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Ethics and Libraries in the Digital Age

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IFLA – the International Federation of Library Associations and Institutions - has long had a specific and specialist committee looking at Freedom of Access to Information and Freedom of Expression, or FAIFE. This has recently changed from being a stand-alone committee to one which specifically advises IFLA's Governing Board on freedom of access to information and freedom of expression issues, including ethical issues. As Chair of FAIFE I have both a longstanding professional and personal interest in the issue of ethics and libraries.

Our own profession, library and information work, has always been a profession rooted in ethics. A profession which is focused on bringing people together with the information and knowledge they need and are searching for could not be anything else. And it follows that libraries must be ethical organisations too.

As a consequence, most countries have their own professional code of ethics for library and information workers which can also be applied to libraries.

These reflect the ideas behind – but perhaps are not as strongly worded as United Nations Universal Declaration of Human Rights – particularly Article 19. This states that:

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

IFLA explicitly supports the ideas behind this right which is reflected in the IFLA Statement on Libraries and Intellectual Freedom which was approved in 1999. The Statement makes it clear that *“IFLA supports, defends and promotes intellectual freedom as defined in the United Nations Universal Declaration of Human Rights”*.

For those of us living in Europe, Article 10 of the European Convention for the Protection of Human Rights and Fundamental Freedoms confirms similar rights, stating that:

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.

However, it has to be remembered that rights are not absolute. There are times when rights can conflict with each other – for example freedom of access to information and the right to privacy - and there can be real issues when the assertion of rights by one individual could come at the expense of another's rights.

It is a challenge for library and information workers to deliver their services in line with human rights and ethical principles, and manage the dilemmas that can consequently occur, in a print and analogue world. In an increasingly complex digital world it is becoming significantly harder.

The sheer volume of digital content is matched by its complexity, and the multiplicity of routes that can be used for its delivery and access.

To provide a context for this complex world IFLA updated its Internet Manifesto in 2014. This reflects and reinforces the essential role that internet access and digital services provide in contemporary library and information services from an ethical and a practical perspective:

The Internet enables individuals and communities throughout the world, whether in the smallest and most remote villages or in the largest cities, to have greater equality of access to information to support personal development, education, cultural enrichment, economic activity, access to government and other services, and informed participation in a democratic society as an active citizen. At the same time the Internet creates opportunities for all to share their own ideas, interests and culture with the world.

The manifesto goes on to say:

The provision of unhindered access to the Internet by library and information services forms a vital element of the right to freedom of access to information and freedom of expression, and supports communities and individuals to attain freedom, prosperity and development.

Barriers to the flow of information should be removed, especially those that prevent individuals from taking advantages of opportunities that will improve their quality of life and can result in inequality and poverty. An open Internet is essential, and access to information and freedom of expression should neither be subject to any form of ideological, political, or religious censorship, nor to economic or technological barriers.

The manifesto is ethically based, and reflects the IFLA Code of Ethics for librarians and other information workers agreed in August 2012. This is not intended to replace national codes of ethics, but is intended to act as a personal guide for individuals as well as a for consideration by national Library Associations when reviewing – or establishing – their own code of ethics. However, it is equally relevant to libraries as organisations.

The IFLA Code defines the functions of codes of ethics as:

- *encouraging reflection on principles on which librarians and other information workers can form policies and handle dilemmas*
- *improving professional self-awareness*
- *providing transparency to users and society in general.*

The Code is based around six core principles which should be included in all national codes of ethics. These are:

- *Access to information*
- *Responsibility towards individuals and society*
- *Privacy, secrecy and transparency*
- *Open access and intellectual property*
- *Neutrality, personal integrity and professional skills*
- *Colleague and employer/employee relationships*

And I would like to use these six principle to look briefly at the impact of the shift to digital on our ethics.

First **Access to Information.**

The IFLA Code of Ethics says that the core mission of librarians and information workers – and hence libraries – is:

“to ensure that people have access to the information and knowledge they want and need “for personal development, education, cultural enrichment, leisure, economic activity and informed participation in and enhancement of democracy”.

Ethical issues clearly arise if people are prevented from receiving the information they need and so the IFLA Code of Ethics has a clear assumption against censorship and makes a strong statement against the denial or restriction of access to information and ideas whether by states, governments, or religious or civil society institutions. However, the complete removal of censorship is not an absolute right. For example, there is universal concern over some aspects of digital content including the need to protect minors.

However, there are other issues which arise country by country, culture by culture over which areas of content are considered unacceptable or illegal, and here there can be real professional dilemmas.

Digital content today can originate from countries which have a very different perspective of what is legal and acceptable. As a response, at a national level a number of countries censor certain material, block significant areas of content, or even shut down the internet. What should be the response of libraries, and library and information workers? Should they passively accept the state’s actions; work within them whilst pushing back the boundaries, or advocate for change?

And what about at an organisational level? Is internet filtering ever acceptable in the Library? In some countries, yes, in some countries no. But if filtering is applied, who controls it? For example, some local authority libraries in the United Kingdom received a direction from politicians to block access to websites that offered pay day loans – expensive, high cost loan sites that were accused of mis-selling loans to poorer people. The direction was made for the best of intentions, but really all it said was that if you use the Library we do not trust you to manage your own money.

As a more general issue, who sets the parameters for filtering? Too often it is not the Librarian but the organisation's IT department that takes this on, effectively removing digital stock management from the librarian's hands. Again, should libraries accept this, or challenge the assumptions behind the decisions.

The ethical response of libraries is vital in these circumstances.

The second area of the Code of Ethics is **Responsibility towards individuals and society.**

The IFLA Code of Ethics also has a clear commitment to make content equally accessible. To achieve this libraries, librarians and information workers have a responsibility to promote inclusion and ensure that equitable services are provided for everyone.

For this reason, this year IFLA agreed a Statement on Net Neutrality and Zero Rating

Net Neutrality is the principle that all data or traffic on the internet should be treated equally. Without this principle those who can pay more – like the major streaming media companies – could receive preferential treatment over more general users. On one hand ISP's are arguing that growth in traffic online is outstripping the capacity of the internet infrastructure; on the other there are fears that without net neutrality ISPs may implement undue traffic management, for example downgrading the quality of certain applications – particularly those of competitors.

ISPs have suggested placing caps on how much space data can use, or to create fast or slow lanes. You can guess which lane libraries would be in.

Zero rating is a related issue where the use of certain applications or services are not counted against a user's data allowance. This conflicts with the principle of net neutrality as Zero Rated products are positively discriminated, orienting the choice of users.

It is also essential that libraries ensure that users can find for themselves the information and knowledge that they need. This is not just an issue for how the content is organised and made accessible. It requires libraries to ensure that their users have the necessary digital and information literacy skills that they need to use digital resources – rather as libraries promote traditional literacy skills. These have to be built in to the user education programmes provided by libraries.

Privacy, secrecy and transparency

This area has perhaps brought some of the most challenging and controversial issues for ethics and libraries. The confidential relationship between library user and librarian and information worker has been long standing and lies at the heart of what we do. This is based on confidentiality, the protection of personal data.

Like freedom of access to information and freedom of expression the right to privacy is enshrined in the Universal Declaration on Human Rights at Article 12:

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

This again is re-inforced for those of us living in Europe by the European Convention on Human Rights, in which Article 8 which concerns the Right to respect for private and family life:

1. Everyone has the right to respect for his private and family life, his home and his correspondence.

2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic wellbeing of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

However, the Snowden revelations about government surveillance caused a major outcry in a number of countries in a number of countries the United Nations raised concerns at this issue. In December 2013, the United Nations General Assembly adopted a resolution on the “Right to privacy in the digital age,” calling all countries to “respect and protect the right to privacy, including in the context of digital communication”. Subsequently a Special Rapporteur on Privacy and Human Rights was appointed.

In 2015 IFLA issued a Statement of Privacy in the Library Environment which emphasised the principles of confidentiality.

However, this is a complex issue with personal data being collected about users, often by bodies outside the library’s control and sometimes without the user’s permission or even awareness that it is happening. But in a world of state sponsored monitoring and surveillance we cannot guarantee the privacy and confidentiality which should be at the heart of the library and user relationship. Ethical issues include:

- Managing the collection of data by the library itself such as age, gender, loan records, overdue charges, enquiries, requests, and CCTV. Libraries also may record internet use including searching as part of the filtering records
- The data kept by suppliers of digital content such as e-journals, e-books, databases
- Data monitoring and retention by search engines and content providers on both a voluntary and compulsory basis
- Government mass surveillance of internet and digital use, or data kept by the Library at the Government’s behest.

A growing ethical issue is the Right to be Forgotten. This has also been referred to as the Right to delist, the right to erasure, or the right to oblivion and is also the subject of an IFLA statement which was agreed this year. Whilst search engines have always considered the removal of links from their search results.

However, in a landmark decision in 2014 by the Court of Justice of the European Union ruled that individuals have a right, under certain conditions, to ask search engines to remove links with personal information about them. Originally the right only applied to search engine results within the country where the decision has been made. However, a case in France is attempting to force Google to remove a link from being visible in every country in the world.

The Right to be Forgotten is a complex and growing issue but there are real risks to the integrity of and access to the historical record, freedom of access to information and freedom of expression, as well as privacy.

The issue of privacy is complex. However, it is vital that users are aware of the issues so that they can make an informed choice on how they use the Library and its services; and many would argue that the Library should add privacy and the management of personal data to the user education that is offered. The work of organisations such as the Library Freedom Project have some interesting online courses in how to protect your privacy, and promote the use of TOR and other software to support the management of personal data and are increasingly used to offer user education in privacy.

The fourth principle is **Open access and intellectual property**

There is always an ethical balance between the need for authors and publishers to benefit from their work, and the responsibility of libraries to provide the widest possible access for library users. However, given the high – and increasing – cost of scholarly publications – some librarians express a concern that this balance is not right. This can be particularly an issue when it comes to publishing the results of publicly funded research.

Open access publishing is providing a solution for some and libraries have an important role to play in facilitating and supporting this approach.

This is reflected in the IFLA Statement on Open Access to Scholarly Literature and Research Documentation which was agreed in 2003.

Neutrality, personal integrity and professional skills

Here the principle issue is the need to maintain an up to date awareness of the ethical dilemmas and challenges brought about by the shift to digital, and advocate for the best outcome for the library and its users.

The last ethical principle covers **Colleague and employer/employee relationships**. This re-inforces the principle that libraries, librarians and information workers operate in an ethical environment. We all have a responsibility to act ethically, and promote ethics and ethical behaviour.

And this is important - whilst the speed of change in libraries is at times startling, their purpose remains unchanged as do their ethical principles. However, as our libraries continue the shift to digital, and the methods of delivering services change, so do the ethical dilemmas as we grapple with. But they are not something we should avoid, or be worried about – because ethics lie at the heart of libraries, at the heart of what we do.

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