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"Norwegian Librarian Ethics Revisited: The Case for Reconsideration"

Abstract

The emergence of infoethics and the passing by the US Congress in December 2000 of The Children's Internet Protection Act are only two reminders that in the information age unbridled freedom of expression has a downside. The International Federation of Library Associations and Institutions (IFLA) has always advocated freedom of expression and many IFLA members have codes of conduct or ethics in which freedom of expression figures prominently. In Norway a proposal to adopt a librarian code of ethics - including a call for librarians to oppose all forms of censorship - was rejected in 1990 by the board of the Norwegian Library Association. More than a decade later many librarians in Norway express a need for guidance on library ethics. The National Office for Research Documentation, Academic and Special Libraries (RBT) earlier this year appointed a working group to reconsider the need for ethical guidelines in Norwegian research and academic libraries.

INFOETHICS

As indicated by the title of the *Journal of Information Ethics*,¹ the information age involves a number of ethical dilemmas. The amount of electronic information is enormous and ever-expanding, hence the appeal of metadata systems like Dublin Core. Moreover, the flood of information is depressingly often of spurious quality. In December 2000 The US Congress passed a Children's Internet Protection Act(CIPA). Both The American Library Association (ALA) and many privacy and free-speech organizations have protested against the CIPA. Earlier, in 1996, ALA took the Clinton Administration's measures to introduce Internet filtering to the courts and in 1997 The Supreme Court ruled that most of the Communications Decency Act was an "unconstitutional violation of free-speech rights".²

Information specialists, including librarians, must respond to the challenges linked with the issues of privacy, authenticity, confidentiality, copyright and intellectual property rights, grey literature and electronic filters. Librarians in research or academic libraries must also take note of the ongoing debate on misconduct in science, e.g. fraudulent research results,

¹ *Journal of Information Ethics* (<http://www.mcfarlandpub.com/JIE>) [reading date 14.02.01].

² C.Oppenheim, N.Pollecutt (2000). "Professional Associations and Ethical Issues in LIS", *Journal of Librarianship and Information Science*, Vol. 32, No.4, December 2000, pp.187-203.

plagiarization and salamization, and developments in science and research ethics.³ UNESCO which for some time has taken an interest in infoethics, plans to present an international code of conduct in 2003 which will affect the entire ICT-field.⁴ Library and information associations in many countries have already adopted national codes of conduct or codes of ethics.⁵ In short: ethics is of increasing concern to information specialists, including librarians.

IFLA AND FAIFE

The International Federation of Library Associations and Institutions (IFLA) in 1997 initiated Free Access to Information and Freedom of Expression (FAIFE). FAIFE promotes intellectual freedom and the vital mission of libraries as gateways to knowledge and ideas. Through the FAIFE initiative IFLA furthers intellectual freedom in all aspects, directly or indirectly, related to libraries and librarianship based on Article 19 in the Universal Declaration of Human Rights (UDHR) from 1948. Thus FAIFE monitors the state of intellectual freedom within the library community worldwide, supports IFLA policy development, co-operates with other international human rights organisations, and responds to violations of free access to information and freedom of expression.

FAIFE currently lists 26 national library or librarian associations that have adopted professional librarian codes of ethics.⁶ This figure incidentally omits e.g. The Russian Library Association (RBA) which adopted an ethical code for librarians in April 1999.⁷ Among the Nordic countries only Sweden's Librarian Association (BF) has taken this step. In the other Nordic countries the assumption has apparently been that there has been no need for librarian codes of conduct or codes of ethics since existing legislation and standards have been judged as adequate. There are signs, though, such as UNESCO's initiative in infoethics, that this assumption may not be tenable much longer.

THE SITUATION IN NORWAY

In March 1990 the board of The Norwegian Library Association (NBF) discussed a proposed set of ethical guidelines for employees in all Norwegian libraries, both general or public

³ Science Ethics Bibliography 1997 (<http://www.chem.vt.edu/ethics/vinny/ethxbibl.html>) [reading date 13.11.00].

⁴ UNESCO (<http://webworld.unesco.org/infoethics2000/index.html>) [reading date 20.03.01].

⁵ Oppenheim, Pollecott (2000) op.cit. For reasons of simplification I use "code of conduct" and "code of ethics" synonymously in this article.

⁶ FAIFE (<http://www.faife.dk>) [reading date 14.02.01].

⁷ RBA: *Kodeks Professional'noj Ètiki* (<http://www.rba.ru:8101/or/cod.html>) [reading date 14.03.01].

libraries (folkebibliotek) and research and academic libraries. The guidelines were rejected by the board for several reasons, one being the differences between public and private sector libraries. Another reason was that existing Norwegian jurisdiction and standards were seen as sufficient.⁸ The rejected guidelines were as follows:

1. Library employees must strive to ensure everyone equal access to information and cultural values and be apprehensive of all threats to freedom of expression.
2. Library employees must be quality-oriented as regards materials and services, and must try to offer all users the best possible service.
3. Library employees must be loyal to the objectives of the library and must make these known to users.
4. Library employees must treat information regarding library users as confidential.
5. Library employees must not give in to pressure from individuals, groups or authorities intending to censure library material.
6. Library employees must not actively promote material or perform services which discriminate on the basis of colour, nationality, ethnicity, sex or sexual orientation.
7. Library employees must strive to acquire the highest level of skills in their own fields of work.
8. Library employees must promote a good working environment in which all colleagues experience allegiance and safety.
9. Library employees must promote the ethical professional guidelines to new colleagues.

Here I would like to comment only on points 1 and 5. The formulations chosen reflect the view of the American Library Bill of Rights (1938) and the view of IFLA/FAIFE based on article 19 in the Universal Declaration of Human Rights (UDHR) from 1948. Article 19 of the UDHR states that everyone has the right to freedom of opinion and expression, including the freedom to hold opinions without interference and to seek, impart and receive information and ideas through any media and regardless of frontiers. In sum: freedom of expression has no downside and censorship is castigated.

Yet later developments in international law and national legislatures have tended to qualify these views. The International Covenant on Civil and Political Rights (ICCPR) from 1966 was ratified by a large majority of states in the world and entered into force in 1976.⁹ Article 19 of the ICCPR concerns Freedom of Opinion, Expression and Information. It repeats the UDHR formulations, and specifies that information and ideas can be oral, in writing or in print, in the form of art, or through any other media of choice. Yet the exercise of these rights carries with it special duties and responsibilities and may therefore be subject to certain

⁸ K. Rosenqvist (1991). *Biblioteksetik och bibliotekarieetik. En Rapport för Nordiska Litteratur- och Bibliotekskommittén*. København: Nordisk Ministerråd, pp. 66-68 and appendix 8.

restrictions such as respect of the rights and reputations of others, the protection of national security or of public order or of public health or morals.¹⁰

Similarly, in The European Convention for the Protection of Human Rights and Fundamental Freedoms (ECPHRFF) from 1950 which Norway has always adhered to but formally integrated into its national jurisdiction only in April 1999, Article 10 (Freedom of expression) reads as follows:

1. Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.

2. The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.¹¹

Article 100 in the Norwegian Constitution refers to freedom of print, not freedom of expression. The same article, however, allows government censorship. A recent study concludes that censorship of the media has frequently been used by Norwegian authorities throughout the 20th century – often on spurious grounds.¹² A revision of Article 100 has recently been recommended to parliament - along with the recommendation that the possibility of censorship of living pictures be maintained "to protect minors from any harmful influence of moving pictures."¹³ In Norway some level of state censorship over the media has always been a fact of life and this trend seems set to continue. Many Norwegians therefore find the position of the American Library Association on censorship extremist. Many Norwegians find it puzzling that in Denmark which abandoned censorship of pornography in

⁹ *Human Rights Law Journal*, Vol. 20, No.1-3, 1999, p.120.

¹⁰ J. Korteinnen et al. (1999). "Article 19" in: G.Alfredson & A.Eide (eds.) *The Universal Declaration of Human Rights. A Common Standard of Achievement*, Nijhoff:The Hague, p.404.

¹¹ Norsk Lovdata: *Lov om styrking av menneskerettighetenes stilling i norsk rett* (<http://www.lovdatt.no/all/tl-19990521-030-0.html>) [reading date 5.04.01].

¹² H.F.Dahl & H.Bastiansen (2000). *Hvor fritt et land? Sensur og meningstvang i Norge i det 20nde århundre*. Oslo:Cappelen.

¹³ *Norges offentlige utredninger* 1999:27, p.256.

1969, the authorities and library associations oppose attempts in local public libraries to filter pornography.¹⁴

One consequence of the failure in 1990 by the Norwegian Library Association (NBF) to adopt a national code of ethics has been that throughout the 1990s ethics has seemingly been a non-issue in Norwegian librarianship. Although some libraries have adopted ethical guidelines, this seems to be the exception rather than the rule. Several issues with ethical dimensions, such as the relationship of the librarian with the authorities, colleagues, collections, users, sponsors and suppliers,¹⁵ instead have instead been phrased and dealt with in terms of quality control, service agreements and value statements. These are areas that many Norwegian libraries have devoted considerable attention to during the 1990s.

This is all the more surprising since ethics in general has been a field that has blossomed in Norway during the 1990s. Ethics is today an obligatory discipline at the preparatory level in all universities and is taught in many university colleges. In the private sector about 1/3 of Norwegian business enterprises belonging to the Confederation of Norwegian Business and Industry now offer courses in ethics. Librarians - whether they later will work as librarians, chaos architects, Web designers or knowledge managers - therefore need to be familiarized with ethical issues while they are being trained to become librarians.

In Norway the country's 1047 general or public libraries (folkebibliotek) (1999) must by law offer their collections free of charge to children and adults alike. Collections are by law developed on the general (and partly subjective) criteria of quality, variety and relevance. The more specialized 362 research and academic libraries are not regulated by the same law but must adhere to the guidelines of The Norwegian National Office for Research Documentation, Academic and Special Libraries. Yet as far as collection development is concerned there are normally no written guidelines in Norwegian academic and research libraries. This may be a problem seen in conjunction with frequent absence in these libraries of ethical guidelines.

Earlier this year The National Office for Research Documentation, Academic and Special Libraries (RBT) appointed a working group which I have the privilege of chairing. It has been

¹⁴ R. Vaagan (2001). "Trenger vi nasjonale bibliotekaretsiske retningslinjer?", *DF-revy*, nr. 2, pp.59-61.

¹⁵ F. Zipkowitz (1996). *Professional Ethics in Librarianship. A Real Life Casebook*, Jefferson: North Carolina.

commissioned to review the need for ethical guidelines in Norway's 362 research or academic libraries. While some of these (and some of the general or public libraries) as mentioned above have adopted some form of ethical guidelines, little is known about how many libraries this involves. A number of librarians have over the years approached the RBT for ethical guidance. The working group therefore clearly serves a very useful purpose. It would be premature to anticipate the final conclusion of the committee. Moreover, it is too early to conclude whether it will be possible to develop a set of ethical guidelines that can apply both to the 1047 general or public libraries and to the 362 research or academic libraries. What I can confirm at this early stage that several sides consulted so far agree on the need for ethical guidelines in Norwegian research and academic libraries. An important aspect of research and academic libraries is that they concern themselves with science. Therefore, a few concluding words are called for on science and research ethics.

SCIENCE AND RESEARCH ETHICS

Elsewhere I have recommended that librarians familiarize themselves with research ethics.¹⁶ One reason is misconduct in science, e.g. fabrication, falsification, plagiarism and salamization. Another reason is that research libraries will increasingly assume expanded educational and knowledge management roles.¹⁷ Obviously, the librarian who in good faith provides a scholar or student with a scientific article that turns out to contain e.g. fabricated results may with all good reason plead ignorance. If properly peer-reviewed such an article would not have been published. The case is less clear when we turn to grey literature or to preprints that have not undergone peer review. In some fields of science research is being submitted to open-access archives before peer review and publication to encourage rapid distribution of research results. The Los Alamos electronic physics archive is e.g. currently setting a pattern in medicine and biology.¹⁸ This calls for greater circumspection also by research librarians in acquisitions and in negotiating electronic subscriptions. While one cannot expect a research librarian to vouch for an article's scientific content, one might reasonably expect the librarian to be able to make some general deductions from the abstract

¹⁶ R. Vaagan (2001). "Research Libraries in Norway: New Ethical Challenges and Possibilities in a Digital Environment", in: *Proceedings*, 9th International BOBCATSSS Symposium on Library and Information Science, Vilnius, Lithuania, January 2001, pp.369-375.

¹⁷ C. Stoffle (1996). "The Emergence of Education and Knowledge Management as Major Functions of the Digital Library". Follett Lecture Series. UKOLN 1996 (<http://www.ukoln.ac.uk/services/papers/follett/stoffle/paper.html>) [reading date 25.9.00].

¹⁸ Los Alamos information Website (<http://www.lanl.gov/worldview/news/releases/archive/00-092.html>) [reading date 13.11.00].

or conclusions. Aided by the many existing metadata formats¹⁹ the trained librarian in her or his expanded educational and knowledge management role, may be able to detect e.g. cruder forms of salamization (artificially inflated publication lists) and plagiarism. The librarian may even be the first to detect possible misconduct and therefore ought to be prepared to deal with the situation. In bibliometrics the librarian is perhaps even better trained than the researcher to detect ethically questionable "hits" or listings. Bibliometrics not only can lend itself to manipulation, it also discriminates authors outside the Anglo-American area. Moreover the increased use by administrators of bibliometrics in R&D evaluation²⁰ means it is also being used by non-librarians in areas such as assessing research applications.

The need for research libraries and academic librarians to take research ethics into account is accentuated by the progress in author-generated metadata systems like Dublin Core which are open to manipulation by the author. In Web documents metadata are inserted in the HTML META-tag in the HEAD-area. Search robots like Alta Vista increasingly base their indexations on key concepts, author or title instead of free text, e.g. the first lines in a document. While this offers greater search precision, ambitious authors can exaggerate the number and type of key concepts to improve their citation indexes and impact factors.

CONCLUSION

There are several reasons why Norway ought to reconsider its need for a librarian code of ethics. All types of Norwegian libraries must relate to the emergence of infoethics and the adoption by many IFLA member associations of ethical codes of conduct or ethics. Many Norwegian librarians today feel a need for ethical guidance e.g. in relation to acquisitions and collection building. Librarians in research or academic libraries are moreover confronted by e.g. scientific grey literature and the possibility of misconduct in science. Overall, the issue of censorship is less controversial in Norway than e.g. in the US and in Denmark. A future Norwegian code of librarian ethics must, whether it will apply to all or only to certain types of libraries, advocate freedom of expression but also accept possible censorship of illegal material.

¹⁹ E. Akre et al. (1998). *Vitenskapelig elektronisk publisering. En introduksjon for fag- og forskningsbibliotek*. Oslo: Skrifter fra RBT/Riksbibliotekstjenesten, nr. 94, s.8.

²⁰ H.Skoie (2000). "Bibliometri i utide". *Forskningspolitikk*, nr. 3, Oslo: Norsk Institutt for studier av forskning og utdanning.