prompting Professor R. Vaagan of Oslo University, specializing in library ethics, to undertake an international survey. This project aimed to describe current conditions and identify key issues of library and information ethics in different countries in terms of the information society. Among the contributors were both professional librarians and library scientists and the outcomes were published in a volume of The Ethics of Librarianship: An International Survey edited by project manager, Dr Robert Vaagan (Vaagan, 2002).

The library profession probably needs ethical principles more than any other. Library services as human-targeted institutions have always been subjected to both legal and moral regulation, because no society can neglect the library image and its activities content. Codes of ethics and conduct are among the most commonly encountered regulation forms to date. However, ethic codes for librarians are a relatively recent phenomenon, especially as compared with the Hippocratic oath, a popular code of medical ethics since ancient times. Most such library codes were approved in the late twentieth century. As seen from the Table I, one code of ethics (the American) was approved in 1938, one (Canada) in 1966. Two codes were approved in the 1970s and three in the 1980s. Most codes – 17 – were approved only in the 1990s. And so far, four codes of library ethics have been approved since the year 2000. The first code of library ethics was created by the American Library Association in 1938, and the most recent ones by the Armenian and French Library Associations in 2003.

As is shown by research on the history of the formation of codes of ethics in different countries of the world, which was made by us in 2003, codes of ethics require a certain extent of professional consolidation and maturity (even associations dating back to the nineteenth century were unable to recognize the need for the code for almost a century). Ethics provides a basis for actual value attitudes, and ethical principles govern
professional conducts in situations free from rigid social standards, such as legal.

Each code, however short, is something more than merely standards of professional conduct. In fact, it provides a framework for professional values, a paradigm of national library development in countries. The code describes the aims and goals of library services, principles of relations with patrons and colleagues, library and government authorities, attitudes to cultural heritage and developing information flows, the use of the Internet, and similar things.

Necessity of code of ethics for library activities

The document approved by IFLA (1999) as guidelines for professional associations on “Developing policies and procedures for the library associations” recommends that the latter should develop a code of ethics/conduct, along with articles of association and regulations. It runs as follows:

In fact, the code of conduct is the instrument which conveys to the public and the government the seriousness and responsibilities of the profession.

The code may therefore:
- urge members to comply with the rules and regulations of the association;
- instruct members to comply with the national laws and policies and not indulge in any activity which would bring the profession into disrepute;
- urge members to maintain high standards of service, keep abreast of new developments in the field and take responsibility for mention and training new professionals.

In the end of 2003, a comparative analysis of the codes of ethics was made, approved by library professional unions in 34 countries: Armenia, Australia, Canada, Chile, China, Costa Rica, Croatia, Estonia, France, Iceland, Indonesia, Israel, Italy, Jamaica, Japan, Korea, Lithuania, Malaysia, Mexico, The Netherlands, New Zealand, Norway, Philippines, Portugal, Russia, Singapore, Slovenia, Sri Lanka, Sweden, Switzerland, Thailand, Ukraine, the UK, and the USA. The analysis allowed the conclusion that, with even allowing for all the differences in cultural traditions and development trends in different countries, some ethical postulates are present in almost all codes for national library associations. Among the key aspects of library ethics of superior ethical significance were the principle of free access to information and principle of confidentiality of private users’ information. In 31 of the 34 countries, professional unions declared intellectual freedom, and in 32 of the 34 countries, they declared confidentiality of private users’ information.

In most cases, the right of free access to information is proclaimed as a basic aim of library activities, as for librarians in Israel: “The librarian belongs to a profession that has an obligation to intellectual freedom based on free access to information, and an obligation to foster arts and sciences, while taking into account public and educational responsibility”[3].

“Information professionals in Portugal are staunch defenders of access to information and make every effort to ensure that this attitude is matched by their continuously alerting people to all possible forms of censorship” and undertake “not to allow their opinions interfere in the freedom of access to information”, as stated in the Code of Ethics for Information Professionals in Portugal”[4].

The Canadian Library Association regards the principle of free access to information for all people as the core of library philosophy and an integral part of library ethics, maintaining in their “Intellectual freedom statement” that: “it is the responsibility of libraries to guarantee the right of free expression by making available all the library’s public facilities and services to all individuals and groups who need them”[5].
Authors of the code of professional ethics of Russian librarian also declared in 1999 that the librarian: “assures high quality, comfortableness, accessibility, and variety of service through the use of resources of his/her institution and other library resources”[6].

Absolute adherence to the principle of universal access to information

On the other hand, absolute adherence to the principle of universal access to information runs in parallel with improved filtering and blocking information facilities on the Internet. The stronger we advocate the right of free access to Web resources, the more sophisticated filters and more restricted “gateways” to information are developed. This resembles a situation of continuous and enthusiastic debate on human freedom with more prisons built. However, this may also appear as a common law of civilization. Additionally, advanced information filtering facilities offer a new censorship level. They enable anonymous censorship and disclose confidential information of Internet communication users, tracing their progress in the Net and using it for mercenary purposes.

In this context, librarians as legitimate providers of information via the Internet in the public domain are also confused by an inconsistency of private and corporate values. On the one hand, libraries must respect the principle of intellectual freedom as their institutional mission. Indeed, libraries were established with the aim to preserve and distribute information. On the other hand, library functions are human targeted, and librarians, like physicians or teachers, are morally responsible to their users. A librarian should respect both public morals and human life.

It is well known that library services are regulated by multiple documents: library laws, charter and internal rules, etc. Most of them provide a unique framework for each specific situation. Yet, fixed legal standards cannot relieve the librarian from an obligation of responsible decision making in a difficult moral situation, depending exclusively on his individual concepts of good or evil.

Practical attitudes to free access to information were illustrated by Paul Sturges in his Council of Europe report in October 1998: “Robert Hauptman conducted a simple experiment. He visited 13 libraries and asked for information on the chemical properties of the explosive cordite, strongly implying that he intended to blow up a suburban house. Each librarian he consulted complied with his request without question, and he concluded that they showed no obvious sign of awareness that they were making an ethical decision. Hauptman’s conclusions were disputed by some who argued, for instance, that the librarians were indeed demonstrating an ethical commitment not abjuring one” (Sturges, 1998).

In 1999 an interesting research was made in the National Library of Buryatia (part of the Russian Federation) and the Central City Library of Ulan-Ude (Russian Federation). The questionnaire was distributed among librarians with the goal to know about new code of ethics (approved in April 1999) embodying in library service. The research showed that 73 per cent of respondents were seeing in freedom of access “a possibility of mental and moral development of reader, access to world culture” and they contributed for freedom of access to information in libraries. At the same time, it was remarked by respondents that: “feeling very bad, we still satisfied users’ requests about exploited substances and suicides” (Ezova, 2002). Therefore, we can make a conclusion about misappropriation of ethical principals of codes and internal morals of these librarians.

Complex ethical dilemmas after 9/11

Obviously, the situation has become aggravated significantly to date, due to both temporal and political changes. Paradoxes of existence affect the ideals of library services, with public libraries in the USA facing strong challenge after the 9/11 disaster.

As was noted during the 9th International Conference “Crimea 2002” in June 2002 in Sudak, this was evident both in the debate on ethical aspects of information provision for potential acts of terrorism, and specific FBI inquiries in some major libraries about reader requests on the subject[7].

Interesting information was reported there by a colleague from San Jose State University where, several days after the 9/11 tragedy, an inquiry concerning specific information interests of certain users was delivered to the University Library amongst others. However, modern librarians hold the principle of confidentiality with regard to user requests as sacred as the right of information. Clause 3 of the ALA code of ethics says that: “we protect each library user’s right to privacy and confidentiality with respect to information sought or received and resources consulted, borrowed, acquired or transmitted”[1]. As a result, librarians chose to ignore the FBI inquiry.

American librarians are known for most radical professional attitudes, advocating democratic freedoms in information. It was the American Library Association and the American Civil Liberties Union (ACLU) that initiated revocation of the Communication Decency Act already signed into law by President Clinton on 1 February 1996.
As we know now, USA public libraries had a new challenge in the face of the Patriot Act (26 October 2001), which enables the FBI to control library records. In addition, it is known that some countries were influenced by the Patriot Act in the USA. Certain counties including Canada, China, France, Germany, Indonesia, Jordan, Pakistan, Saudi Arabia, Spain, Uganda, the UK, Zimbabwe and others approved similar legislation (Sussman and Deutsch Karlekar, 2002).

Such problems of violation of library users rights on confidentiality of private information were discussed at the annual IFLA conferences in 2002[8] and 2003[9], as well as at the 10th International Conference “Crimea 2003” by participants of the 2nd International Conference on Government Information and Democracy and 2nd IFLA GIOPS Eastern Europe Seminar on Government Information for the People[10].

In Russia, there are, as yet, no such a problem of anti-terrorist legislation in regard to free access to the Internet in libraries, but the situation is nevertheless problematic. There are about 50,000 public libraries in Russia, and only a small number of them has Internet access points, because of the vagaries of financing. Some 39,000 of these public libraries are village libraries. Some of them are still dreaming about telephone lines, not yet about Internet cables. Nevertheless, libraries in large cities and those libraries in towns which have strong local authorities support, are connected to Internet networks. Internet development in Russia runs in parallel with improved filtering and blocking information facilities on the Internet. Librarians already have a dilemma – to give a universal free access to new information resource, i.e. the Internet, as is defended by international documents, or to defend readers’ moral from oceans of “garbage”, making use of filters. In addition, those who make Internet filters in libraries usually do not realise that they themselves become new censors – not regarding the Russian Federal Law on Librarianship, 1994, Code of Russian Librarian’s Professional Ethics, 1999[6]. The situation is more problematic because of researches and discussions in professional publications on this actual subject.

There is a misappropriation of principals of the Code of Russian Librarian’s Professional Ethics and library practice of Internet access to users. This was shown by an informal brief interview via e-mail among 25 respondents from Russian regional libraries of different types (public, research, etc.) in January and February 2002 (Trushina, 2002). The idea behind the questionnaire was to invite the opinion of the library community about user Internet filtering. The survey indicated an obvious gap between the position enunciated in the Code of Russian Librarian’s Professional Ethics “regarding free access to information as inseparable right of individual” (Firsov and Trushina, 2002) and Web resource access practices in the libraries. This is apparent from the fact that Russian public libraries used to install filters for pornography, suppress chatting and use of e-mail. Except for financing shortages, public library attitudes with regard to the Internet cannot be justified. For example, how can a modern librarian refuse a user request for a pornographic book (such as very popular love stories), or for a technical journal? Of course, a research library focusing on support of user research is more or less justified in restricting information outside their “profile”. Thus, Krasnoyarsk State University Research Library (Russia) classifies “games, private Web pages, etc.” as “non-profile” use; in addition, users are not allowed: “to reproduce or print out pornographic content”[11].

Such as case refers to the Guidelines for European Cultural Policy, adopted by Council of Europe in 2000, specifying access policies for special institutions as follows: “It may be necessary for specialized institutions to develop a policy which confines the permitted range of access to that which is relevant to the institution’s aims and objectives. … Users should be made aware of any such restrictions by the public display of the relevant policy statements” (Council of Europe, 2000). However, when we talking about public library, whose prime goal is to give public access to all its resources it is another case.

The rules for use of the Internet established by the A.M. Gorky Primorskaja State Public Library (City of Vladivostok, Russia) prohibit the following: to visit erotic sites, porno-sites, and sites propagandising violence; to be in chats. And this despite the fact that the major task of public library is unimpeded universal access to information (Trushina, 2002).

The regional Universal Library of Tver city (Russia) does not allow looking at porno-sites, talking in chat rooms, nor even using the service of all kinds of electronic mail including hotmail. The motivation in this case is the following: “Our library is a universal one, the whole city visits us, young and old. And the Internet is still free of charge. If we open our Internet-hall to every person wishing to correspond, there will be no time for the readers as such. There are many Internet-cafes in our city where the cost of one hour Internet usage varies from 15 to 25 rubles. Let them engage in their work there, while we follow the path of true electronic reading-room creation” (Trushina, 2002).

Sometimes, the motivation for having filter installation in places of access to the Internet in libraries is due to concern about possible traffic congestion. For example, the system administrator of the National Library of Russia follows such arguments, installing filters is common for users...
and library officials on the proxy-server: “when accessing to porno-resources, traffic can turn out to be so large that it will inevitably impede other officials to carry out their work”. He also enters advertising banners that interfere in the work in the Global Networks in the list of filtration (Trushina, 2002). However, most of libraries consider the prohibition of access to the sites of pornographic character and propagandising violence as an absolutely evident duty of a library to protect readers from the sphere of Internet resources where it stands as “a dangerous tempter full of vices” (Biblioteka, 2001).

After five years from the date of approving Russian code of library ethics, it was decided to discuss its future development at the annual Russian Library Association[12] conference in May 2004 in Novosibirsk (Russia, Siberia) during a round table on library ethics and professional contacts. It is evident that the current document does not provide enough appropriate mental morals of librarians in Russia and thus need a renovation.

The most critical issue of the debate on global free access to information on the Internet as an absolute benefit is related to potential the “destructive” effect of resources regarded by public opinion as “controversial” for the young mind. Very few librarians would feel satisfied when assisting teenagers in finding some Web resources detailing suicide techniques or romantic death stories. Most people who have their own children will agree.

The issue deserves special attention in children’s services. For this purpose, Icelandic libraries widely used filters in primary and secondary school libraries. However, their efficiency is open to question. Are net filters the best solution? Mr Svava H. Friogeirsdottir, Iceland’s FAIFE contributor, writes, “I believe it helps both parents, school administrators and librarians to know what type of information children/teenagers are looking for on the Internet and also to prevent them from finding information/images that are commonly accepted as damaging to them… Filtering products do not help teenagers to learn how to assume responsibility for adulthood. They do not help to make independent critical judgments, how to say ‘no’ to unwanted sexual advances, how to live vicariously trough stories rather than dangerously trough experience” (Vaagan, 2002).

**Does the principle of universal access to information have absolute adherence?**

In the second half of the twentieth century, the world community was led to recognize the universal value of the principle of global access to information. Awareness of the right of information as absolute benefit, and a basic and natural human right, was increasingly introduced in the public mind, and represented a key issue in many international documents and statements – of United Nations (UN), United Nations Educational, Scientific and Cultural Organization (UNESCO), Council of Europe, various international and national professional organizations.

On the other hand, extended access to information has been the subject of concern for governments, security bodies, and advocates of conservative public morals regarding information communication networks as endangering their concepts of just society (Sturges, 2001). Some social groups cannot accept all types of Web resources; others are too energetic in promoting their views. Controversial resources generally involve sex, drugs, arms or politics. However, the Internet is too chaotic to allow channelled use. Meanwhile debates on restricted access to information contribute to a dangerous displacement of emphases, potentially negating the core mission of libraries and information centres. Filtering is least acceptable in public libraries as institutions providing information for the public. Most codes stipulate that the librarian is not responsible for information content provided. However, since the librarian is an individual with specific moral attitudes and values, the latter may come into conflict with corporate morals as embodied in professional codes for their associations.

With existing gaps between coded provisions for professional ethics and implemented practices, the codes will lose their legitimate character. This may break public confidence in the library profession. For instance, take an imagined case of a librarian respecting the universal principle of free access to information and providing a patron with information on explosive stuff and feasible homemade bomb techniques, followed – God forbid! – by disastrous act of terrorism. What would the librarian feel? Could it be satisfaction with professional performance?

Here is another case. Although history knows no subjunctive mood, the following actually happened in the National Library of Russia. Some French journalists making a film of Petersburg asked C.I. Grin, the National Library of Russia historian and author of works on the library’s well-known reader, V.I. Lenin, whether the 1917 revolt could have taken place in Russia if Lenin had had no access to reading-rooms in our richest national library.

**Conclusion**

And, in conclusion, a few words about the World Summit on Information Society, the first phase of which was held in Geneva in December 2003. It
was first time that problems of the information society were discussed at the level of heads of state. In the main document of the summit — the Declaration of Principles (World Summit on Information Society, 2003), the ethical dimensions of the information society are spelled out: “The use of information and communication technologies (ICTs) and content creation should respect human rights and fundamental freedoms of others, including personal privacy, and the right to freedom of thought, conscience, and religion in conformity with relevant international instruments”. As we can see there are two main principals: intellectual freedom and confidentiality of private information. These ethical positions were consistently developed almost in all codes of library ethics known to us. If we take the Holy Bible, the book of books, in the John’s New Testament, we read on the very first page: “In the beginning was the Word . . .”. Millennia have passed since the immortal lines were recorded. Everything seems to change in our modern world but these words still hold true. Moreover, in the context of the current information society and advanced information technologies, the truth is indisputable. How different is, in the light of recent worldwide disasters, the new meaning of this familiar description of the Word that can both create and destroy.

Web sites

1 FAIFE: www.ifla.org/faife
2 FAIFE code of ethics: www.ifla.org/faife/ethics/codes.htm
3 www.ifla.org/faife/ethics/iclcode.htm
4 www.ifla.org/faife/ethics/badcode.htm
5 www.ifla.org/faife/ethics/oclacode.htm
6 www.ifla.org/faife/ethics/rucode.htm

References


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