

Neutrality versus Proactivity in Libraries During Turbulent Times

Edita Bačić

Faculty of Law University of Split
Croatia

edita@pravst.hr



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Abstract

As it is known, the principle of neutrality had a certain role in development of librarianship. The democratization of the library profession at the beginning of the last century was linked to the principle of neutrality as a guarantor for equal access to all library users. By changing social conditions the question of neutrality has become a subject of great re-examination. Human rights, right to information and need for social inclusion have become the bases of modern social movements in achieving social justice. This new reality becomes a part of the library profession in which librarians play a new role, proactively involved in the life of their community.

New dimensions of librarianship are no longer limited to professional responsibility in relation to the library users but also there is responsibility for development of the entire community. Related to that we need to consider the existing role of law librarians in relation to the importance of legal information and their impact on our daily life.

Inclusion of IFLA in the implementation of UN Agenda 2030 and achievement of sustainable development goals definitely change the relationship between librarians and the community. To achieve sustainable development goals neutrality as a principle is not enough, an active approach is needed. We can say that neutrality is in collision with some new tasks of our profession.

Keywords: Responsible librarianship ; Law librarianship ; Activism for sustainable development ; Ethical issue

Introduction

In recent years theoretical reflections on social responsibility questions of librarianship for many members of our global vocational community do not imply the principle of neutrality as a crucial factor for professional objectivity and equal access for all library users. As it is known professional neutrality had a significant role in the development of librarianship at the beginning of the last century but in today's conditions of global and rapid changes, it is necessary to re-examine that approach. We can say that more than ever, the majority of political

decisions (international and national) related to human rights and free access to information directly or indirectly impose some restrictions on the library community in fulfilling their professional mission, which seriously undermine the foundations of our profession based on the public interest. Contemporary librarians in relation to the public mission of their profession, as well as all other citizens, are in a position in accordance with their civil rights to actively participate in building a more humane society. Regarding the mentioned socio-political reality critical approach, activism and leadership for change are expected from librarians especially in turbulent times.

Such an approach opens new questions about how prepared we are for turbulent times, and how educated we are to understand our own roles and responsibilities for fulfilling a professional mission in the aggravating circumstances of permanent changes whose end is hardly seen.

Social Responsibility and ethical issues

Looking for answers regarding the role and responsibilities of librarians we must also think about the importance of ethical issues in our profession. The importance of ethical questions appeared in the library profession in the late thirties, and were often the subject of expert discussions within the American Library Association (ALA). ALA adopted its first Code of Ethics in 1939¹. In the meantime it passed several changes and the last amendment was adopted in 2008. Permanent social changes prompted librarians to periodically reconsider their role vis-à-vis the user community, but we can say that concept of ethics is still based on respect for the same basic principles of equality and professional responsibility in relation to users, colleagues and the wider public.

Reflecting on ethical issues in the information age is not possible without simultaneous discussion of legal issues related to modern technology and new consequences on former ethical concepts which seek adequate approach to new law solutions in the digital environment. Questions of law and ethics are basically connected, but not always in balance, therefore many authors today reconsider the position of librarians in these new professional conditions looking for ways to overcome the established concept and at the same time to preserve the basic values of librarianship.²

The latest attitudes in domain of ethical issues could be seen in the IFLA Code of Ethics in August 2012, which emphasizes information service in the interest of social, cultural and economic well-being as the heart of librarianship and in that sense they have social responsibility for their work. The preamble also states that the purpose of this document is to provide its provisions to librarians and other information specialists as guidance and encouragement to judge how to deal with eventual professional dilemmas, how to improve professional self-awareness and how to ensure transparency for the users and the community in general.³

¹ Code of Ethics of the American Library Association. [2018-07-02] Available at: <http://www.ala.org/advocacy/proethics/codeofethics/codeethics>

² See: Fourie, Denise K. and Nancy E. Loe. Libraries in the information age : an introduction and career exploration. 3rd ed. Santa barbara : Libraries Unlimited, 2016, 231 – 277.

³ IFLA Code of Ethics for Librarians and other information workers. [2018-07-02] Available at: <http://www.ifla.org/news/ifla-code-of-ethics-for-librarians>

In seeking the way for new strategies for development of modern librarianship there are some critical points. One of the prominent American experts is R. David Lankes. Lankes is a passionate advocate of libraries and the importance of their proactive role in today's society, so it is interesting to read his critical comment on the IFLA Code of Ethics, published on his blog immediately after the adoption⁴

In the commentary he supports all those parts of the Code of Ethics which emphasize the importance and social role of librarians, but at the same time opens up different questions regarding the obligation to respect the principle of neutrality, in his opinion a very contradictory principle, precisely in the case of the responsible librarianship which the code itself requires from librarians and information professionals. Lankes believes that neutrality is not possible when we have the professional commitment to defend human rights and freedom of speech, and in this case librarians have the right not to be passive and neutral because the wider public expects protection.

The questioning of the principle of neutrality is not new in professional circles and is already present on a broader library scene, especially within the work of independent librarians and information specialist members of the Progressive Librarian Guild⁵. For some of them, the principle of neutrality in the 21st century does not mean more than ignorance of social reality. Librarians' attitudes to the profession and the general public are determined by the character of our profession itself which belongs to public interest services. In this context it is hard to imagine an open contemporary civic, intellectual and professional environment without special care of the community we serve because we are also part of that same community. In recent years, in terms of alternative approaches to understanding and practicing social role of libraries and librarians we have to mention the phenomenon of ad hoc inclusion in global social movements; such was the case with the Occupy Wall Street Library⁶. Located in the northeast corner of Liberty Plaza, the library provided free, open and unrestricted access to an informal collection during the turbulent period.

Law librarianship and changing impact of law information

Encouraged by general thoughts about social responsibility and role of libraries in turbulent times we can try to ask how much this critical approach is acceptable from the aspect of law librarianship?

Many questions arise already when we try to speak about definition of law librarianship. First of all there is the question of what we are talking about when we talk about law librarianship? Is it just about librarians working in law school libraries or all other librarians and information specialists working with legal information in court, attorney's offices, and large companies? What kind of education is needed for law librarians and is it necessary to have two diplomas (law and librarianship)? In any case, regardless of different starting points, what is common in

⁴ Lankes, R. David. Beyond the Bullet Points: IFLA Code of Ethics. [2018-07-02] Available at: <http://quartz.syr.edu/blog/?p=1735>

⁵ Progressive Librarians Guild. [2018-07-02] Available at: <http://progressivelibrariansguild.org/>

⁶ Occupy Wall Street Library. [2018-07-02] Available at: <https://peopleslibrary.wordpress.com/about/>

determining the professional framework of law librarians is related to the specific nature of legal information⁷.

Initially, the focus of law librarianship was mostly on the faculty libraries, but later the development of the law profession included other libraries in the field of justice, state and related institutions. Due to the great increase in legal information and its importance for the everyday life of all citizens, in 1932, a group of lawyers founded The Friends of the Law Library of Congress. The founders, alongside support of the library itself, aimed at fostering a better understanding of the law in the wider community which is also the same part of today's mission⁸. Law librarianship is a relatively new discipline within the library profession, whether it is national or international. The first professional associations of law librarians in the present sense are formed at the beginning of the nineteenth century, primarily in the area of Anglo-Saxon legal systems. American Association of Law Libraries (AALL)⁹ is the largest one. Speaking from the aspect of IFLA's Law Libraries Section is one of the youngest, established in 2007, but prior to that this group was operating for several years as the Law Libraries Discussion Group. In such circumstances arises the question about future perspectives and further development of law librarianship.

Responding to this question, we must have in mind the importance of legal information for the wider community and its impact on our daily life. Precisely in this specific nature of legal information in relation to some other, law librarianship founded its identity and appropriate place in the wider profession of librarianship. Just in this component of the importance of legal information for all citizens we can see space for re-examination of the role of law libraries and law librarians in the context of social responsibility. We can see that in relation to the law library users but also in general as professional responsibility for democratic and sustainable development of the entire community.

Speaking about further development of law librarianship we must start with the movement of open access to information and knowledge which is one of the most important global trends in contemporary scientific knowledge that does not go beyond legal science. The idea of free access to legal information has been present in academic circles for a number of years, but in 1992, thanks to the Internet (using Gopher's Protocol) a group of scientists at the American Legal School Cornell Law School started with project called the Legal Information Institute (LII) and enabled free access to some US legal sources¹⁰. Soon, in Australia, some legal schools resumed similar practices with the Australasian Legal Information Institute (AustLII) project and have so far developed more than 500 databases in the open access. Encouraged by these achievements over the next few years similar initiatives have continued in many countries. One of the first European Information Legal Services was launched at the beginning of the nineties at the German University of Saarland. At the Institut für Rechtsinformatik is going on portal

⁷ See: Law Librarianship in the twenty-first century / ed. Roy Balleste... et al. Lanham : The Scarecrow Press, Inc., 2007, 1-12.

⁸ Join Friends of the Law Library. [2018-07-02]. Available at: <https://www.loc.gov/law/about/friends.php>.

⁹ AALL. [2018-07-02]. Available at: <https://www.aallnet.org/about-us/>

¹⁰ Legal Information Institut. [2018-07-02] Available at: <https://www.law.cornell.edu/>

Juristisches Internetprojekt Saarbrücken (JPS)¹¹ previously known as the Law Web Saarbrücken. Today this is key internet portal for legal sources in Germany.

By establishing a wider network called Free Access to Law Movement (FALLM) and Adopting Declaration on Free Access to Law¹² 2002, basic principles of open access to legal informations have been set up. The Montreal Declaration declares that:

- Public legal information from all countries and international institutions is part of the common heritage of humanity. Maximising access to this information promotes justice and the rule of law;
- Public legal information is digital common property and should be accessible to all on a non-profit basis and free of charge;
- Organisations such as legal information institutes have the right to publish public legal information and the government bodies that create or control that information should provide access to it so that it can be published by other parties

At the same time free access to information is one of the basic goals of the UN Agenda 2030 and SDGs. It is precisely direction in which law librarianship must be actively involved.

IFLA International Advocacy Programme (IAP)

The IFLA Internationale Advocacy Programme (IAP)¹³ started in 2016 with one train-the-trainer workshop and six regional workshops around the world. Yet it rapidly become a powerful worldwide movement. Librarians in all regions have gathered evidence and learnt how better to advocate for libraries as motors of development underlining their contribution to more informed, included, and engaged societies.

The United Nations 2030 Agenda, and the Sustainable Development Goal it establishes, have offered a vital framework for libraries. Thanks to this, it has been possible to explain the work of libraries in language that decision-makers understand. Following the workshops, 150 participants signed contracts to take action, from 76 countries. Yet beyond this, IAP and its themes have spread across the library field, providing a strong and attractive strong advocacy theme for libraries around the world.

The IFLA International Programme (IAP) took place in New York on 28-29 June 2018. Nearly 40 participants, invited by IFLA, met at the Brooklyn Public Library, the United Nations Headquarters, and The New York Public Library to review two years' work and take library advocacy around the Sustainable Development Goals to the next level. On that occasion IFLA Secretary General Gerald Leitner said: „Two years ago, we challenged librarians around the world to make the case for libraries as drivers of development. They have surpassed our

¹¹ Juristisches Internetprojekt Saarbrücken (JPS). [2018-07-02]. Available at: <http://www.jura.uni-saarland.de/recht-weltweit>

¹² Declaration on Free Access to Law. [2018-07-02]. Available at: <http://www.ittig.cnr.it/Ricerca/ProgettiEuropei/fal/DeclarationFreeAccessToLaw.pdf>.

¹³The Internationale Advocacy Programme (IAP) [2018-07-02] Available at: <https://www.ifla.org/ldp/iap>

expectations. Now we look to the future, to moving up a gear in our engagement with the UN, governments and communities¹⁴

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¹⁴ Advocating for Libraries as Partners for Development: IFLA's International Advocacy Programme Comes to the UN. [2018-07-02] Available at: <https://www.ifla.org/node/59406>