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Reports from the working groups

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REPORTS FROM THE WORKING GROUPS

16.1 Working Group A: Codes of Ethics in Practice

Michel Gorin — Le code de déontologie des archivistes : Être ou ne pas être

The debate first focused on the need to have national codes alongside the IFLA international code of ethics, and the relationships between universal and local values and practices. The attendees reaffirmed the credo that there are common issues to the profession all over the world, but that professionals in every country might face specific issues or might be influenced by specific cultural values. The international code mainly enforces common goals for the profession, but should not be too specific. In this sense, national adaptations are important.

The International Code for Archivists was brought into the discussion as a comparison. That code does not bring practical solutions to concrete issues, but does express the good behaviour expected of those in the profession. This way, it can be strongly assertive without prescribing concrete actions. Each professional and each community should find their own solutions to the problem they face, while respecting the core values and goals of the profession. In this regard, one key point is to offer translations in as many languages as possible, written by professional translators.

The audience then discussed the reasons why information professionals do not have a code in each country already. Two main reasons were cited. First that the professional identity is weak: it is hard

to describe the core work that librarians do. Secondly, that it is common that librarians do not readily see the need for a code, as they do not see the ethical implications of their work. Codes (national or international) address both issues, by asserting a strong professional identity around common goals and values and by making the ethical issues explicit.

In the end the discussion came to the binding character of codes of ethics. What are the mechanisms for enforcing a code? Should there be possible sanctions and who should be able to deliver these sanctions? It is first noted that national codes must be more binding than the IFLA code. The attendees agreed on the idea that a good solution could be that someone who infringes on the code is expelled from the professional association. This is a good option, because it ensures the credibility of the code, of the association, and of the profession as such. Also it cannot easily be abused for censoring some individual professionals, because adhering to the association remains optional. Not being part of the association should not prevent a professional to work as a librarian.

Vesna Crogorac and Jasmina Ninkov — What is ‘Public’ and What is ‘Private’ in Libraries?

Based on the Serbian context, the discussion rose to a conceptual level. The audience discussed the limits between public and private data, urging that sensitive data are not necessarily private or should not always be treated as private. All libraries should have a policy regarding privacy (the use and storage of private data). Also librarians should be trained on the implications of their professional duties, and the relevant laws in their country with regard to privacy, because sometimes they are not aware of them.

An important point also is the communication towards the patron. Whatever the policy is, it should be transparent for the patron. He/she needs to know what will be done with his/her data. This is absolutely necessary for building and maintaining trust between the public and libraries.

The discussion then came back on the local character of the Serbian case. Is it possible to have a local solution to these problem? Shouldn't there be a consensus in Europe? The speakers stress the specificity of the Serbian situation, explaining that a long history of censorship brought today to a very high sensitivity to the importance of an open society and on the concept of 'information of public importance'. There are very strong laws defending the right of each citizen to ask for any information from the government.

Finally the audience concluded the discussion by emphasizing the tension that exists between two core values of the profession: access to information (open society, transparency) and protection of privacy (personal freedom, freedom of thought and opinion).

Kouao Antoine Anoh — Ivorian Librarians Faced with the Protection of Minors

The audience first quite extensively focussed on the role of the professionals regarding children's access to information. Should librarians be influenced by his/her own feeling as a parent? Does the librarian have an educational responsibility towards society? This discussion brought a major cultural difference into light. If in Europe and US, education is strictly in the hands of parents, it is not the case in Africa where education is a responsibility held by the community as a whole. In the end of that point of the discussion, the question was raised (without provoking a direct answer) if the mention of 'patrons requiring special attention' in the paragraph devoted to access to information of the IFLA code is sufficient to ensure the protection of children or if there should be a specific code for children's libraries.

The discussion continued on the tension between the two values of giving access to information and protecting children. The audience discussed the terms 'censorship' versus 'selection process'. Censorship is the result of an arbitrary or ideologically-driven selection process. A

professional selection process should always be backed up with a written and transparent acquisition policy. Someone raised the point that it is perfectly possible to have a censorship activity that is perfectly transparent and known by everyone, and that is still censorship. This is exactly the reason why legal deposits were invented: to avoid any kind of selection process. This way all that has been produced is recorded somewhere. So what should be discussed actually is not censorship, i.e. the denial of the existence of a work, but restriction of access.

Finally the discussion came back on another issue raised by Kouao Antoine Anoh's talk: the question of donations. Can it sometimes be legitimate to refuse a donation? How can a librarian decide this? For the attendees, the question is not so much of accepting or refusing a donation, but to endeavour to build balanced collections. The library must provide diversity of opinions.

Hans von Ruetten and Anne-Emmanuelle Tankam-Tene — Ethics Based Understanding of Professional Document Management

The attendees noted that despite the code, many documents have been processed and cannot be shown to the public for several reasons. The speakers argue that the code is a collection of guidelines to guide the professional in his/her daily work, but that it cannot, by itself, solve the problems of access. Moreover the code does not assert that open access is an absolute principle, but that archivists should always inform the public on the reasons for restricted access.

A distinction was made between a state's secret documents and a person's private information. All the documents that are stored in the archives are documents that are meant to be made public at some point. The strength of the code is that even if a document is under restricted access, it guarantees that the document is kept and conserved.

It is noted that this last point is only valid in states subject to the rule of law. It is when human rights attempts occur that archives become more vulnerable, and necessary to maintain. Could it be a

recommendation to enforce international sanctions against persons who destroy archives for political or military reasons? And to encourage NGOs and foundations to have a professional maintenance of their archives? The speakers reminds that archivists are always in a weak position in any state. But in the same time that they have the major role of ensuring transparency.

The speakers then presented two cases. Someone noted that there is sometimes a big gap between the codes and the reality. Professionals write codes of ethics to promote access to information, but are submitted to other people who actually have the power to decide what should be accessed and what not. Librarians and archivists should defend their principles more actively and lobby with more strength.

16.2 Working Group B: Ethical Values and Dilemmas at the Workplace of Librarians?

Toni Samek — Looking To Our Own: Ethical Library and Information Workers at Risk

The debate focused on the role of the individual librarian, his social responsibility and his freedom of expression. Sometimes librarians are facing a situation where they have to choose between their loyalty to their institutions and superiors on the one hand and necessary critique from a professional point of view articulated in the public on the other hand. Participants agreed that librarians should not only have the right to discuss and criticize for example plans and decisions of their employers openly but to take appropriate political action if necessary. Most important is that a professional debate including ethical reflection takes place instead of decisions based on gut feeling. It is inevitable to make colleagues aware of these necessities.

Another important issue was the role of IFLA with regard to members who violate the IFLA code of ethics. First of all IFLA's code is not mandatory but inspirational. It doesn't provide fixed instructions but encourages to reflect and to balance reasons. It intends to provide

orientation and to list the fundamental values of professional librarians in order to support the standardization of professional practice. Nevertheless some breaches are identifiable without any doubt and are reported to the national or global librarian community. Should IFLA intervene and try to discipline member associations strictly in any of these cases? This could result in a full refusal and breaking off of communication by some member associations. They might resign and thus weaken the umbrella association. But IFLA's role is more to offer options, to negotiate and to provide a space for the exchange of views. As a balancing power IFLA should intend to initialize and to sustain debates. In most, of course not in all cases this policy shaped by negotiation and professional debate seems to be the wisest and most successful approach. It is a matter of debate and reflection again to decide in which (rare) cases there might be no more room for further debates. But fundamental virtues of IFLA as umbrella association should be to be most clear with regard to core values to initialize intensive debates based on ethical reflections in case of violations and to remain patient, to accept step by step improvements.

Barbara M. Jones — It's Complicated: Youth, Privacy, and Library Ethics

The most debated question was if privacy as a concept has to be modified. Privacy is often seen as a negative right, as the right not to be disturbed by the government, journalists or whomever. Transforming privacy into a positive right, the right to control what others say or know about me, could move the current debate into a more promising direction. But not only an updated definition even the debate about it still is a desideratum. This debate should take place in the library and information community as well as in the broad public. Widely accepted is the fact that freedom of expression will not be possible without privacy. If there is no place for the individual to think without being controlled, self censorship will result in most cases.

Libraries have to deal with two aspects intensively in the meantime. First they have to focus on their responsibility regarding the information they detain on their patrons. They should resist the attempts of governments and other authorities to get uncontrolled and illegal access to user and usage data in libraries. Exceptions have to be well defined and kept as low as possible. Users and the whole public have to be informed about the privacy policy of their library.

Second libraries should intensify their efforts to improve media and in-formation literacy among their users especially teenagers. They should discuss privacy issues, and in particular the proper and secure use of social media. Libraries should not offer “perfect solutions” or intend to present the “right behavior”. They rather should initiate an open debate with youngsters about their experiences, their fear and explain the consequences of careless usage of social media and the web as a whole.

Lili Luo — Ethical Issues in Reference: Challenges and Solutions

Reference librarians have to cope with copyright issues in an intensive way. The question is if they have to intervene if they realize that users infringe upon copyright. Disputants agreed that librarians aren't policemen on the one hand but that they should guard against violations on the other hand. An important step in this regard is to include copyright and avoidance of plagiarism into their media and information literacy courses.

Most incomprehensible to most of the participants seemed to be that 60 % of the respondents said they were familiar with ALA's code of ethics but only 26 % applied it in case of conflicts and dilemmas. As reason was given that codes are much too broad and too abstract. A misunderstanding probably is that codes don't provide solutions, they cannot be used as a comprehensive collection of precise commandments. But they provide orientation with regard to professional values, they facilitate standardized behavior of library professionals and

they have to be seen as an indispensable means to find appropriate, ethically based solutions for conflicts and dilemmas. To make colleagues aware of this potential, a collection of case studies has to be developed. Case studies can bridge the gap between the abstractness of codes and the concreteness at the library workplace. But even case studies will not be able to cover every possible conflict or dilemma. They should represent typical situations and provide several options or solutions for each case which analyze the consequences and refer to the code of ethics. They thus encourage ethical reflection and improve ethical decision making which can be seen as a fundamental contribution to the professionalization of librarians. Of course acquaintance with and training of ethical issues has to start at library schools and to be continued frequently by further training.

Louise Cooke — Ethical Issues in Reference: Challenges and Solutions

Library associations like the ALA are against filter software due to several arguments. Filter software doesn't work properly. Promised improvements ten years ago have not occurred. To filter definitely means to limit access to information. The decision what and how to block is transferred to software developers mostly who are not familiar with information ethics at all. But governments or local authorities in the USA and many other countries apply pressure on libraries to install filter software. Quite often higher authorities inside the own institution force librarians to filter. Participants agreed that if a filter is installed this must be transparent. Users have to be informed and they should get clear instructions how to get unblocked certain websites they want to access. Of course protection of minors is an obligation. An acceptable compromise could be to install filter software on those computers assigned to minors and to restrict the others to adults only.

In some cases librarians install filter software on all their computers with intent to avoid conflicts. They believe they are on the safe side in so doing. But in fact if this is the argument and if ethical consequences

have been weighed up this hardly is acceptable. In each case it is inevitable to make users aware that they only have restricted access to the Internet in their library and they have to be informed about a non-compromising and discrete procedure of unblocking websites they want to access.

Anyway the library community should broadly discuss the impact of filtering and include the public in this debate. Without debate politicians in particular often tend to place security and protection over other values. Nobody will disesteem them but it has to be questioned to what extent it is possible to achieve security and protection at all. And the costs or consequences have to be taken into account. Can it be accounted for to restrict access to information via filter software for security or protection reasons? Where is the borderline between limited access and censorship? Above all installed filter software constitutes an infrastructure that could easily be misused later for censorship purposes in a changed political environment.