Intellectual freedom, ethical issues and the information professional

INTELLECTUAL FREEDOM, ETHICAL ISSUES AND THE INFORMATION PROFESSIONAL

BY

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Abstract

Library and information services have often been studied in ways that isolate them from their social, political and economic settings. This dismisses an important element of information research, namely, the contribution of formal information systems to the development of institutionalized and cultural forms of legitimated knowledge. A critical yet eclectic analytical paradigm has been constructed in order to prepare the way for a critical meditation on the essential foundations of professional authority, of ethical considerations and professional standards. Within this theoretical framework, Clause Twenty Eight of the Local Government Act 1988, which prevents local authorities from promoting homosexuality, and the implication this has on the work of librarians is analyzed. The Internet is also examined from a critical viewpoint with much discussion focusing upon issues of intellectual property and ethical concerns. Finally strategies for professional conduct are discussed within an overarching evaluation of the concept of intellectual freedom. It is argued that librarians must demonstrate a renewed commitment to the principle of free and equal access to libraries and information. The notion of ethics suggests that librarians take actions that are socially just. Intellectual freedom and ethical issues cannot be divorced from the critical contextual overview of the place and role of the library as a social agency. There is an attempt to tease apart the subtle and sometimes overt power relations that tend to inform common held assumptions regarding the role of the information professional in the dissemination of information. A theoretical framework is constructed in which those commonly held assumptions can be challenged, harnessed and transformed for the good of the profession and for society.

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Chapter 1

The library as a social agency: a broad contextual overview. Constructing a theoretical interdisciplinary and critical framework.

The library is an agent of communication with particular responsibilities to procure and transfer information and knowledge for the advancement of society. Without knowledge there is no progress. Freidson (1986) states that knowledge is intrinsic to human culture, embracing the facts believed to compose the world; the proper techniques with which to cope with them in order to gain a particular end; the attitudes or orientations that are appropriate to adopt towards them; and the ideas or theories by which one makes sense of facts, methods and attitudes, explaining and legitimizing them. It is common to distinguish everyday or commonsense knowledge shared by all adults in the course of activities performed, from specialized knowledge shared by particular groups of people who perform activities that others do not on a regular basis. Information used, appreciated or understood and thus attaining value to a group or society beyond its creator is knowledge. The communication process is the basis of the transformation of information to knowledge and within this process the library assumes a prominent role in the social structure (McGarry 1993).

However libraries and information services have often been studied in ways that isolate them from their social, cultural, political and economic setting. This tendancy to study such systems in a vacuum has resulted in a failure to achieve any convincing insight in to what must surely be an important element of information research, namely the contribution of formal information systems to the development of institutionalized and

cultural forms of legitimated knowledge in society as a whole (Barnes 1981). In the past information and knowledge have been treated as having some objective reality; information is viewed as stuff (Barnes 1981, Harris and Itoga cited in Hernon and McClure 1991). The perception of the librarian as manager is sustained by the belief in the objective nature of information. Such a viewpoint will lead to an uncritical examination of the ways in which systems are produced and will fail to recognize the social and political forces which affect resource allocation to these systems with a dubious assumption that the librarian or information worker is a neutral intermediary between the producer of information and the recipient of information (Blanke 1989).

Thus the theoretical approach adopted in this analysis reflects the conviction that library science does not represent a separate discipline but rather a mediating profession dependent upon knowledge intelligently drawn from a plethora of acknowledged disciplines, especially the social sciences. Constructing a theoretical interdisciplinary and critical framework involves developing an eclectic yet unitary mode of analysis. Thus the project assumes that the library community is interested in developing a critical and substantive understanding of what libraries do in the much broader context of why libraries matter. It is to go beyond the surface characteristics of information and library work and discover the structural and functional dynamics of the library service (Harris and Itoga cited in Hernon and McClure 1991). Such knowledge will facilitate collective and dialectical conversation among library professionals about the role of the library within the broader social, cultural, political and economic contexts of information services in western societies and prepare the way for a critical meditation on the essential foundations of professional authority, of ethical considerations,

intellectual freedom and professional standards in information and library work.

The task of discovering a critical analytical framework is not easy. With constantly shifting theoretical paradigms, critical theory is always on the move, evolving, developing, adapting and accommodating new ideas and insights. This has led some of the most distinguished social theorists to publish massive overviews designed to map the new theoretical foundations of the human and social sciences (Habermas 1989, Coleman 1990). Dahlgren (cited in Slack and Fejes 1987) working within the tradition of critical theory uses the term ideology to label specifically the social processes that ensue when meaning serves to maintain relations of domination rather than facilitate human freedom. The task of ideology critique is to indicate where, when and how the social processes by which we make sense of our lives become domination and prevent individuals and groups from acting as self conscious historical beings. A wide range of studies have demonstrated the extent to which the state is engaged in the production and reproduction of the relations of production in modern capitalistic society (Jessop 1982, Alford and Friedland 1985, and for a critique Van den Berg 1988). This work which has great relevance for librarians and other information professionals is founded on the insights of Antonio Gramsci who undertook a theoretical investigation of the capitalist state which he defined as:

> the entire complex of practical activities with which the ruling class not only justifies and maintains its dominance but manages to win the active consent of those over whom it rules (Gramsci 1971 p. 224.).

Gramsci (1971) concluded that the genius of the capitalist state rested in its ability to impose upon society its 'ideological hegemony' or the way in which a ruling ideology survives and flourishes with the apparent compliance of its victims and succeeds in invading and shaping their consciousness, power objectified and exercised through institutions of 'civil society'; that is the ensemble of educational, religious and cultural institutions. Through the process of hegemony, one group achieves dominance over others via the manipulation of 'ideas' thereby establishing consensus or agreement without having to utilize direct physical force. As Allor (cited in Slack and Fejes 1987) asserts, more importantly hegemony is a leaky system. The repertoire of cultural forms grounded in the practices of daily life provide us with the resources to deflect, subvert and reject the representations of the dominant order. However, society at large has become shaped by and come largely to reflect the social relations of power, be they capitalistic, patriarchal or neo-colonial (Coppock 1990). It has thus been established that the concept of hegemony has the asset of incorporating a critical perspective on ideology. That is, it situates ideology within the context of a critique of domination. This is a form of social theorizing and research committed to the emancipatory interest, that of eliminating socially unnecessary constraints of human freedom, particularly as these are embodied in relations of social power. The analysis of ideology thus consists of studying how meaning serves to maintain relations of domination. Phenomenologically, meaning emerges in the context of everyday life and the routine practical tasks of living. People create the world collectively through actions and meanings which can become institutionalized. The resultant social relations in turn shape the individual social member (Berger and Luckmann 1966). Such terms as 'stocks of knowledge at hand' and 'taken for granted versus

questioning' all underscore that the social world is in part a constructed world. Questioning that which is taken for granted, self reflection, creativity and so on safeguard the production of meaning from attempts to totally control and, or predict it on the part of some groups against others (Coleman 1990).

Theoretically then, ideology becomes the set of representations of the social formation that 'work' to cement together and reproduce the social within the terms of the existing power relations. A central feature of ideological representation is the constant reproduction of ideas perceived to be devoid of a historical beginning or end. They are endowed with a 'timeless' structure, self perpetuating because they are assumed to already exist and continue to exist because they are used and referred to (Williams 1980). To proceed to a concrete knowledge of hegemony, it should be stated that there is no ideology in general, only in specific historical connections between institutions, representation and human individuals (Sheridan 1980). This suggests that ideology has its existence in a set of relationships; between images, terms, statements, themes, forms of knowledge and most importantly the position of individuals in relation to these. Therefore it is a question of discourse and between discourse and institution (Foucault 1979).

The sets of relationships clustered around the term information provides a key example of the work of ideology. Ekecrantz (cited in Slack and Fejes 1987) believes that the first step is to analyze the ideological function of the term information by analyzing its status within specific discourses, for example information and computer science and the relationship of the term (and the discourse) to other terms, other network of terms, for example the telecommunication industry, popular

scientific magazines and information transfer. This discursive analysis is simply the first step. Discourses only have an existence within particular institutional sites (Coppock 1990). Therefore the second move should be to document and analyze through sociological examination the ways in which particular institutions have taken up, altered and deployed the discourse of information. There dominates a belief that information flows from the informed elites to the general public, the relatively uninformed with a minimum of power resources. This flow is assumed to increase resources, informational and others among the latter. This tenet where 'knowledge is power' is also used for the promotion of a wide variety of consumer goods, for example home computers. The reality however indicates otherwise. Instead of mass mobility upward in the power/knowledge structure, or toward substantive structural change, there is structural cementation and polarization (Wolfe 1989).

> No body of knowledge can be formed without a system of communications, records, accumulation and displacement which is in itself a form of power and which is linked, in its existence and functioning, to other forms of power. Conversely, no power can be exercised without the extraction, appropriation, distribution or retention of knowledge. On this level, there is not knowledge on the one side and society on the other...but only the fundamental forms of knowledge/power (Foucault cited in Sheridan 1980 p. 131)

Harris and Itoga (cited in Hernon and McClure 1991) believe that librarians must make optimum use of new theoretical breakthroughs in the social sciences. The focus must be on the intelligent use of theoretical insights that will support librarians in their pursuit of a critical understanding of the structural and functional characteristics of libraries, while contributing to the corpus of knowledge about cultural

institutions in general. In addition such an academic venture will enable the construction and prosecution of a wide range of empirical investigations designed to further the project of constructing a knowledge base that will 'explain' the library system and related issues in a contemporary liberal democracy. There have been some useful attempts at translating theoretical developments in the human and social sciences for the library profession (Barnes 1981, Grover and Glazier 1986, Harris 1986, Beagle 1988, Harris and Hannah 1993). Any explanation of the nature of the library service must attend to the constantly evolving debate about the proper deployment of libraries and their resources in the service of 'civic virtue'. Attention must be drawn to the changing definitions of 'civic virtue' especially as articulated by the state, and measure the impact of those changing conceptions upon the definition of the role of libraries in an increasingly electronic age and in a liberal democracy imbued with capitalistic, patriarchal and neo-colonial values (Sullivan 1986).

Thus attention may be directed towards that body of interdisciplinary research which deals comprehensively with the subject of the production and distribution of cultural capital for ideological purposes. Therefore it is argued that the library's historical and current structural, functional characteristics are determined by its definition as an institution contrived to consume, preserve, transmit and reproduce dominant social ideology (Harris 1986). In his study of ideological hegemony, Williams (1980) has coined the term 'selective tradition' in which certain meanings and practices are chosen for emphasis while other meanings and practices are neglected and excluded. This analysis has proven useful to those scholars interested in the ways in which the creation and use of the literary canon empowers certain groups in society and systematically

denies power to others (Siebers 1988, Scholes 1989). Further research reveals the extent to which power among the various components of the ideological apparatus is asymmetrically distributed with certain institutional sites charged with the responsibility of 'creating' the dominant culture while others are limited to playing a more marginal role of simply transmitting or preserving the dominant effective culture (Angus and Jhally 1989). It can now be seen how dependence on ideology-producing institutions allow information professionals to blink critical professional issues and focus on the daily work routine (Derber, Schwartz and Magress 1990). The library as an ideological institution not only produces and reproduces the dominant ideology but also produces and reproduces its audience (Zolberg 1990). It can also be noted how such dedication to high culture in printed and increasingly electronic form actually denies access to library resources to certain classes and groups in society. This criticism has also been concerned with analyzing the direction of the information flows and the power structures of which these flows are integral parts.

Harris and Itoga (cited in Hernon and McClure 1991) argue that what is needed is a theoretical framework that will foster the objective of becoming critical; critical theories designed to emancipate and enlighten; critical theories that will alert librarians to the ideological frame surrounding library and information services. Such theory will help unmask the naive idea that books in libraries simply reflect the best that has been thought and written in western society. Instead it will demonstrate the way in which libraries and their contents have always been linked

> to the power and privilege of certain classes to represent the world through

> books in ways that serve their interests
> (Carey 1984 p. 108).

The overall picture of the role, place and work of librarians within the societal setting cannot be viewed in reductionist terms, but within the context of a subtle interplay of structure and agency. Librarians are not a homogenous group of professionals necessarily undertaking and carrying out activities in the same way and in similar circumstances or settings, for the impact on their work by clients of varied capacities, by capital, by the state, by local socio-cultural, political and economic factors and the differences they have among themselves by virtue of their different perspectives evoke a complex and subtle picture of interaction and negotiation by active human beings.

In summary, there is a growing awareness that unknowingly or unwittingly, the library as an institution and librarians play an important part in the construction of reality. The fact that the conventional defence of professional neutrality is now being challenged has thrown in to question the role of the information professional in the dissemination of information. That is, the arguement that librarians are simply the neutral guardians of the the transcendent values of books and reading has been widely challenged (Reith cited in Rogers and McChesney 1984, Lawson and Anthes 1988, Blanke 1989, Finks 1989, Harris and Hannah 1993). A better understanding has been gained of the extent to which the library is an institution functioning in the high cultural region embedded in a stratified ensemble of institutions dedicated to the creation, transmission and production of hegemonic ideology (Barnes 1981, Harris 1986). These new insights challenge the apolitical conception of the library so commonly held by library professionals and strips the library of the ethical and political innocence

attributed to it by library apologists. As Beard (1990 cited in Harris and Hannah 1993 p. 108) comments:

> Libraries are not simply the storehouses of books. They are the means of organizing knowledge...and of controlling that knowledge and restricting access to it. They are symbols of intellectual and political power...and the focus of conflict and opposition.

The various settings within which everday interactions take place, for example between librarians and users, are themselves embedded in a wider system of social and symbolic relations constructed on the basis of systematc inequalities based on class, 'race', gender, sexuality, the distribution of property and wealth (which in turn fosters the creation of the information rich and poor) resulting in a social structure of dominance and subordination which gives rise to certain forms of knowledge gaining legitimacy and hegemony at a micro and macro institutional level, through policy and practice, cultural reproduction and the creation of norms and values (Angus and Jhally 1989). The library possesses power in the form of its resources and through their interpretation influence, modify and affect the social, cultural political and economic parameters of its environment. The academic project involves attending to political-epistemological questions around the very construction and deconstruction of knowledge (Coppock 1990). As Foucault (1979) asserts, power and knowledge imply one another. Within this socio-political and cultural context, librarians have to be aware that certain forms of knowledge have the potential to exclude or oppress and the implication this has for the role of the librarian in an increasingly complex society in disseminating such information to users. Therefore

equal attention must be given to how the use made of any information will affect society (De Weese 1970).

If libraries are the chief cultural centres of British life, should they not be in the vanguard at least symbolically in promoting access to ideas in democracy, equality of opportunity, affirming our social and cultural diversity and of upholding, respecting the beliefs and way of life of all sections of society? This overall working ethic has to be placed within the context of giving equal precedence to the concept of intellectual freedom which is another key characteristic of a liberal democracy. The question is how far can, or should a socially responsible public library and information system ignore the tastes and sensitivities of the community it serves, or indeed to society as a whole? Issues such as David Irvings historical 'scholarship' stating that the holocaust never occured, items that promote hatred or violence, propaganda for 'terrorist' organizations at one extreme to issues related to the 'promotion' of homosexuality (Clause Twenty Eight of the Local Government Act 1988), in addition to "Dare to speak Love's Name" (a lesbian and gay Christian prayer book), the movie entitled "The Last Temptation of Christ", the recent controversy over Spycatcher and material thought to perpetuate racism and sexism, are all ethical and social issues that have been and continue to test the professional judgment of librarians. Should information workers faced with controversial requests make a professional judgment and refuse to help the client if detrimental effects are suspected?

The introduction of the Internet poses a whole range of new dilemmas for information professionals in terms of issues surrounding access, privacy, freedom of expression, with the potential benefits and

consequences of such an information global network. There are a whole range of intellectual property issues that also need examination. These concerns are posing a challenge to the library of the future and will require self examination and a response by librarians and information workers themselves. Questions arising from the development and use of the Internet include on what terms it is accessible, what opportunities are offered and the problems posed. We can examine the mode of legitimation which may well pivot around the aura of the apparatus itself. Dissimulation (whereby attention and reflection on domination is deflected, blocked or dissipated) can be found at work by the mere abundance of information available. Thus we can question what is not available in this output (but should be) and focus on the blurring of the distinctions between the trivial and the important and on the lack of clarity about its practical relevance and utility. Reification focuses our attention on social relations mirrored by the new technology and the more specific sets of relationships which are embodied by the technology, chiefly the distinction between producers and consumers, and the role intermediaries play between the two groups (Dahlgren cited in Slack and Fejes 1987). The mystifictaion of information is perhaps the most important. What one sees on the screen gives no clue to its social origins. On the Internet, changes in the data can be made without a trace (Sykes 1991). The introduction of the Internet may mean the modernization of poverty; print illiteracy being replaced by computer illiteracy. It can be argued that access to information goods will be based on income and education, both of which will be determined by one's position in the information economy (domestically and internationally). Drawing from Gans (1974) we can perhaps talk about the development of information taste publics, whose style of consumption and

use of information products is a reflection of their class self-identity and social position.

Society is constantly evolving and changing in the expression of its values, norms, structures of thought and the challenge and generation of new ideas, inextricably linked to the use and development of new technology, all impinge upon cultural definitions of legitimated knowledge. Therefore, the library as a social agency is also subject to change and cyclical renewal linked to the modification of its functions and purpose, of the nature of its store, the method of product delivery and may include roles not yet identified or fulfiled. Further, some of the functions may be found to be contradictory to one another, so many and diverse are the social forces moulding the structure and place of the library. The library may function as a controversial agency of society regardless of whether its activities are passive or conducted through deliberate initiation and advocacy. The provision of information makes the library a potentially democratic and democratizing vehicle, assisting individuals in arriving at reasonable decisions to solve their problems and in advancing educational and cultural knowledge for the benefit of society. Information is essential to democracy, assuming we want a democratic and open society.

It is within this overall critical and theoretical framework outlined in this chapter that Clause Twenty Eight of the Local Government Act 1988 which prevents local authorities from promoting homosexuality and the implications this has on the work of librarians will be analyzed.

Chapter 2

Clause Twenty Eight of the Local Government Act 1988. Background; principles; theoretical underpinnings and implications for libraries.

> There is not one but many silences and
> they are an integral part of the strategies
> that underlie and permeate discourses
> (Foucault 1979 p. 27).

Two major factors seem to prevent lesbian and gay issues from being seen as a legitimate part of the 'equality agenda': the reluctance to see sexuality as a social phenomenon and the invisibility of lesbians and gay men. Sexuality has traditionally been perceived as a psychological/medical issue rather than a social structural variable, with implications for how people experience the social world (Weeks 1986). Heterosexism means, quite simply, the dominance of a world view where heterosexuality is used as the standard against which all people are measured. Everyone is assumed to be 'naturally' heterosexual unless proven otherwise and anyone who does not fit in to this pattern is often considered abnormal, sick, morally inferior or worse (Raaflaub 1991). In recent years we have become accustomed to addressing other 'isms': racism, sexism, classism, ablebodiedism and ageism. It can be very useful to draw analogies between these other forms of oppression and heterosexism. Gough and Greenblatt (1992) argue that unlike prejudices based on gender, skin colour, class and physical ability, heterosexist assumptions are so insidious that many of us unwittingly collude with and perpetuate them. One reason that the heterosexist perspective is so difficult to acknowledge is because it is instilled early in our socialization. It has an all-pervasive quality that seeps in through our pores from every possible source. It is echoed and supported in every

cultural arena by the values, policies and activities of societal institutions, including education, the legal structure, religious orthodoxy and mass communication (Riddell 1988). Thus it will be argued that Clause Twenty Eight of the Local Government Act 1988 is an example through which institutionalized heterosexism has gained currency. The wording of Section Twenty Eight states that a local authority shall not:

> intentionally promote homosexuality or publish material with the intention of promoting homosexuality or to promote the teaching in any maintained school of the acceptability of homosexuality as a pretended family relationship.

Section Twenty Eight is the first law enacted this century to single out lesbian and gay lifestyles for legal disapproval. It was enacted after a series of incidents in which some Conservative politicians and sections of the media alleged that certain 'loony left' local authorities were maintaining a propaganda campaign to 'glamorize' homosexuality (Colvin 1989). The real concern arose specifically from exaggerated and often inaccurate press reports about the activities of some Labour Councils, notably Haringey in North London where the policy of positive images of homosexuality intended to respect diversity. "Jenny lives with Eric and Martin" was the book being waved around the Conservative Party Conference. The phrase about 'pretended family relationship' in Section Twenty Eight seemed specifically devised to cover that particular book (Ashby 1987, Durham 1989).

A strict interpretation of Clause Twenty Eight could require local authorities to ban all council-produced or council-funded literature which portrays homosexuality in any positive light, and to deny funding to any organization which does likewise and actively to discriminate

against lesbians, gays and bisexuals in employment and training practices as well in the provision of council services. Another interpretation could simply require local authorities to refrain from attempting to convince people, particularly children in schools that thay should become homosexual or experiment with homosexual relationships (Wintemute 1994). Whatever interpretation one places on the legislation, Section Twenty Eight symbolically rejects the idea of non-discrimination on the basis of sexual orientation and implicitly contains an insulting description of same-sex couples and their children as having 'pretended family relationships' with each other. Liberty (formerly known as the National Council for Civil Liberties) has recently carried out a study which found that local authorities have significantly reduced support and facilities for lesbians and gay men since Section Twenty Eight was implemented (Foley 1994). Much discrimination exists against lesbians and gay men in British society. There is no legislation equivalent to the Race Relations Act 1976 or the Sex Discrimination Act 1975 that expressly prohibits sexual orientation discrimination in employment, housing, education and other services. There is no Bill of Rights. Lesbians and gay men who do not conceal their sexual identity are often subject to ostracism, threats, violence, legal action and other forms of covert and overt discrimination. Discrimination and oppression mean that lesbian and gay men experience all social institutions differently: relationships are not recognized or sanctioned, adolescence is fraught with more than usual difficulty, the education system ignores ones existence; job opportunities and security are affected; being a parent is a risky business and overt violence constrain day to day living (Babuscio 1988, Every 1991, Herek 1992, Fraser 1994, Foley 1994, Behr 1995).

It is argued that the context in which Clause Twenty Eight was implemented and its implications for libraries in terms of collection development, providing information to clients and the ethical dilemmas posed by such legislation can only be understood by placing such legislation within an overarching historical, social, cultural, legal, familial, religious and institutional context in relation to the emergence of the 'homosexual' as a societal construct, within an overall structure of gender relations coupled with the linkage made with the rise and philosophy of the New Right. Challenging oppression is therefore not just about learning new bits of information or knowledge, it is literally re-making ourselves; that is identifying and unpacking the mental and cultural baggage that we have been landed with and finding something to put in its place. Section Twenty Eight cannot be studied in a vacuum divorced from an understanding of the generic causes of lesbian and gay discrimination, within the context of an evolutionary patriarchal state. Halpin (1989) points out that what counts as 'public knowledge' has been constructed within a framework of a patriarchal power-knowledge relational construct in which 'knowledge' about lesbians and gay men has been utilized to the denigration, marginalization and oppression of the sexual minority.

Section Twenty Eight has been seen as an expression of institutionalized heterosexism and homophobia (Evans 1989, Foley 1989). Homophobia can be defined as an irrational fear and intolerance of homosexuality and subsequently of lesbians and gay men (Morin and Garfinkle 1978). There have been many studies seeking to analyze and explain this fear and the hostility faced by lesbians and gay men, by fusing together sociological and psychological insights by locating the subject of homophobia within an overarching analytical study of gender relations

(Chodorow 1978, Eisentein 1988, Chapman and Rutherford 1988, Pronger 1990, Hearn and Morgan 1990, Morgan 1990, Herek 1992, Nardi 1992). Connell (1987) argues that in this heterosexist and homophobic society, at the interpersonal and structural level, what has gained prominence, currency and ascendancy is what has been termed 'hegemonic masculinity', the variety of masculinity to which others, among them young, effeminate, black as well as gay men are subordinated, therefore fitting in to the overall 'logic' of the subordination of women to men. The cultural ideal or ideals of masculinity need not correspend at all closely to the actual personalities of the majority of men, but the winning of consent or 'hegemony' involves those cultural ideas being accepted, affirmed and aspired to. The most important feature of contemporary hegemonic masculinity is that it is heterosexual and a key form of subordinated masculinity is homosexual (Segal 1990).

Weeks (1986) points out that in western Europe homosexuality did not gain its characteristically modern meaning and social organization until the late nineteenth century. First used by the Hungarian writer Maria Benkert in 1869, the term entered English currency in the 1890's when it was taken up by the sexologist Havelock Ellis in his pioneering studies and classification of the varieties of human sexual experience. The late nineteenth century witnessed the advent of new medical categorizations, and it is in this period that the construction of homosexuality as a matter of identity enters in to scientific discourse. Through the systematic medical and legal interference, and with it the reinforcement of the term 'homosexual' that it became associated with pathology, disease and criminality. As Mort (1987) argues, it was the historical processes of religous and medico-legal discourses concerning 'dangerous' sexualities which has rendered alternative expressions of

sexuality unacceptable, abnormal and 'unnatural'. Halpin (1989) states that until recently western science has been conducted primarily by white, upper and middle class heterosexual men of an orthodox Christian background. This has resulted in the identification of those characteristics with the 'self' and consequently with them being regarded as valuable and normal. All else was relegated to the status of the 'other', lacking value and therefore necessitating scientific explanation. This 'self' versus 'other' split in conjunction with the intellect versus emotion dichotomy has provided the justification for the oppression and domination of the 'other'. While women have been equated to nature and both have been oppressed, this oppression is the result of a broader dynamic which labels everything different from the scientists 'self' as inferior (Eisentein 1988). This would obviously include lesbian and gay sexuality being the object of scientific as well as cultural curiousity and potential control. Hines (1990) states that the institutionalization of the Victorian family resulted in the cementation of sexuality to marriage. Faced with the dehumanizing effects of industrialization, religious and secular groups sought to withdraw women and children from the city and create the human refuge of the family. Gender roles became more rigidly and clearly defined. A central feature of this was the establishment of a series of ideologies around the notion of 'separate spheres' for women and men. Both the public and private spheres must be seen as ideological constructs with specific meaning which must be understood as products of a particular historical time in industrial capitalism. Connell (1987) states that homosexuality is often portrayed as threatening to undermine the patriarchal nuclear family, a 'naturalized' world of gender and a dichotomized sexual world.

A medicalized conception of the homosexual as a congenitally maladjusted or 'perverse' type of person with an inverted or confused gender make up has dominated western thinking on sexuality. It has been through intense political struggle, originating from the 1960s and 1970s that lesbians and gay men have made considerable progress in shifting the realm of discourse in sexual orientation from medicine to civil liberties. To summarize this historical and cultural perspective, there is a need to understand how historically hegemonic masculine values and its discourses, be they medical, religious, social, cultural, legal, political and economic have taken shape and become dominant through popular culture in the maintenance of a patriarchal structure of social relations that has become legitimated at a social and collective, structural level throughout policy and practice which has fostered the marginalization and denigration of lesbian and gay people. The study of historical events and western culture maybe used to wake us up to the limits that constrain and produce us; limits that we might wish to contest; limits that we might normally not be aware of (Taylor 1993).

The media often focus on homosexuality as 'the problem', instead of acknowledging that the problems faced by lesbians and gay men arise out of the oppression and mistreatment meted out to them by others (Foley 1994). In addition, heterosexual people are misinformed and kept ignorant so that it is difficult for them to deal with their natural feelings of closeness to people of the same gender. The threat of being labelled gay or lesbian not only keeps men and women in 'appropriate' gender roles, it also discourages them from being active allies of lesbian and gay people (Chapman and Rutherford 1988). Perhaps most insidious of all, lesbians and gay men internalize a lot of the marginalization, misinformation and hatred; they come to believe the messages they here.

Many come to accept their role on the fringes of society, in opposition to that society and as its victims (Babuscio 1988). Constant threat of exposure has led many lesbians and gay men to withold personal knowledge of their sexual orientation, Staying in the 'closet' rather than 'coming out' is often a safer option. The enforcement of at least the appearance of heterosexuality through the maintenance of the 'closet' allows the systems of ordering to continue to operate unhindered. However as Sedgwick (1990) astutely points out, the 'closet' which the system has itself created threatens constantly to expose the weakness of the system. By using the ability to 'pass', that is to appear heterosexual, lesbian and gay people can use the 'closet' to gather knowledge to identify the illogic, the biases, the homophobia or the heterosexism within that seemingly unbiased, natural, logical, scientific 'true system'. When the 'closet' is opened and a lesbian or gay person discloses this knowledge, 'coming out' occurs; the limits of the system are exposed. It is in this way that the 'closet' can serve as a tool for locating ruptures in the system. The rationale for this idea echoes that put forward by Foucault, who saw the individual's experience of cultural systems as one of the most important means for evaluating those systems (Sheridan 1980). The lesbian or gay theorist and dare it be said, a gay or lesbian librarian, by virtue of her or his experience has a particular vantage point (or vantage points) from which to evaluate the larger structures, whether social, political, literary, historical; or the structures within libraries (Taylor 1993).

Before discussing and analyzing the direct implications of Section Twenty Eight for information and library services, it is important to locate the ideological dynamism behind this piece of legislation in to a wider contemporary political context, in terms of the emergence and

resilience of the New Right. For it was under the Conservative government of Magaret Thatcher that Clause Twenty Eight was enacted. The critical appeal of Thatherism was the revival of the liberal political economy with the social market as its centre piece and a new authoritarian populism mobolized by issues around law and order, 'sexual permissiveness',' strikers', 'scroungers', 'immigrants', characterized by a revival of supposedly Victorian values with the patriarchal nuclear family as the central institution (Jessop 1988, Durham 1991). Thus the contemporary political context for the construction of Section Twenty Eight and the legitimation it has gained must be seen in the light of the philosophy of the New Right and the subsequent mobolization of a dynamic ideology around issues of gender and sexual relations within a patriarchal society. Rose and Rose (1982) state that central to New Right ideology is a methodological individualism rooted in biological determinism, in that the New Right has adopted a double legitimation: God and science. It assumes that inequalities are fixed and that the nuclear family is the natural domestic unit. An appeal is made to some 'natural' social order via a biological determinist construct 'of how people really are', and that the innate characteristics of human nature is the expression of the social and economic. Thus the New Right has been able to appropriate an image of the nature of human nature and to base its ideology and policies squarely upon this premise. Evans (1989) suggests that via this ideological construction and by appealing to a variety of discourses, be they medical, legal, moral, religious, scientifc and so on (which produce forms of knowledge about for example, sexuality which are then reproduced in cultural forms and define desirable roles, behaviour and relationships for women and men in society), and through the creation of a moral hegemony, the New Right has gained 'consent' and thus legitimacy for the implementation of

repressive legislation such as Clause Twenty Eight that denies, denigrates and stigmatizes lesbian and gay sexuality (Foley 1994).

Prior to the formulation of Section Twenty Eight, AIDS had already been ideologically captured by the New Right. Constructed as a disease of 'lifestyle' and thus of 'choice' for promiscuous homosexuals and drug users, AIDS has been utilized to reaffirm the family through the deserved fate of those 'guilty' victims set alongside for example, the corrupted innocence of the duplicitous bi-sexual male's wife and the child born to infected parents (Evans 1989). With specific reference to homosexuality, AIDS had been constructed as the passionate defence of long term monogomous heterosexuality. Homosexuality had replaced communism as a scapegoat for the New Right (Cornog 1993). Section Twenty Eight is intended to defend a universal, traditional, homogenous, God-given and natural family that should thereby one suppose require little or no defending. It seeks to do so by raising the spectre of homosexuality as a 'pretended family relationship' thereby not only acknowledging the existence of a real as opposed to an idealized world in which there exist diverse social and cultural formations, but also recognizing that homosexuality can take, albeit only as a pretence, relational rather than merely individual psychopathological and promiscuous forms (Evans 1989, Every 1991). Section Twenty Eight marks a subtle drift in the neo-conservative treatment of homosexuality as a condition, to homosexuality as culture and an alternative morality that can be 'promoted', By presenting homosexuality as a relational phenomenon, albeit in sheeps clothing, it contradicts the stockpile of cultural meanings which present homosexuality as a 'psychopathological perversion', 'a state of being', 'a condition'. Therefore if homosexuality is a 'state of being', how can it be promoted or represented as a

'pretended family relationship'? There is great confusion at an ideological and legal level (Colvin 1989, Durham 1991, Foley 1994). Once this is recognized, it becomes clear why 'pretended' is such a required part of the formulation for it signifies an attempt to reconcile the irrreconcilable by warning that whilst homosexuality is unnatural; just as the family is natural, it has the capacity to seduce and convert. Thus Section Twenty Eight is bound up with ideological confusion and is a failure even at the level of myth (Evans 1989). No amount of 'promotion' will convert an intrinsically heterosexual person in to a homosexual. The reverse has been tried often enough without success, in a society imbued with heterosexuality, so embedded in mainstream popular culture (Herek 1992).

Whilst Section Twenty Eight is full of ambiguities and contradictions in its formulation and application, as an exercise in neo-conservative normative fundamentalism, it has proved rather more effective. The New Right had launched an ideological offensive on moral issues via the political project of Thatherism which fused the free market (neo-liberal) and social authority (neo-conservative) elements of Conservatism (Jessop 1988). The patriarchal nuclear family was a growing influence upon government policy whereby 'ideals' of family relationship have become enshrined in the legal, political, economic and social system. This in turn penalizes those who transgress the definition of 'ideal' (Every 1991). The New Right has given further credence to and legitimized the ideological and institutionalized marginalization of lesbian and gay people. Within this ideological framework, lesbians and gay men have almost become synonymous with the idea of subversity, and thus represent the 'societal disorder' that society must attempt to control. One obvious way has been through the enactment of Section Twenty Eight.

Lesbian and gay oppression cannot be decontextualized from other forms of oppression, those based on class, 'race', gender, disability and so on. This demands an understanding of the historical, social, political, cultural and economic dynamics of the political economy in relation to the construction of ideologies such as classism, racism, sexism and heterosexism which have gained legitimacy in an advanced capitalist neo-colonial patriarchy. These ideologies are constantly adapting, in process, are inter-locking and have a mutual dependency. There is a need to deconstruct those power-knowledge relations associated with the construction of those ideologies and related discourses, be they medical, political, cultural, scientific, economic and so on that have become institutionalized and thus pervade policy and practice; and to reconstruct the subsequent power relations (Coppock 1990, Hearn and Morgan 1990).

The implications of Section Twenty Eight for information and library sevices, how librarians should be responding to the information needs of lesbian and gay people, and the ethical dilemmas posed by such legislation will now be examined. Several authors have discussed the important role that libraries can play in the lives of lesbians and gay men (Ashby 1987, Parkinson 1987, Monroe, 1988, Creelman and Harris, 1989). Alyson (1984) argues that librarians have a responsibility to provide books and other material that address the needs of the estimated ten per cent of the population who are homosexual. Parkinson (1987) suggests that the most important role of libraries in meeting the needs of lesbian and gay people is to ease the 'coming out' problem by acquiring materials that address topics of disclosure and readjustment such as acknowledging one's sexual orientation to self, others and family in addition to helping find a community of other lesbian and gay people.

Creelman and Harris (1989) conducted a survey which illustrated the importance of libraries in the provision of information to lesbians and gay men. More than any source, the respondents were aware of libraries as a resource for information that dealt with lesbian and gay issues. Furthermore, in the process of 'coming out' the respondents were more likely to turn to print sources than to any other source of help, but there was a lack of relevant and practical information available and not all of it positive (Creelman and Harris 1989). Thus, when libraries confront lesbian and gay material, the response has often been heterosexist, the belief in the inherent superiority of heterosexuality and its right to dominance (Gough and Greenblatt 1992). Taylor (1993) points out that it is usually assumed that libraries are organized along some unbiased and naturalistic way of thinking about knowledge. Work by Foucault and others have demonstrated that most, if not all, classification systems are socially constructed and thus socially biased. For example, both the Library of Congress and the Dewey Decimal Classification system, developed at the end of the last century reflect a nineteenth-century, Anglo-American approach to the organization of knowledge over other knowledge, and marginalizes some groups, approaches and areas of study. Moreover, each reflects a fundamentally white, affluent, male and heterosexual point of view (Sheridan 1980, Taylor 1993).

The Library Association's Statement of Purpose includes a commitment to equality of opportunity in sevice provision and employment. A set of guidelines have been produced in order to facilitate equality of opportunity for lesbians, gay men and bisexual people using or working in all types of library and information services. As service providers and as members of staff, library employees need to be aware that no

legal protection from discrimination or incitement to hatred exists for lesbians and gay men (Library Association 1994). Section Twenty Eight applies only to local authority funded activities such as public libraries and the libraries of some voluntary groups. The wording states that a local authority

> shall not intentionally promote homosexuality or publish material with the intention of promoting homosexuality...

This wording has led to hesitation in providing services for lesbians and gay men although the meaning of the words 'intentionally' and 'promote' are unclear. Uncertainty and self-censorship by local authorities has resulted in the cancellation of library performances, of funding to some artistic groups, lesbian and gay youth groups and the avoidance of purchasing material for libraries (Behr 1990, Pink Paper 1995). In January 1995, Liberty representing The Pink Paper (a weekly national newspaper for lesbians and gay men) and a local AIDS support group scored a significant victory against discrimination, forcing Calderdale Council to overturn its decision to invoke Section Twenty Eight. The council used the Section of the Local Government Act 1988, after initially taking legal advice from council solicitors, to ban local libraries from stocking The Pink Paper claiming that the lesbian and gay newspaper was guilty of subtly promoting homosexuality (Behr 1995). Liberty had contacted the Department of National Heritage to say that Calderdale Council was not providing a "comprehensive and efficient library service for all persons..." as stated under section seven of the 1964 Public Libraries and Museums Act, in addition to the fact that all council charges payers are entitled to local government services. Section Twenty Eight not only is in conflict and direct opposition to the above

legislation but also clashes with the Library Association's code of Conduct that state that in all professional considerations the interests of the clients within their prescribed or legitimate requirements take precedence over all other interests (Malley 1990). Therefore do legitimate interests and requirements around the information needs of lesbian and gay clients take precedence over a law that is discriminatory? This is the ethical dilemma faced by librarians and other information providers. The many possible interpretations placed on the term 'promote' confuses and clouds the issue even further. Statements of intent via an ethical code of conduct that at least symbolically promotes and embraces equality of service provision, or through a law that discriminates against a minority cannot deal adequately enough with a series of complex negotiated micro-interactions between professionals and their clients, with personally held values and the subsequent interrelationship to co-workers, commmunity and society. What has to be borne in mind is that unquestioned conformity to rules and regulations is neither a necessary nor sufficient condition to make an action ethical. Laws too cannot control the social interactions of human beings in an absolute way (Lawson and Anthes 1988).

Within a legal context, a public library found to be publishing a booklist on lesbian and gay people as a special single list could be interpreted as intending to promote homosexuality. To publish such a list as part of a series with the intention of promoting the stock of the library is more likely to be considered legal (Library Association 1994). In addition if a local authority intends to 'promote' homosexuality by using its libraries to support homosexual community contacts, that is illegal. A public library is acting legally if it contacts such groups as part of its normal business of making contacts within the local community with the

intention of promoting the library service (Behr 1990, Colvin 1989). Material about homosexuality and bisexuality with material written by lesbian, gay and bisexual people should be purchased as part of a balanced library stock. All subject areas should be considered in selection and as with other client groups, the stock must aim to meet the particular information, leisure and education needs of homosexual and bisexual people of all ages and cultures. This should include information about local and national groups, supportive material on 'coming out' to parents and friends with a range of both popular and literary fiction, non-fiction. Materials discussing transsexualism, heterosexuality and homophobia would also be relevant (Library Association 1994). Libraries therefore have a statutory duty to provide a comprehensive library service under section seven of the Public Libraries and Museums Act 1964 and therefore may include material on homosexuality. This is not prohibited by Section Twenty Eight unless 'promotion' of homosexuality is the deliberate and intended purpose of the provision.

Section Twenty Eight does not apply to publishers or booksellers. However, as Taylor (1993) points out, the increased pressure on publishers from outside sources, be it legislation or from pervasive heterosexist attitudes, has resulted in a form of self-censorship in which writers and mainstream publishers go to great lengths to avoid the appearance of supporting and condoning homosexuality. Fear of the market also plays a part. Publishers and writers increasingly worried about the bottom line hesitate to write or publish books that while obviously needed, are at best a financial risk and at worst an invitation for backlash from groups opposed to homosexuality. The implications of Clause Twenty Eight inhibits and discourages the acquisition of lesbian

and gay material by public libraries from the mainstream publishers, thereby aiding a decrease in the publishing output of lesbian and gay books as there would be a perception of a 'decreasing market' for such material. Lesbian and gay bookstores are often subject to harassment by custom officials for importing works which deal with lesbian and gay issues. Often these works are imported by other booksellers. Such bookstores are often subject to violent attacks by right wing radical groups opposed to homosexuality (Fowlie 1992). Under these conditions, it can be understood why the mainstream publishing trade does not flourish in relation to lesbian and gay material.

The implications of Clause Twenty Eight are worrying. Firstly, who is to say that other subjects like witchcraft and radical politics may not in time be induced in Section Twenty Eight. They are legitimate fields of study and interest, each with a substantial literature, but their 'promotion' causes dismay in many quarters. Secondly, a book about homosexuality may have to be examined for the author's motives in writing it and for the librarian's motives in buying it and though one copy purchased maybe regarded as a reflection of user interest in the title, the purchase of five may be regarded as promoting homosexuality (Malley 1990). Section Twenty Eight subtly pushes librarians towards the denial of legitimate lesbian and gay experience in several areas of service such as book displays, exhibitions and reading lists, for many librarians maybe fearful of invoking the law. It is tempting to avoid potential controversy, but to avoid it is to give victory to the narrow minded and the intolerant (Behr and Montogomery 1988).

Libraries exist to serve the entire community and libraries will acquire works which contain unpopular ideas, deal with unconventional themes

and treatment of different cultures, lifestyles and orientations. For this function to operate effectively, there must be a clear collection development policy and a properly defined method for dealing with complaints (Broderick 1993). Measures to heighten staff awareness of the issues involved and their role, must accompany the implementation of a policy of developing services to gay and lesbian people. It is really no use preaching equality of access if the library assistant's disapproval is clear to a client requesting a book with a gay or lesbian theme, or if the librarian rejects the purchase or interlending of such an item on the grounds that 'we should not be spending money on such stuff'. An effective selection policy should be implemented. Some sort of reviewing system ought to operate in which use should be made of the services offered by the specialist (and reputable) lesbian and gay bookshops, and their lists. The reviews in the lesbian and gay press should form part of the regular selection process. Talking to local lesbian and gay groups would bring to light their information needs, thus acquiring materials that would be of significant relevance and of practical help (Ashby 1987).

Librarians must demonstrate a renewed commitment to the principle of free and equal access to libraries and information. Librarians do not exist to promote one or other view of life or society. The issue of services to lesbian and gay people in libraries is one of freedom and democracy itself.

Chapter 3

The Internet: origins; critical overview; intellectual property issues and ethical concerns.

The Internet, an electronic computer network that connects millions of computers around the world has taken the international library community by storm. The library community is excited about the Internet because it offers a real, concrete step towards creating desktop access to information, the so-called 'electronic libraries' that librarians have been talking about for years (Cunningham and Wicks 1993). The momentum towards creating electronic libraries will accelerate with the introduction of initiatives to create 'information superhighways' capable of bringing tremendous amounts of information directly to the home. The most well known initiative is NREN (the National Research Education Network), in the United States of America, a technological development with its roots in earlier networks (Engle 1992).

The Internet was originally created in the late 1960's as a project sponsored by the United States Defence Department's Advanced Research Projects Agency. That early network called ARPANET connected only a handful of computers at a few sites around North America. In the mid 1980's, the United States National Science Foundation (NSF) created a network based on ARPAnet technology called NSFnet, a large coast to coast network that interconnected many smaller networks and provided researchers with access to resources such as supercomputers and specialized software. With the involvement and funding of NSF, NSFnet slowly began to connect more and more computers located at research institutions, academic bodies, government departments and research-

orientated private industry (Swain and Cleveland 1994). The Internet was once the domain of these large institutions. This situation however has changed dramatically in the last two to three years. Smaller organizations, commercial interests and individual users are being connected. Currently, the Internet is a vast network of networks that physically interconnects thousands of networks worldwide. It has evolved from an experimental network to a research-orientated network and now to an open, global network that provides access to diverse information resources and services (Brown 1994).

At its most basic level, the Internet allows the exchange of messages within networks and from one network to another. Electronic mail (e-mail) is both the most basic function which all the networks have in common. A connection to the Internet gives a user acess to online databases, library catalogues, software archives, full text reports, statistical and current information, directories and the innumerable USENET (Network News) discussion groups on every conceivable subject. The Internet is not a network in the sense that it is an independently, administered homogenous entity. Rather it is a conglomeration of thousands of separately administered networks. The networks it primarily connects are based on TCP/IP protocols which stands for Transmission Control Protocol/Internet Protocols. It is the 'common language' on the Internet that allows computers to communicate (Swain and Cleveland 1994). The Internet provides gateways to other non-TCP/IP networks such as BITNET and FIDOnet. The networks connected to the Internet typically have a three tier structure. The first tier is comprised of local networks that provide connectivity among computers at a given institution. The local networks in turn are linked together through regional networks, the second tier in the hierarchy to supoort

communication among institutions throughout a particular region. An example of a regional network is NYSERnet, a network that provides connectivity throughout the eastern United States. The third tier is the national backbone network that interconnects all regional networks in to a national system. For example, NYSERnet is connected to NSFnet, the United states national backbone network (Brown 1994). Messages maybe sent between two sites by innumerable different routes depending upon the volume of existing traffic and indeed component parts of a single message are likely to follow many different paths before reconstituted at their destination. The computer users at either end do not need to concern themselves with the route taken by the communication, merely with the network address of the sending and recieving computers (Krol 1994).

In the United Kingdom, the JANET User Group for Libraries (JUGL) has promoted the use of JANET (the UK part of the Internet known as the Joint Academic Network) as a tool for the academic library. JANET is financed by the universities and the government. The situation is changing or rather developing so that non-academic bodies can pay for various kinds of Internet connection (Watson 1993). It is estimated that at present the network links thirty five million people and the figure is constantly rising (Bannister 1995). A recent survey shows that the United states of America accounts for forty one per cent of the Internet hosts and approximately fifty seven countries account for the remaining fity nine per cent, thus making the United States the largest Internet participant (Brown 1994). The number of computers linked to the Internet has doubled every year between 1988 and 1992; 1993 showed showed the rate of increase slow slightly to eighty per cent (Lester

1994). The Internet is going to change and expand as much in the coming year as it has in the last three or four years combined.

Many countries have plans to turn present networks in to advanced information networks by upgrading their speed and capacity and improving the services offered to users beyond those which are currently available. These networks will provide information in all its forms, from text to music, to video images directly to homes and offices. Governments are investing in their information infrastructures because information networks are seen to be critical for continued social and economic well-being. These initiatives are well underway in many industrialized countries; for example NREN in the United States, CANARIE in Canada, SUPERJANET in the United Kingdom and ISN-Net in Japan (Swain and Clevaland 1994). The private sector is becoming increasingly implicated in the development of the Internet, with emphasis shifting away from publicly funded educational and non-profit networks, with larger portions of the network geared towards and owned by commercial concerns, supporting commercial activities (Schwartz 1993).

As information networks take form, there are complex global, legal, political, economic and social issues that need to be addressed. Since the information superhighway has no obvious ownership and is almost impossible to police, its global nature can make a nonsense of national laws. Not only can information not be controlled, its original owner often has no say in how this information is used (Stoker 1994). The Internet has long been described as the forerunner of information superhighways, the massive communication networks advocated by politicians and eagerly backed in principle by national governments around the world. Few doubt that superhighways will bring benefits and

opportunities. However increasingly, the enthusiasts are having to face the potential problems of the Internet. Undoubtedly, the foremost issue in the debate surrounding the Internet is that of universal service, that is the availability of information resources to all at affordable prices. On a global level, access or rather the lack of access to new information networks may be even more critical given the gap that already exists between the information rich and the information poor (Feather 1994).

Information is no longer perceived to be 'free' in an economic sense, however 'free' access may be in the sense that there is no legal or technical obstacle to obtaining it. The possibility of making profit from the provision of information to individuals by charging for information itself and for the means for obtaining it has made great changes about the way in which we think about such provision (Rowley 1990, Feather 1994). Technology has improved the potential for access but at the same time it has also provided the means for restricting it. The restrictions can be determined by technical skills, technological infrastructure, political decisions and financial capacity (Ermann and Williams 1990, Ladner and Tillman 1992). Thus the paradox is that the potential for greater access to information has been created by the very technologies which have made it possible and perhaps even necessary to restrict that same access (Feather 1994). However, it can be argued that the number of people with some sort of access to networks and the skills to take advantage of that access is increasing all the time. New telecommunication systems and the widespread use of information technologies are high on the list of priorities of the new eastern governments and western states which are supporting their efforts.

In terms of the Internet, the weight of the statistics as mentioned earlier, persuasively contribute to the image of a global network. That image is further developed by articles referring to the 'global community' or the 'global network', phrases which appear with increasing frequency. The public face of the Internet is a combination of statistical evidence concerning its use and narratives drawing attention to its impact and resources. Despite much evidence of the explosion of the Internet (Brown 1994), the term 'global community' maybe misleading. While it is true that it spans the globe, it leaves some disturbing gaps with many poorer countries of the world being left behind a developing 'global community' (Feather 1994). Whether this is a result of choice or of economic and other factors are issues for debate. Some of these countries do have BITNET access but this can be perceived as a gap in the global network because BITNET running on a different protocol from that of the Internet does not allow the suite of functions that are possible on the Internet (Brown 1994). The value of information for economic, social and intellectual development is almost a cliche (Harris and Hannah 1993). Countries interested in development simply cannot afford to neglect this burgeoning area of global activity . It should come as no suprise that the April 1993 Internet Domain Survey (cited in Brown 1994) reports almost four hundred and ten thousand commercial Internet hosts in the United States of America compared to just over four hundred and sixty five thousand educational and ninety three thousand government hosts. The competitive edge is one of the arguments put forth in soliciting funding in the United States Congress for the NREN, to improve commercial control over information activities. Information is the foundation for economic growth, the key to productivity, competitive strength and economic achievement. Thus the Internet may be perceived as but one phase in the history of the

technological mediation of capitalist social relations. The acquisition and utilization of information technology by economically poorer nations is consistent with their respective power structure and overall social system, which in turn determine the potential impact these technologies will have on the society (Valdes cited in Slack and Fejes 1987). Economically, a new form of institutionalized dependence may arise that would be indicative of information monopoly, economic power and national identity.

Thus the Internet raises the issue of the handling and distribution of knowledge in its broadest sense. Only the means of distribution and not the power relationship between information 'haves' and 'have nots' has changed with this technological development. Within an economic context, the Internet may be used to aid the restriction of the availability of of information due to its indispensibility in research and development, and in production for specific economies. Such an innovation may mean the modernization of poverty (Feather 1994). The concentration, centralization and monopoly of social knowledge with its ensuing political and economic implications is often explained on the basis of an illusiory technical administrative criteria (Robins and Webster cited in Slack and Fejes 1987). Within this analytical construct, the study of information about the Internet is moved out of the realm of theory and in to the realm of ideology. Thus the ideological use of information using/processing technology develops when such technology is falsely assigned an emancipatory capacity, when it may have an alienating capacity. The Internet cannot be divorced from its place within the prevailing social relations of power, that dictate the way in which knowledge and information is produced, distributed and used that potentially perpetuates the inequality that exists between the information

rich and the information poor, domestically and globally. The idea of redemptive capacities of communication technology defies historical experience. The wireless, telegraph, radio. telephone and micro-chip technology have not objectively reduced hunger, poverty, warfare, the concentration of wealth or the number of despotic government. Thus the idea of an automatic and objective emancipatory capacity of the new electronic technology strips the sociological matrix from the technology which it is embedded (Harris and Hannah 1993). There are many technological structures which distort and defeat communication, many existing arrangements of information technology which eliminate mutuality, reciprocity and collectivity in the knowledge process. Information technology such as the Internet must be organized in a democratic communications format and be interactively rich if it is to contribute to the human project, with the aim of being inclusive not exclusive (Engle 1992).

Such a technological development as the Internet is not based on the economy alone. It would be reductionist to perceive any new technology in purely economic terms. Such a technological trend is based on a complex structure of social, professional, political, institutional and economic interests, coupled with ideological hopes and dreams sometimes expilicated as detailed models: 'scenarios' of the future. Genuine hopes and dreams are elements of reality too, where a wish for a multi-centred spirit of globalism, consisting ethically of strict self-discipline and social contribution characterized by participation, access to information and equality among citizens exist. Such a utopian vision however is compromised by and subject to the social relations of power and by hegemonic institutional interests. The transfer and adoption of information technologies such as the Internet as part of a development

strategy, should be studied from a systematic approach taking in to consideration a particular country's political status and social structure, it's productive infrastructure, natural and financial resources, and cultural identity in addition to vertical integration, both national and regional, and comparative advantage and position in the world. Domestic implications for the potential redefinition of the relationship between the state and citizen and the information rich and poor requires analysis. (Ravault cited in Slack and Fejes 1987).

Once again the parodox of information technology is confronted. On the one hand, the dissemination of information is easier and far more pervasive than ever before. By contrast, the difficulty of accessing the information which can, theoretically be so widely disseminated has created information rich elites and consequently pockets of information poverty. Some of these pockets as we have seen contain whole nations and even whole regions of the world. Not only do the equipment and the telecommunications cost a great deal in the first place but the infrastructure, consistent power supply and back up services for software are not available in the same way in poorer countries as they are in the industrialized nations. The ability to make good use of these facilities even when they are available is highly depoendent on high levels of computer literacy (Feather 1994). Furthermore information systems have generally been constructed by those who are literate, articulate and well educated. Accessing the Internet and retrieving acquired information is no easy task. An inability to understand the potential of the system or to communicate effectively with those who do, can create information poverty where none should exist. The systems themselves thus place an additional barrier between the information and the potential recipient (Stoker 1994). In the West, the information poor

are in general those who are also deprived in other ways. Indeed, it is impossible to evade the conclusion that there is a link between lack of information and lack of other forms of social and economic benefit. Information poverty is a disadvantage when it deprives its victims of information which could be of professional, educational, social, personal or financial benefit to them (Fraser 1994). Deprived of essential information, the citizen is deprived of the power of choice because only informed choice can be rational. The relationship between the information rich and the information poor is the central political dilemma of the information society (Feather 1994). Access to information has become one of the points where conflict occurs within and between societies, and one of the measures of success and failure. The growing implementation of the Internet will be a prime testing ground for such a debate.

Intellectual property issues are emerging as a major concern on the information superhighway. Legal issues are in part ethical issues, for they have a direct impact upon the rules governing the relationship between the citizen and society (Barnes cited in Mintz 1989). An issue that needs addressing is that while it is clearly impossible to preserve all electronic information that may be available through electronic networks, explicit policies and procedures for retaining electronic materials must be developed to avoid the loss of the world's cultural and scholarly heritage (Swain and Cleveland 1994). Networks which have been developed throughout the industrialized world are now linked through the Internet to permit virtually uncontrolled and normally uncharged access to vast stores of information. The present anarchy of the Internet which reflects its unplanned origin and growth, allows anyone with network access to search for information of interest and to contribute to thousands of ongoing debates, use public access databases,

communicate with other users and so on. The networks allow individual information seekers to search directly and personally for their information, and for individual providers to make such information available with virtually no editorial, commercial or political control. Issues such as the dissemination of computer pornogrpahy that is increasingly becoming available on the Internet, concerns around libel and complex questions around copyright and intellectual property rights are being exposed by this new technology. For old rules of ownership do not survive in the new world. As Saxby (cited in Bannister 1995 p. 1) states:

> Our present national laws are no longer relevant now we have got the Internet.

Copyright protects the works of the mind. It gives authors and creators exclusive rights to control how their works are exploited. Copyright is also about trying to balance the interests of the rights owners with the needs of the users of the work. The Berne Convention, the main international copyright convention gives signatory nations scope for making exceptions to the exclusive rights to allow users to gain access to copyright works in order to learn from and build upon the ideas contained within. In the United Kingdom, these exceptions come in the form of 'fair dealing', the allowances for education and special privileges given to librarians. In the electronic environment the balance, at least legally is all on the side of the rights owners (Norman 1995). Many believe the current copyright laws will prove difficult to apply to the new electronic media. There is a view of creating new rights, particularly to the transmission of a work. For if a poem was sent across a network electronically, permission would have to be sought to seek the author's permission. Thus, there will be motivation to want to

protect transmission of a work rather than the copy of a work. A generation is being fed by the heady arguments on Internet discussion groups which is beginning to challenge the whole concept of the ownership of information. In terms of the Internet, the implications for copyright are fundamental (Schlachter 1995). The recognition of a copyright and the practice of paying royalties emerged with the printing press. With the arrival of electronic reproduction, these practices become unworkable. To some, the Internet poses the death of intellectual property protection regimes as we know it (Rosenberg cited in Williams 1994).

Under present legal laws, the Internet has been given little consideration. Illegal copying and distribution of works is a common activity on the Internet and is easily open to hackers (Holderness 1993). During 1993, the United States government's Computer Emergency Response Team Coordination Centre received reports of one thousand three hundred and thirty four security breaches. The FBI estimates that in eighty to ninety per cent of the computer crimes it is investigating, the criminals used the Internet to gain access to computers (Kiernan 1994). In many cases, gaps in security could be closed with the use of encryption and other security approaches (Blatchford 1988, Cricket, Peek and Jones 1994), although it may increase costs and make computers more difficult to use. The shortcomings of the Internet were exposed in early February 1994 when it was announced that unknown hackers had installed 'sniffer' programs around the Internet that secretly recorded the passwords for tens of thousands of computers (Kiernan 1994).

The information in many databases is not 'date stamped' and that changes in the data can be made without a trace (Dragich 1989).

Authentication is also a major concern. A book can be authenticated in various ways. It should have an author's name, a publisher's name, a date and place of publication and an ISBN. All of these tell where it originates and should give us some confidence in the information it contains. At present, since the Internet is unstructured and unpoliced there are no universal regulations or conventions of this type for material appearing on the Internet. Therefore to what extent should such information be trusted is questionable given that it may be libellous, confidential, not up to date, have copyright ownership and in which such material originates from so varied and unattributable sources (Sturges, Pritchett and Scully 1995).

It will be impossible to prevent users of electronic information from doing what comes naturally, for example communicating with colleagues. An article on an important discovery will be all over the Internet in a flash. In addition, much that is now published by commercial publishers will be published by the author, especially the material for which the author expects little or nothing in the way of royalties. It is imperative for publishers to begin to explore alternative sources of revenue and approach to publishing (Schlachter 1995). Copyright will lose its effectiveness because it will be possible to download an item from a publisher and then redistribute it to a series of colleagues at the touch of a computer key. This is already happening for many documents, speeches of politicians, statements of organizations, which are now routinely distributed and redistributed on List Servs, 'exploders' and Gophers (Rosenberg cited in Williams 1994). A List Serv allows any user of the Internet to post a message to a list of people who have subscribed and asked to be on the distribution list. Some List Servs are mediated wher each message is reviewed by a person who could

presumably screen out the distribution of material protected by copyright, other List Servs are wide open. Exploders are similar, but are like a chain letter. One individual distributes the message to a group or a series of people who in turn re-distribute the message to a group and so on. Since the distribution and re-distribution is so quick, the total number of people who recieve a given message can grow quickly. There is not much to prevent the unauthorized distribution of an article (Cricket, Peek and Jones 1994). Most of the distribution and re-distribution of publications cannot be tracked effectively. If an individual sends a document protected by copyright to a large number of colleagues, it can be an enclosure to an e-mail message and it will never likely to be detected. Anonymous remailers will allow distribution without identification. In fact, the trend in e-mail technology is to increase privacy and thereby deny access to mailboxes by publishers whose property is being illegally copied (Castognoli 1993).

As mentioned earlier, it will be possible for authors to publish work themselves. The author will no longer require the services of a publisher to set the type, print the copies or distribute them to a defined audience. This could well lead to one of the biggest upheavels in the publishing business for a long time. It is usually thought that the main function of publishers is to be a quality filter and to bring together works that belong with one another (Long and Neesham 1993). However, these functions will be easily achieved in the electronic world by authors and users. Each user will be able to create individual quality filters often called personal agents or 'knowbots' and obviate the functions of publishers. Those who maintain List Servs and exploders are essentially functioning as publishers. Samuelson (1995) argues that within an academic environment, most authors of scholarly materials want

the 'mind share' arising from free access to their work. Market share is not their primary concern. Publishers' insistence on the assignment of copyrights and payments for all uses of works in which they hold copyrights may cause many authors to find other alternatives quite attractive. Even if copying is deemed illegal, the networks will be worldwide and enforcement will be almost impossible (Long and Neesham 1993).

Companies have a huge vested interest in protecting their intellectual property. These rights are worth billions of pounds and for many they are the main source of profits. The software industry believes that it has probably been the hardest hit by illegal copying. Novell, the leading networking software group which recently took over WordPerfect, estimates that pirated copies of it's products probably equal it's annual sales of about one billion pounds (Bannister 1995). Computer networks make it easier for pirated software to be transmitted to people and countries prepared to manufacture it and pass it off as the real thing. If global high capacity fibre optic networks are constructed, it will be easy to convert a compact disc, technical manual or film to digital form. It could then be sent to counterfeiters overseas with almost no risk of detection. The fluid, semi-anarchic and global nature of the Internet means there is no corporate body or policing structure that could be called upon to investigate such illegal copying. What if the individual or the host computer thought to be responsible was tracked down (which is no easy task), but in another country? What would the courts do, especially if an action was not illegal in that country? (Bannister 1995). The European Union have already been pondering these crucial issues (Geh and Walckiers 1995).

In the United Kingdom at present, electronic journals and material passing over the Internet is just as much copyright as any other material, and that downloading and re-disseminating is considered infringement unless it can be justified as 'fair dealing' (Wall 1994). This includes bulletin boards and e-mail messages, but in the latter case the chances of being sued are minimal bearing in mind one can only sue for financial damage suffered (Oppenheim 1994) However, the global nature of the Internet, cutting across jurisdiction boundaries creates an inevitable conflict of laws. For example, in some jurisdictions accessing a web-accessible document might be deemed making and distributing an infringing copy. If a user from a jurisdiction without such a law browses the document, there has been an unintentional and harmless infringement. The problem is especially acute in the context of moral rights, which are not universally recognized in all jurisdictions. Could a holder of moral rights assert that someone lacks the right to browse the document? (Rosenberg cited in Williams 1994). Without intellectual property protection, it is likely that information not for public consumption will be made available either by subscription and encryption or by patronage. Resulting from this superior access to information will be the reinforcement of the gap between the information rich and the information poor, which in turn will perpetuate the inequalities that already exist in terms of access to information (Feather 1994).

The context of debate surrounds whether copyright laws are intended to prevent all forms of infringing behaviour. In the context of information intended to be kept secret, there are probably more efficient mechanisms to control infringing behaviour. A combination of trade secret law, contractual provisions and perhaps 'pipe narrowing' to make

infringement costly, charging high connect times, restricting searches and permitting access only with proprietary programs that disable certain features (Rosenberg cited in Williams 1994). Thus, there is the possibility of technological solutions to assist in preventing infringement. A method in which serial numbers are inserted in to documents so that each and every copy could be traced to the original source has been created. While this would not disable copying, it would provide disincentives if everyone knew the risk that the infringing copy could be traced back to them (Labs cited in Schlachter 1995). Another solution could involve software being planted with a sensor that causes the software to self-destruct if the user attempts to copy the document. Alternatively, copyright material could be contained in an encryptical software envelope that could periodically communicate with a home base upon use . If the user has not paid for the use (or continued use), authorization would be denied and the software would be disabled. Software could require an authorization code that would permit the software to operate for a certain period of time. Authorization codes would be obtained for a fee from a home base. However, concerns persist around privacy and tampering (Schlachter 1995). Systems could be constructed that would have the ability to 'digitally fingerprint' works that could track usage. Furthermore, agents could scour the Internet looking for publicly available infringing copies. This will not prevent private piracy but could be extremely effective at preventing unauthorized public distribution. Electronic tagging devices is another alternative in which the European Commission's Espirit programme is devising a theoretical model of controlling, policing and offering renumeration for works stored in digital form (Cricket, Peek and Jones 1994, Geh and Walckiers 1995, Samuelson 1995).

New technologies have been disrupting existing equilibrium for centuries yet balanced solutions have been found before. The solution of the copyright issue must reflect the balance between information producers and information consumers. However, if in the future many of the ideas discussed above are implemented in a universal fashion, there is the possibility that only those privileged enough to be able to afford to pay will be granted access. We need to aim towards equality of user needs (Summers 1989), which is inextricably linked to ensuring fair and free access to information. Within an information service, the employment of costs will be a serious factor as we face a future in which less information in a physical form will be available in the library to browse with more information being accessed electronically, potentially at a high cost. Stoker (1994) perceives that libraries will move from a function of collecting materials in anticipation of user needs to one of acquisition upon presentation of need.

There is general agreement that copyright laws that apply to conventional media can and should be extended to protect new electronic communication. However as mentioned earlier, original copyright law was constructed to encourage communication and now it is being used to thwart such communication among professional colleagues. Hunkering down behind the copyright law is not a viable strategy for information producers. The best strategy is to create a future that includes a mechanism for generating revenue that does not depend on the enforcement of copyright law. Whatever strategy is adopted, it must recognize the reality that users will move information around at will, with little regard for copyright. Within a global context, some national copyright laws may be so old that they have not caught up with computers, let alone digital information. Therefore electronic storage and

copying may not be expressly forbidden in some countries. French copyright law for instance does not prevent the electronic copying and storing of information (although it does prevent electronic delivery to third parties). In the digital environment, it is essential that all participatory countries have the same rules (Norman 1995). International legislative solutions need to be found to solve the disparity in national laws and to tighten up the digital environment in order to make it safe for creators, encourage use and prevent abuses. Long and Neesham (1993) points out that the development of the Internet will necessarily bring in it's wake a regulatory regime comparable to that for telecommunication networks. It may end up being stringent or light, but it will impose a degree of control. The complex relationship between information, the state and the citizen will continue to evolve. As it does so, the role of the intermediary will also change, for the ever growing size and complexity of information sources and systems inevitably means that information seekers will need help (Arms 1992). One only has to spend a little time exploring the Internet to realize that there is an urgent need for information professionals to assist in the process of organizing, evaluating and updating the information on the Internet and guiding users to what it is they are seeking. Because knowledge of how to use an information network is central to maximizing its effectiveness, training and education are as important as other, more technical goals (Stoker 1994).

There is general commitment to the idea of freedom of information. It is unfortunately, a somewhat woolly concept. It arouses strong passions in the information professional who sees the ethical foundation of the information profession as consisting in the utmost freedom of information. The notion of freedom is tailored and mediated around

notions of copyright, privacy, sovereignity, censorship and other ethical concerns (Froehlich 1991, Szofran 1994). With the understanding of the political ramifications of new technologies, the opportunity if not the responsibility exists to shape this new medium of telecommunications in the public interest without sacrificing diversity (Kapor cited in Lago 1993). Because the Internet carries with it significant global implications, 'knowledge rich' nations have a moral, in addition to practical obligations to share the skills and experience in managing the networks and information databases with 'knowledge poor' developing nations. Furthermore, the speed with which information can be extracted and dispersed in digital format offers a host of opportunities, but among these opportunities, one must include the possibilities to exploit and misuse data (Grycz cited in Ostendorf 1993). The emerging technologies which add new and exciting sevices to the menu of offerings provided by libraries, government agencies and the commercial sector are also jeopardizing the personal privacy of millions of people. In the United States of America, the Privacy Rights Clearing House notes that a 1992 Louis Harris Poll found that four out of five respondents expressed concern about threats to their personal privacy (Bosseau 1994). Considerations for security are designed in to network software and such provisions do offer some protection from hackers but regulations in this area need to be updated to meet the challenge presented by new technologies. Encountering situations analagous to those affecting electronic publishing and copyright issues, it is becoming more difficult to protect the rights to privacy. In an era of proliferating electronic access to personal data and information (in which some protection is afforded under the Data Protection Act 1984 in the United Kingdom), the Internet could provide the medium by which leaking files become too

accessible to too many unauthorized individuals and organizations (Rowley 1990).

Information companies formerly supplying generalized demographic informtaion have moved in to speciality areas. Utilizing electronic links between retail sales and inventory control systems, credit card numbers, telephone numbers and postal mail zip codes, companies can create profiles on the purchasing patterns of individuals, families and the general patterns of a locality. This information is compiled for the marketing and advertising industry, retail department stores and mail order firms. Before digital databases became available along with newly acquired easy access, it was not possible to extract such detailed information about the lifestyle and buying habits of so many people (Ermann and Williams 1990). Corporate responses to complaints and reported abuses do occur but there are no government or industry standards which mandate database products. In one case, several companies received thousands of complaints about a privacy invasion emanating from an electronic file maintained on one hundred and twenty million american households. As a result of the tumult, the database called 'MarketPlace: Household', was cancelled by the partnering companies involved in developing it, although the two nationwide firms that software was in place which protected individuals' privacy rights. The product contained names, addresses, marital status and the estimated income of consumers and were placed in to commercial groupings (Bosseau 1994).

Misinformation is also recorded and can become the catalyst of a host of complications that can adversely affect an individual's life. One example cited a man who said, during a physical examination that he drank two

six-packs of beer per month. An error in recording that statement showed up as a drinking problem of two six-packs per day. The errant information became available via a network and ultimately prevented the person from getting insurance (Bosseau 1994). Automatic data gathering accompanying the use of toll-free telephone numbers also occurs. The caller's phone number is automatically captured when the call is made. Through the use of computer manipulated files, the caller's phone number can be linked to a name and address. These databases are sold and traded as commodities. If one subscribes to journals dealing with a specific health risk, that person's name, address and so on will likely to be sold or leased to other firms and organizations interested in marketing links to that particular audience (Szofran 1994). The trend towards the consumer protection side of the equation is far behind those aspects of electronic information which have been exploited to the detriment of the consumer. Ultimately, the ethical issues involving marketing practices will have to be balanced with the rights to privacy. Computer insecurity which can impact individuals is in evidence in forums completely divorced from the organized databases. As mentioned earlier, there has been an increase in deliberate break-ins on the Internet in which thousands of pass words have been stolen by hackers on the Internet. The Internet is far less secure than the telephone system (Kiernan 1994). Like all other technologies, the Internet offers the potential to elevate humankind, but there are clearly some obstacles which so far have eluded the current hype. The ultimate challenges appear to be more political than technical.

There are no easy solutions to any of the problems that stem from the inherent tension between the concepts of privacy and freedom. We value the freedom to join online computer forums and to speak our minds even

at the risk of offending others. What one person considers an essential freedom will often encroach on another's privacy. Just as sexual harassment has become more visible in society at large, so it has reared its ugly head in the online environment (Rosenberg 1993). As more institutions, for example in academic circles, provide network access to staff and students, censorship battles are no longer restricted to books in libraries. Do these institutions have the right to deny access to controversial computer forums? Do they have the right to exercise content control over topics pursued online? What about the right to download material offensive to someone at a public terminal and one's right not to be exposed to it? Rezmierski (cited in Glover and Meernik 1994) favours trying to find a place on the continuum between total freedom and total censorship. Policies and procedures need to be devised that encourage people to set boundaries and to engage in communication without it being threatening. The Sunday Times (5 March 1995) reported that a group of British anarchists were using the Internet computer network to link up with international terrorist groups and coordinating the disruption of schools, looting of shops and attacks on multi-national firms, sabatoging telecommunication systems and the making of bombs and drugs. Police had arrested a Scottish man, the first United Kingdom arrest for allegedly encouraging violence using a computer. Files were distributed over the Internet that included advice on how to overthrow the government by stealing documents, robbing banks and inciting readers to arm themselves. Police also discovered that the groups were singling out school children as targets. One print out was entitled "Eighty one ways to trash your school" which was circulated among Scottish pupils. Readers were encouraged to burn down school buildings using simple incendiary devices made of cigarettes and matches. Police and computer experts were amazed at the level of

organization of these extremist groups who have appeared on the Internet in a short period of time. Police had also found that activists managed to hack in to credit card company computers stealing thousands of pounds. Chris Smith, Labour's Heritage spokesman commented that such findings demonstrated the need for international agreements to ban groups preaching violence from the Internet. A new framework of rules and regulations are required in the age of electronic information (Levy and Burrell 1995).

Pornographic and obscene material is also creating problems on the Internet. Godwin (cited in Glover and Meernik 1994) argues that as agressively as one protects against censorship, so should a stance be taken and protection implemented against unwanted exposure. There is general agreement that the goal should be to find a coherent approach that reflects all three important freedoms: freedom of expression, freedom of information and freedom of the individual (Rosenberg 1993). Freedom can only exist in the presence of self-restraint, and privacy can only be achieved if we trust that others will not abuse information about us. In terms of developing social control mechanisms, the Internet poses unique problems such as the ability to be anonymous, the ambiguity of what constitutes right and wrong, the increased potential for breaching courtesy and other norms, and the difficulty of applying conventional legal and ethical prescriptions. Before attempting to formulate laws and policies, we should assume neither that all computer transgressions are ethical transgressions to be criminalized nor that legal responses to transgressions are appropriate ethical responses (Sway and Thomas cited in Glover and Meernik 1994). Rosenberg (1993) assesses the responses that should be made to offensive material appearing on the Internet, such as pornographic encryptical pictures,

racist and hate material that raise issues around free speech and ethics. The Independent newspaper reported that two computer experts had appeared before Birmingham magistrates charged with distributing child pornography on the Internet (Independent, April 20, 1995). Thus, legal and criminal proceedings are being utilized in relation to certain material being distributed over the Internet.

In terms of sexual harassment and hate material being sent across networks, Borg (cited in Glover and Meernik 1994) favours developing a code of ethics to govern network behaviour and encouraging participation by marginalized groups such as the development of exclusively lesbian and gay forums. This will empower lesbian and gay people by giving a voice to their experiences, concerns and encourage discussion. The challenge is to devise a set of normative values in organizing and regulating networks. An interdisciplinary approach could be adopted in which professional groups such as librarians, who have extensive experience of ethical issues around information, formulate certain rules and regulations. The Internet should be harnessed to make the network more civilized, such as developing better ways of identifying people on the network. Rosenberg (1993) suggests censorship of selected newsgroups by system managers is not appropriate because no-one is required to read or view material on the network. The United States Congress is debating the issue of the availability of pornography on the Internet (Kleiner 1995). Many argue that concrete legislative measures are needed to protect children who might stumble on, or deliberately look for obscene material. Opponents of this view argue that this would limit freedom of expression and that individuals or organizations may be punished unjustly by offering access to the Internet who unknowingly passed along obscene material. In addition,

such a law would force companies or individuals that provide computer services to monitor every message that comes or goes over their computers or risk prosecution. It could even lead to American computers being forced to cut off contact with computers in other countries that did not comply with the law. However, those voices that argue for legislation state that such a law would not be intended to punish those who provide access to the Internet, only the individuals who put the material on the Internet. Parents could take steps to protect their children by installing software which prevent them from viewing unsuitable material. Many libraries in the United States, for example already deny children access to the sexually orientated newsgroups on their Internet machines (Kleiner 1995). The debate goes on, as does the debate between pornography and behaviour inextricably linked to the objectification and degradation of women (Itzin 1992).

Anyone using e-mail has at one time or another recieved mail that is disturbing in one way or another. Women report messages with sexual overtones or more blatant content and black people are often the recipients of racist messages (Rosenberg 1993). Offensive behaviour should be subject to the remedies at hand and such cases should be publicised in order to educate groups of users. Although the position adopted is to support free speech, it does not do so unconditionally. Free speech is not an absolute right, restrictions have been recognized by the courts. Self-proclaimed absolutists on the Internet cannot act unilaterlly. They are part of society at large, independent of their mode of communication and they must bear responsibility for their actions. Outrageous behaviour will always be a part of life on the Internet but the vast majority of users should not be penalized for occasional abhorrent episodes. Electronic networks offer many benefits and with

their advantages come certain risks and problems. Educational programmes directed towards creating equitable environments should be employed (Rosenberg 1993). Thus the management and use of networks carries with it responsibilities and an implied code of ethics, sometimes acknowledged as 'netiquettes', and often understood as a shared set of principles (Krol 1994, Szofran 1994).

We find ourselves at the beginning of an age of worldwide networks. Up to now, the operating rules have been largely self-imposed and behaviour has been self regulated. However, as financial opportunities are recognized by major communications companies and information providers, the control of networks, or many of them will be assumed by private corporations. They will establish the rules and the costs, as have such companies as Prodigy and CompuServe. Whatever the future holds, it is necessary to defend free speech, open access and a fair and equitable environment.

Chapter 4

Conclusion: Intellectual freedom and ethical issues: Strategies for professional conduct.

The criticism and challenge of thoughts and ideas has been a part of many cultures and societies since the beginning of civilization. Socrates was executed for his ideas and their supposed negative effect on young people. The controversy over Darwin's 'Origin of the Species' came to ahead in the 1920's. Recent times have seen a startling variety of events involving issues of free expression. Salmon Rushdie has been condemned to death for writing a book allegedly insulting to Islam. His publishers and bookstores carrying The Satanic Verses have also been threatened with violence (Swan 1991). In the United States, a significant political battle erupted following a Supreme Court decision which held that burning the American flag is a protected form of expression under the First Ammendment. The distribution and release of the Last Temptation of Christ, a film depicting a controversial image of Jesus Christ provoked an angry religious response from some Christians who found the film offensive and even blasphemous (Ward 1990). Much has been written about intellectual freedom and censorship in relation to ethical considerations in library and information work. Examples of some of the issues raised and explored have been the selection of materials in collection development, professional liability and malpractice, the application of general ethical theory to professional conduct, the concept of 'social responsibility', access to information, freedom of expression and the growing influence and impact of information technology. These issues have been examined within various historical, social, cultural, political, legal and economic contexts, and analyzed in great depth

(Asheim 1953, 1983, De Weese 1970, Thompson 1975, Hauptman 1976, 1988, Berninghausen 1979, Donelson 1981, Robotham and Shields 1982, Halloran 1983, Jones 1983, Stielow 1983, Lindsey and Prentice 1985, Jenkinson 1986, Swan 1986, Atkins 1988, Lawson and Anthes 1988, Blanke 1989, Dragich 1989, Finks 1989, Mintz 1989, Stevens 1989, Malley 1990, Rowley 1990, Woodward 1990, Du Mont 1991, Gremmels 1991, Moran and Mallery 1991, Osburn 1991, Sykes 1991, Bosseau 1994, Bowden 1994, Emery 1994, Serebnick and Quinn 1995).

As we sail towards the twenty first century there is a growing fear of ideas and the pressure to establish 'social absolutes' in some quarters. In addition, the temperature of debate has risen as positions of sexism, racism, homophobia and other forms of intolerance gain currency. Librarians have become increasingly pressured to remove, seggregate and even destroy materials. New forms of information technology and communication networks are appearing, reflecting the diversity of the market place. Indeed, these technological developments are exciting and need to be harnessed, but they too generate new fears, problems, dilemmas among librarians and other information workers as to their precise impact (Bowden 1994). Budgets too are being repeatedly cut, providing further pressure to reduce access and to avoid the addition of 'controversial' materials to library collections (Shields 1992).

In the information and library world one hears about freedom to read, freedom of choice, freedom of access and freedom of information. Do librarians really know what thay mean when such terms are used? The concept of freedom connotes different meanings and underlying principles to a variety of people. Adler (1958) has analyzed the concept in great depth and has drawn his ideas from the major thinkers of the

western world. From this extensive exploration, Adler (1958) classifies three major ways in which the human being possesses freedom: circumstantial, acquired and natural. Circumstantial freedom is either wholly or partly dependent upon whatever external conditions affect human behaviour. Therefore external conditions may affect human behaviour by contracting or expanding the opportunities for selecting alternative courses of action, or by encouraging or inhibiting impulses to act in certain ways including the provision of every sort of social and political impediment. Possessing it, one would be free from pressures by the government, of the marketplace, of society, freedom to travel and to speak one's mind. This would include freedom from the censor. Acquired freedom may depend on favourable circumstances but it need not. It is in spite of circumstances that some individuals acquire a condition of freedom seemingly denied to others. Adler (1958) gives as examples; autonomy, exultation, freedom of personality, freedom from conflict or in a religious sense, a state of grace. Kaufman (1973) suggests that people such as Goethe and Solzhenitsyn were or are autonomous. That is they acquired freedom in spite of circumstances. If such a freedom is absent, revolutions and radical movements will not bring about external freedom but will only substitute one kind of slavery for another. Natural freedom is Adler's third category. The main point of this category is that freedom is inherent in all people, regardless of the circumstances under which they live and without regard to any state of mind or character which they may or may not acquire in the course of their lives. Circumstances may prevent complete self-realization but the freedom is inherent. Human beings have powers of imagination, insight, reason, to think in abstract terms, to use language, to communicate thoughts and emotions, to build a culture. One

might well say we have a natural freedom that no-one can take away (Adler 1958).

When one begins to examine the concept of freedom in this way, it is easy to see how conflicts can arise. No doubt, most people in the western world would consider themselves free and would think all should be free. It is the kind or degree of freedom that is at issue and what if anything needs to be done about any limitations on freedom that are perceived necessary. Furthermore as Marcuse (1964) believes, the range of choice open to the individual is not the decisive factor, but rather what can be chosen and what is chosen by the individual. Free choice among a variety of goods and services does not signify freedom if these goods and services sustain, albeit in a subtle manner forms of social control. The spontaneous reproduction of superimposed needs by the individual does not establish autonomy, it only testifies to the efficiency of the controls. This is illustrated in the way many people feel powerless in the face of the forces that govern their lives; pervasive government and the seemingly autonomous social and economic phenomenon. Thus the degree of freedom is mediated by social, cultural, political and economic factors (Habermas 1989, Coleman 1990, Harris and Hannah 1993). One of the purposes of freedom of expression is to assist in making necessary challenges to the status quo with the implications for progressive and healthy change.

Freedom comes in various forms and operates on many levels. Going back to Adler's three categories of freedom, we find we need them all. Circumstantial freedom is required to allow us to fulfil ourselves and to create a society that is fruitful for all. It includes, not only the negative aspect of laws which prevent others from infringing on our

rights, but the positive aspect of governments' (and thus libraries') actively promoting access and freedom of expression. Some aspects of this freedom clash, as when the rights of one infringe on the rights of another. As such , it is a protean freedom which is being adjusted and refined. Acquired freedom is probably necessary to circumstantial freedom. It must be accepted that oppression and supression must be dealt with on a daily basis. We must truly educate ourselves, learning to understand ourselves and society, to learn it's history and traditions. To free ourselves from the myths and glittering generalities of that history, and locate the sources of inequality and discrimination is imperative (Stielow 1983, Lindsey and Prentice 1985). Natural freedom is something we have because we are human, and thus due to the qualities of the human mind that cannot be limited. A greater internal freedom must be acquired through understanding and in turn work towards circumstantial freedom, for that is the social and political project at hand. Knowing we have freedom naturally, there must also be an awareness that in some sense it is not negotiable; we cannot give it away, nor can it be taken from us. This leads to conflicts of course, but life is full of conflicting interests and it is important to know that some freedoms are inalienable (Robotham and Shields 1982).

Libraries should advocate and promote freedom for all to have access to every idea and to make these ideas available in whatever format best suits their expression (Emery 1994). However, in this respect librarians are not neutral. 'Access' is not a neutral concept either. It does not refer simply to a condition which is passive; an 'approach' or 'admittance' to something. The term 'access to information' carries with it the implication that access can be broadened or restricted, permitted or denied. In other words, it implies action, either on the part of the

person seeking access, or on the part of a person empowered to allow access. Because information is so often a basis of power, and disempowerment is so often characterized by lack of information, access to information is a political issue. The idea that access to information can be neutral, that information is some passive resource waiting for people to use, is politically naive and amounts to collusion in the processes that perpetuate disadvantage (Swan 1986, Blanke 1989, Harris cited in Kinnell 1992). The information industry is capable of disseminating information and knowledge widely, inexpensively and quickly. In practice that skill is increasingly being used to limit access and increase costs. There is danger that information professionals are becoming too involved in techniques and technology to appreciate the impact on, not the end user, but the end use. There is a need to know something about the source of the information or message giver, the nature of the clients or publics and their perception of the source, the medium used, the communication situation, the nature of feedback (if there is any) and so on. All these variables, the factors that govern production, provision and reception are part of the communication process and must be taken in to account, when considering the relationship between information, access and communication (Halloran 1983). Information may be provided and it may be readily available, but provision and availability tell us little about use and consequences. Additionally, one of the factors that governs use, influence and consequences has to do with the nature of the source and how this is perceived. It is essential not only to have information on this score, but to study all the factors; historical, social, political, economic, legal, technological, institutional, personal and professional that impinge on the production and provision processes, and are related in various ways within the overall social system (Slack and Fejes 1987, Serebnick and

Quinn 1995). There cannot be equal opportunity to make informed decisions without equal access to the necessary information.

Information has been described as the bedrock and currency of democracy (Harris and Hannah 1993). It follows that access to information is fundamental to democracy, since inaccessible information is not informing anyone. Since access is not neutral, but calls for action, if the concern is to promote democracy then it is imperative to promote access to information actively (Finks 1989). Furthermore, information handling is a crucial literacy and a fundamental aspect to access. From a community development perspective, the act of 'informing communities' and of communities informing themselves becomes critical. Information is an essential ingredient in community development, and community development is an essential factor towards participative democracy. The capacity of local communities to cope with economic, political and social change depends heavily on access to information and if communities do not function, other policy measures will fail. It follows that there is a need for structures which support the presentation of communities own knowledge, for example through public meetings, pamphlets and leaflets, public libraries providing access to bulletin boards where agencies can upload records of their experiences and views, the use of databases, multi media and communication networks to provide a 'space', an arena whereby voices of marginalized groups may be heard and to provide effective access to information. In such ways, it is possible to make the experience of people in communities more visible, to make their voices more audible and their own knowledge more valid (Usherwood cited in Kinnell 1992).

Kent (1979) and Moran and Mallory (1991) has observed that it is not information itself that confers power, but the ability to control its handling and use. For example, industry, commerce and government have the power to deliberately obstruct the flow of information in order to acquire, strengthen or maintain power. Furthermore, it is the manipulation of information that confers power within a given power structure (Asheim 1983). Thus the very nature of librarianship as a service profession places it within a broad socio-political context. The relationship between power and knowledge, freedom of expression, access (who has access to what information and at what cost, the effect that information format has on access and so on) and intellectual property issues falls directly within the librarians' domain as they are charged with the preservation and development of our shared cultural and intellectual heritage in which dedication to education and information is paramount (Woodward 1990). Institutions are not neutral in the way they operate, a reminder that in the past silence over issues has been recorded as affirmation. Another point to be made is the widespread assumption that libraries provide free access to information on all sides of all issues. The reality is often that only some information on some sides of some issues is available to some people (Schuman cited in Stevens 1989).

Such ideals as intellectual freedom (the right to disseminate one's own views and to obtain access to the views of others) and impartiality in both appearance and reality are critical to the code of ethics of librarians (Oboler 1980). In this context, it is an ethical imperative to refuse to practice, condone or abide any form of censorship (Jones 1983, Jenkinson 1986, Hauptman 1988, Malley 1990, Osburn 1991). However at the same time, censorship must never be confused with the refusal to

provide socially detrimental information, for example in reference, to the aiding of illegal acts. Refusing to search out information over the most effective method to unlock a safe or neutralize a burglar alarm, and makes it known that she or he is planning to rob a bank that same evening is not censorship. It is not a limitation of freedom of expression. The material is not being suppressed, made available or destroyed. The librarian is simply not aiding in the commission of an illegal, criminal and heinous act. Thus it can be argued that social responsibility and ethical decision making are at the heart of information and library work (Hauptman 1988, Stevens 1989, Sykes 1991). In addition, it is through the organization and provision of information that professional librarians can assist their clients in increasing the control of their lives. It is therefore essential that information is provided not from within a social and ethical vacuum but rather from a position of enlightened social awareness (Birdsall 1988, Du Mont 1991).

The evolution of the professions in general and their ethical and social role in society is a complex and difficult one (Freidson 1986, McDowell 1991). Library and information professions have emerged in the context of a complex and inter-locking web of societal influences (Harris 1976, Stielow 1983, Harris and Hannah 1993). The new kinds of social and political roles the professions are being called upon to play must be accompanied by new kinds of moral vision if the professions are to play these roles with competence and legitimacy. Within librarianship, there is not more of a central concern than improved access to information. By stressing the commitment to helping their users maintain control of their lives with the help of information, librarians and other information professionals will also achieve the related benefit of improving their social recognition (Stevens 1989).

Ethical decision making in librarianship around social issues is a complex matter. For example, explicit violence and sex in library stock items can be regarded as social issues, in that some would argue that the availability of such material can affect the nature of our society and even the safety of some of its members (Usherwood cited in Rowley 1990). In addition, questions of privacy and confidentiality can also pose problems regarding claims for the welfare of society and that of the individual. Should for example a public library release circulation records to the police who believe this may help in a murder enquiry or to the intelligence services to help them compile a register of tastes in political reading? Or such an information scientist keep secret from the public at large information that suggests that processes used by her or his company are polluting the local environment? Therefore, there is a need to prepare and perhaps codify a set of values within which information work can be carried out that also takes in to account a rapid changing environment in terms of the moral and social implications that result from new technology (Usherwood cited in Rowley 1990). Lawson and Anthes (1988) believe that a passionate commitment to impartiality in the administration of access to information and a belief in the freedom of the mind do not require the abandonment of all other values. There is ample precedent for recognizing societal responsibility. Librarians must ask why they accept the rules they do, what interests they serve and what values they protect.

It is a well known fact that the library probably contains something to offend everyone. Sexual descriptions, the use of certain words and various religious, social and political opinions expressed in the literature may be found to be offensive to those who feel threatened by and consequently do not feel comfortable with them (Jones 1983). This brings

us forward to an area of senstitvity regarding potentially sexist and racist material. How does one decide whether or not a book is really sexist or racist? One could go on and examine material to decide whether it is also heterosexist (or homophobic), ageist and ablebodiedist. If all the faces in a children's book are white, is the work racist? If a novel portrays a housewife singing while mopping the floor, is it sexist?, or a film perceived to be based upon stereotypical characters and events? In analyzing material for their potentially oppressive aspects, librarians must search out and read significant book reviews, reports and research evaluations or even new significant films that describe or show the feelings and experience of members of various groups affected by stereotyping and listen to members of those groups who might find such material offensive. Thus a period of consultation should play a part in the selection of material as being one aspect in an overall collection development policy (Osburn 1991). Robotham and Shields (1982) believe that if it was decided that some very popular material was racist, it could well be purchased for the collection. Within an academic library, such material is often used as the basis for critical examination of racist attitudes. If a small portion of the book was racist and the work was widely acclaimed, one might also buy it. On the other hand, if the book was racist and did not have such redeeming qualities, it would be rejected. Suppose it is felt that a piece of material or even part of it is racist or sexist, there is an obvious concern that if such material is purchased, prejudices are merely being perpetuated. However, materials are often selected for the collection that do not carry our personal seal of approval, and how many of us would subscribe to the message in Mein Kampf by Adolf Hitler. Yet it is felt that such a work is a necessary part of most library collections (Robotham and Shields 1982). The Bible, in selected parts of the New Testament can be perceived to

be condoning slavery but it would be unthinkable to remove it from the library collection. The reason for selecting or withdrawing material must be based upon sound collection development policies (Berninghausen 1979). For example, the goal of multi-cultural acquisitions should be to promote a pluralistic environment in which people of all backgrounds feel comfortable expressing their unique heritage (Parrish and Katz 1993). Racism, sexism, heterosexism, ageism and all other 'isms' that the notion carries on it's cultural back cannot be solved by the library service alone. However, there is no more reason not to expect that the profession should move with greater dispatch than the rest of society to reduce the pressures within it's own house and thereby be a catalyst for others to follow suit (Robotham and Shields 1982).

Controversy over published works continues, as revealed in a recent case when the food chain Sainsbury's banned a book after complaints that it was too 'violent'. In the book, a girl called Abigail fantasises about defending her sandcastle from children threatening to knock it down and warns two boys that her father is in the mafia. The book sparked a protest from members of Parliament when it was first published in 1988 but the publishers refused to withdraw it (Guardian 1995).

Emery (1994) argues that it is the librarian's duty to provide information on all aspects and points of view on current and historical issues. This is not to say that these works should not have some sort of literary merit. Anything acquired by a library should be purchased because it is of acceptable quality. However, can a librarian allow literature to sit unchallenged on shelves when it presents viewpoints so ludicrous and intolerable such as 'The Hoax of the Twentieth Century'

which stated that the holocaust never occurred? Firstly, a sensational work should not be acquired simply because of it's shock value. But by showing toleration for such ideas, librarians may be removing some of the fury from movements that promote intolerance. Questioning will eventually prove or disprove their value. It is a known fact that the holocaust occurred, it is general knowledge. In removing such works as 'The Hoax of the Twentieth Century' from the library collections, one part of holocaust history is erased. It may not be an accurate part of it, but it is a part. "Toleration is meaningless without tolerance for what some may consider detestable" (Intellectual Freedom Manual ALA 1983 cited in Swan 1986 p. 46). Those who see the provision of truth rather than access to information as their mission, history and intellectual thought would not be what it is today (Emery 1994).

Marshall (1987 cited in Stevens 1989) argues that while non-partisanship is a value that is important to librarianship, the concept of 'neutrality' may be more effectively defined as one of complete openness in which the librarian attempts to meet the needs, requirements and opinions of the community by reflecting and representing it fully within the context of the library. Materials should reflect a reasonable balance, collectively in presenting opposing sides of issues and should seek to foster critical thinking and allow for the diversity of interests within the community served and be supportive to individuals seeking to make intelligent choices in their daily lives (Blanke 1989, Gremmels 1991). The balanced collection will never completely satisfy the groups who want their own point of view more prominent. Against the more familiar complaints on the 'Far Right'; too much material on sex, too much material that is anti-religious, not enough material on the virtues of free enterprise. There is another extreme; not enough sex, not enough material on humanism and

too much material of interest to business. The librarian's responsibility is to identify interests and to make judgments with the entire collection and the entire community in mind, not just that part of it with the largest constituency or the loudest voices or the most intimidatory threats. To make decisions, to make them for sound reasons and to be able to defend them when questioned are characteristics of professional judgment that go with the librarian's territory (Asheim 1983, Jenkinson 1986, Moran and Mallory 1991).

Freedom of access to information and impartiality in the administratioin of that access are fundamental aspects of human freedom and necessary conditions for the fulfilment of human dignity. They promote objectivity, respect for others and is essential for the formulation and expression of informed opinion. Every library contains books filled with erroneous opinions and outdated information. The task in hand is not to prevent the client's encounter with such materials but the purpose of the librarian, within an academic and intellectual context, is to enlarge the power of enquiry, to stimulate imaginative questioning of conventional thinking by providing access to a meaningful range of materials dealing with the world and the human condition (Lawson and Anthes 1988).

Librarians must be encouraged to think more broadly and highly of their task. There must be a recognition that libraries are multiple purpose institutions that have many impacts besides cultural enrichment and recreation. Moral leadership of such institutions means recognizing information agencies as part of an ethical system having numerous values that are important to human welfare. The challenge to librarians is to incorporate these values in to routine decision making and develop methods of analysis that are applicable to identify appropriate goals for

themselves and their organization (Du Mont 1991). Information policy making by various government bodies must be considered from a social and ethical point of view. Librarians have a vital role to play in the debate. They can make contributions to the discussion and provide insight with regard to the social dimension of information and in the formulation of regulations regarding the dissemination of information. Rules and regulations for the control of information flow must be evaluated alongside the inherent limitations of information dissemination systems. Professional staff not only have responsibility for efficient and effective use of material and human resources but also must be willing to create a responsible institution that cares about and responds to the ethical and moral imperatives of it's policies and actions (Woodward 1990).

Ethical behaviour in librarianship does not mean that one should take no action, that is avoid certain actions, books or ideas in an effort to keep out of trouble. On the contrary, the notion of ethics suggests that librarians take actions that are socially just. Only by actively pursuing social aims can librarians be ethically responsive. The reluctance of many librarians to define its values in socio-political terms and to cultivate a sense of social responsibility may allow it to drift in to an uncritical accommodation with society's dominant social, cultural, political and economic powers (Blanke 1989). Thus intellectual freedom and ethical issues cannot be divorced from the critical contextual overview of the role and place of libraries as a social agency as outlined in chapter one. There has been an attempt to enlighten and challenge the reader by teasing apart the subtle and sometimes overt power relations that tend to shape and inform our common held assumptions regarding the role of the information professional in the dissemination of information. A

theoretical framework has been constructed in which those commonly held assumptions can be challenged, harnessed and transformed for the good of the profession and of society.

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